

**Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 10-0115.01 Thomas Morris

HOUSE BILL 10-1006

HOUSE SPONSORSHIP

Curry, Baumgardner, Gardner C., McKinley

SENATE SPONSORSHIP

Brophy, Hodge, White, Whitehead

House Committees

Agriculture, Livestock, & Natural Resources
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING INCREASED FUNDING FOR THE DIVISION OF WATER**
102 **RESOURCES FROM THE OPERATIONAL ACCOUNT OF THE**
103 **SEVERANCE TAX TRUST FUND, AND MAKING AN APPROPRIATION**
104 **THEREFOR.**

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/billsummaries>.)

Water Resources Review Committee. Authorizes the expenditure of up to 5% of the moneys in tier 1 of the operational account

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.

of the severance tax trust fund for the division of water resources, and allows this increase to supplant moneys that would otherwise be made available to the division from the general fund. Eliminates the tier 1 authorization for the division of wildlife to account for the increase.

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

2 **SECTION 1.** 39-29-109.3 (1) (c), Colorado Revised Statutes, is
3 amended, and the said 39-29-109.3 (1) is further amended BY THE
4 ADDITION OF A NEW PARAGRAPH, to read:

5 **39-29-109.3. Operational account of the severance tax trust**
6 **fund - repeal.** (1) For fiscal years commencing on and after July 1,
7 1997, the executive director of the department of natural resources shall
8 submit with the department's budget request for each fiscal year a list and
9 description of the programs the executive director recommends to be
10 funded from the operational account of the severance tax trust fund
11 created in section 39-29-109 (2) (b), referred to in this section as the
12 "operational account". The minerals, energy, and geology policy advisory
13 board established pursuant to section 34-20-104, C.R.S., shall review the
14 executive director's recommendation before submittal. The general
15 assembly may appropriate moneys from the total moneys available in the
16 operational account to fund recommended programs as follows:

17 (c) For programs within the division of reclamation, mining, and
18 safety, ~~up to thirty percent of the moneys in the operational account for~~
19 ~~fiscal years commencing before July 1, 2008, and up to twenty-five~~
20 ~~percent of the moneys in the operational account for fiscal years~~
21 ~~commencing on or after July 1, 2008, AND JULY 1, 2009, AND UP TO~~
22 ~~TWENTY PERCENT OF THE MONEYS IN THE OPERATIONAL ACCOUNT FOR~~
23 ~~FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2010. As part of any~~

1 appropriation made, five hundred thousand dollars, or so much as may be
2 available, shall be transferred to the abandoned mine reclamation fund
3 created in section 34-34-102 (1), C.R.S.

4 (g) FOR FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2010,
5 FOR PROGRAMS WITHIN THE DIVISION OF WATER RESOURCES, UP TO FIVE
6 PERCENT OF THE MONEYS IN THE OPERATIONAL ACCOUNT.

7 **SECTION 2. Appropriation - adjustments in long bill.**

8 (1) The appropriations made in the annual general appropriation act to
9 the department of natural resources, division of wildlife, division
10 operations, for wildlife management, for the fiscal year beginning July 1,
11 2010, shall be decreased by four hundred thirteen thousand one hundred
12 seventy-nine dollars (\$413,179) cash funds. Said sum shall be from the
13 operational account of the severance tax trust fund created in section
14 39-29-109, Colorado Revised Statutes.

15 (2) In addition to any other appropriation, there is hereby
16 appropriated, to the department of natural resources, division of water
17 resources, for the fiscal year beginning July 1, 2010, three hundred forty
18 thousand sixty-one dollars (\$340,061) and 5.3 FTE for personal services,
19 and twenty-two thousand fifty dollars (\$22,050) for operating expenses.
20 Said sums shall be from the operational account of the severance tax trust
21 fund created in section 39-29-109, Colorado Revised Statutes.

22 (3) In addition to any other appropriation, there is hereby
23 appropriated, to the department of natural resources, executive director's
24 office, for the fiscal year beginning July 1, 2010, forty thousand six
25 hundred ninety-three dollars (\$40,693) for health, life, dental, four
26 hundred seventy-two dollars (\$472) for short-term disability, six thousand
27 ninety-four dollars (\$6,094) for amortization equalization disbursement,

1 and three thousand eight hundred nine dollars (\$3,809) for supplemental
2 amortization equalization disbursement. Said sums shall be from the
3 operational account of the severance tax trust fund created in section
4 39-29-109, Colorado Revised Statutes.

5 **SECTION 3. Safety clause.** The general assembly hereby finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, and safety.