

Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 14-0992.01 Duane Gall x4335

**SENATE BILL 14-188**

**SENATE SPONSORSHIP**

**Schwartz and Baumgardner,**

**HOUSE SPONSORSHIP**

**Fischer and Rankin,**

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**Senate Committees**

Agriculture, Natural Resources, & Energy  
Appropriations

**House Committees**

Agriculture, Livestock, & Natural Resources  
Appropriations

HOUSE  
3rd Reading Unamended  
May 5, 2014

HOUSE  
2nd Reading Unamended  
May 2, 2014

SENATE  
3rd Reading Unamended  
April 25, 2014

SENATE  
Amended 2nd Reading  
April 24, 2014

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**A BILL FOR AN ACT**

101 **CONCERNING MEASURES TO EFFECTUATE THE CONSERVATION OF**  
102 **NATIVE SPECIES IN COLORADO, AND, IN CONNECTION**  
103 **THEREWITH, MAKING APPROPRIATIONS FROM THE SPECIES**  
104 **CONSERVATION TRUST FUND FOR PURPOSES RECOMMENDED BY**  
105 **THE DEPARTMENT OF NATURAL RESOURCES.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)*

The bill appropriates money from the species conservation trust

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

fund for programs submitted by the executive director of the department of natural resources that are designed to conserve native species that have been listed as threatened or endangered under state or federal law, or are candidate species or are likely to become candidate species as determined by the United States fish and wildlife service.

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

2 **SECTION 1. Legislative declaration.** (1) Pursuant to:

3 (a) Section 24-33-111 (2), Colorado Revised Statutes, the species  
4 conservation trust fund has been created in the state treasury to fund  
5 programs designed to conserve native species that have been listed as  
6 threatened or endangered under state or federal law, or are candidate  
7 species or are likely to become candidate species as determined by the  
8 United States fish and wildlife service;

9 (b) Section 24-33-111 (3), Colorado Revised Statutes, the  
10 executive director of the department of natural resources, after consulting  
11 with the Colorado water conservation board and its director, the parks and  
12 wildlife board, and the director of the division of parks and wildlife, has  
13 prepared and delivered to the general assembly a species conservation  
14 eligibility list describing programs and associated costs that are eligible  
15 to receive funding from the species conservation trust fund; and

16 (c) Section 24-33-111 (3), Colorado Revised Statutes, prior to  
17 obligating funds from the species conservation trust fund, the species  
18 conservation eligibility list is subject to modification and adoption  
19 through the passage of a bill.

20 **SECTION 2. Eligibility list - approval.** (1) The general  
21 assembly deems the recommended expenditures described in the species  
22 conservation eligibility list to be in the interest of the people of the state.  
23 The moneys specified in this subsection (1) are available in fiscal year

1 2014-15 and remain available for the designated purposes until they are  
2 fully expended:

3 (a) The executive director of the department of natural resources  
4 is authorized to obligate and expend six million five hundred thousand  
5 dollars (\$6,500,000) from the species conservation trust fund for the  
6 following activities, programs, and species in the following amounts:

7	<b>PROGRAM / SPECIES</b>	<b>AMOUNT</b>
8	(I) Selenium management program	\$ 500,000
9	(II) Yampa basin nonnative species	\$ 500,000
10	control program	
11	(III) Morgan bottom infrastructure	\$ 500,000
12	upgrade and habitat restoration	
13	project	
14	(IV) Native fish passage design and	\$ 500,000
15	construction at flood-affected	
16	diversions	
17	(V) Native terrestrial wildlife	\$ 638,000
18	conservation	
19	(VI) Native aquatic wildlife	\$ 1,012,000
20	conservation	
21	(VII) Colorado natural areas	\$ 350,000
22	program	
23	(VIII) Native species management,	\$ 1,000,000
24	monitoring, and propagation	
25	(IX) Federal endangered species act	\$ 1,500,000
26	litigation program	
27	<b>Total authorization:</b>	<b>\$ 6,500,000</b>

28 **SECTION 3.** In Colorado Revised Statutes, 39-29-109.3, **add** (2)

1 (e) (VII), (2) (e) (VIII), (2) (e) (IX), (2) (e) (X), and (2) (e) (XI) as  
2 follows:

3 **39-29-109.3. Severance tax operational fund - repeal.**

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

8 (e) To the species conservation trust fund created in section  
9 24-33-111 (2) (a), C.R.S., the following amounts:

10 (VII) (A) FOR THE STATE FISCAL YEAR COMMENCING JULY 1, 2014,  
11 SIX MILLION FIVE HUNDRED THOUSAND DOLLARS.

12 (B) THIS SUBPARAGRAPH (VII) IS REPEALED, EFFECTIVE JULY 1,  
13 2016.

14 (VIII) (A) FOR THE STATE FISCAL YEAR COMMENCING JULY 1,  
15 2015, FIVE MILLION DOLLARS.

16 (B) THIS SUBPARAGRAPH (VIII) IS REPEALED, EFFECTIVE JULY 1,  
17 2017.

18 (IX) (A) FOR THE STATE FISCAL YEAR COMMENCING JULY 1, 2016,  
19 FIVE MILLION DOLLARS.

20 (B) THIS SUBPARAGRAPH (IX) IS REPEALED, EFFECTIVE JULY 1,  
21 2018.

22 (X) (A) FOR THE STATE FISCAL YEAR COMMENCING JULY 1, 2017,  
23 FIVE MILLION DOLLARS.

24 (B) THIS SUBPARAGRAPH (X) IS REPEALED, EFFECTIVE JULY 1,  
25 2019.

26 (XI) (A) FOR THE STATE FISCAL YEAR COMMENCING JULY 1, 2018,  
27 FIVE MILLION DOLLARS.

1 (B) THIS SUBPARAGRAPH (XI) IS REPEALED, EFFECTIVE JULY 1,  
2 2020.

3 **SECTION 4. Appropriation.** (1) In addition to any other  
4 appropriation, there is hereby appropriated to the department of law, for  
5 the fiscal year beginning July 1, 2014, the sum of \$163,944 and 1.0 FTE,  
6 or so much thereof as may be necessary, for the provision of legal  
7 services for the department of natural resources related to the  
8 implementation of this act. Said sum is from reappropriated funds  
9 received from the department of natural resources out of the appropriation  
10 made in paragraph (a) of subsection (1) of section 2 of this bill.

11 **SECTION 5. Safety clause.** The general assembly hereby finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, and safety.