

CHAPTER 36

NATURAL RESOURCES

HOUSE BILL 10-1326

BY REPRESENTATIVE(S) Pommer, Ferrandino, Lambert, Fischer;
also SENATOR(S) Tapia, Keller, White.

AN ACT

CONCERNING AN INCREASE IN THE AMOUNT OF AUTHORIZED APPROPRIATIONS FROM THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND TO THE DIVISION OF PARKS AND OUTDOOR RECREATION, AND, IN CONNECTION THEREWITH, ADJUSTING THE 2009 LONG BILL.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 39-29-109.3 (1) (a) (I) and (1) (f), Colorado Revised Statutes, are amended to read:

39-29-109.3. Operational account of the severance tax trust fund - repeal.

(1) For fiscal years commencing on and after July 1, 1997, the executive director of the department of natural resources shall submit with the department's budget request for each fiscal year a list and description of the programs the executive director recommends to be funded from the operational account of the severance tax trust fund created in section 39-29-109 (2) (b), referred to in this section as the "operational account". The minerals, energy, and geology policy advisory board established pursuant to section 34-20-104, C.R.S., shall review the executive director's recommendation before submittal. The general assembly may appropriate moneys from the total moneys available in the operational account to fund recommended programs as follows:

(a) (I) For programs or projects within the Colorado oil and gas conservation commission, ~~up to forty-five percent of the moneys in the operational account for fiscal years commencing before July 1, 2008, and up to forty~~ THIRTY-FIVE percent of the moneys in the operational account for fiscal years commencing on or after July 1, ~~2008~~ 2009.

(f) For fiscal years commencing on or after July 1, ~~2008, only,~~ 2009, for programs within the division of parks and outdoor recreation that operate, maintain,

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

or improve state parks in any region of the state in which production activity is occurring, up to ~~five~~ TEN percent of the moneys in the operational account. ~~which moneys shall not supplant moneys that would otherwise be made available for such programs.~~

SECTION 2. 39-29-109.3 (2) (a) (I) (C) and (2) (a) (I) (D), Colorado Revised Statutes, are amended, and the said 39-29-109.3 (2) (a) (I) is further amended BY THE ADDITION OF A NEW SUB-SUBPARAGRAPH, to read:

39-29-109.3. Operational account of the severance tax trust fund - repeal.

(2) Subject to the requirements of subsections (3) and (4) of this section, if the general assembly chooses not to spend up to one hundred percent of the moneys in the operational account as specified in subsection (1) of this section, the state treasurer shall transfer the following:

(a) (I) To the water supply reserve account created in section 39-29-109 (2) (c), the following amounts:

(C) For the state fiscal year commencing July 1, 2010, ~~ten~~ SIX million dollars. This sub-subparagraph (C) is repealed, effective July 1, 2012.

(D) For the state fiscal year commencing July 1, 2011, ~~and for each state fiscal year thereafter, ten~~ SEVEN million dollars. THIS SUB-SUBPARAGRAPH (D) IS REPEALED, EFFECTIVE JULY 1, 2013.

(E) FOR EACH STATE FISCAL YEAR COMMENCING ON OR AFTER JULY 1, 2012, TEN MILLION DOLLARS.

SECTION 3. Part XIV (6) (A) and the affected totals of section 2 of chapter 464, Session Laws of Colorado 2009, are amended to read:

Section 2. **Appropriation.**

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART XIV
DEPARTMENT OF NATURAL RESOURCES**

(6) PARKS AND OUTDOOR RECREATION

(A) State Park

Operations	24,063,248	3,866,992		19,758,961*		437,295 ^b
	(260.7 FTE)	1,719,577		21,906,376*		

^a Of this amount, \$17,565,348 shall be from the Parks and Outdoor Recreation Cash Fund established pursuant to Section 33-10-111 (1), C.R.S., ~~\$1,234,058~~ \$3,381,473 shall be from the Operational Account of the Severance Tax Trust Fund pursuant to Section 39-29-109.3 (1) (f), C.R.S., \$505,806 shall be from Lottery proceeds (including reserves from prior years) and is shown for informational purposes only, \$396,254 shall be from various sources of cash funds, \$50,058 shall be from the Snowmobile Recreation Fund established pursuant to Section 33-14-106, C.R.S., and \$7,437 shall be from the Off-highway Vehicle Recreation Fund established pursuant to Section 33-14.5-106 (1), C.R.S.

^b This amount is anticipated to be received from the United States Bureau of Reclamation through a cost-sharing agreement to address the net operating deficit of Paonia, Vega, Rifle Gap, Crawford, and Navajo State parks, and is shown for informational purposes only.

36,128,365

