

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 15-0926.01 Esther van Mourik x4215

HOUSE BILL 15-1310

HOUSE SPONSORSHIP

Rankin,

SENATE SPONSORSHIP

Baumgardner,

House Committees

Agriculture, Livestock, & Natural Resources
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY OF THE DIVISION OF PARKS AND**
102 **WILDLIFE TO ACQUIRE REAL PROPERTY FOR THEIR GARFIELD**
103 **COUNTY ADMINISTRATIVE OFFICE AND PUBLIC SERVICE CENTER,**
104 **AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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>.)

The bill grants the division of parks and wildlife the authority to acquire real property for their Garfield county administrative office and public service center in Garfield county.

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.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) The division of parks and wildlife (division) maintains an
5 administrative office and public service center in Garfield county. The
6 department of natural resources owns the building and surface
7 improvements for the benefit of the division of parks and wildlife and the
8 parks and wildlife commission, but the land on which the building and
9 improvements are located, approximately 3.8 acres, is owned by the
10 Colorado Wildlife Heritage Foundation. The department leases the land
11 from the Colorado Wildlife Heritage Foundation under a ten-year lease
12 that ends in 2020.

13 (b) The department of natural resources also holds an agreement
14 with the Colorado Wildlife Heritage Foundation that gives the division
15 the option to purchase the land for a price of \$552,500 provided the
16 option is exercised prior to September 1, 2015. The option continues after
17 that date but the purchase price for the land will be based on a market
18 value appraisal.

19 (c) The division believes the market value is currently in excess
20 of \$552,500;

21 (d) The division wishes to acquire fee title to the land in order to
22 eliminate the need to lease the land and to eliminate the annual lease
23 payments;

24 (e) The Colorado Wildlife Heritage Foundation wishes to sell the
25 land;

26 (f) Section 33-1-105.5 (7), Colorado Revised Statutes, grants the

1 parks and wildlife commission the authority to acquire fee title interest in
2 real property without using a bid process if the purchase is approved by
3 the general assembly acting by bill;

4 (g) Section 33-1-102 (10), Colorado Revised Statutes, specifies
5 that the "division" means the division of parks and wildlife and its
6 employees, and, when necessary, allows the term to refer to the parks and
7 wildlife commission.

8 **SECTION 2. Division of parks and wildlife authority to**
9 **acquire real property.** (1) The state of Colorado, acting by and through
10 the division of parks and wildlife, is authorized to purchase real property
11 located on the southerly side of Interstate 70 Exit 109, in Garfield county,
12 being a 3.792 acres tract in Section 35, Township 5 South, Range 90 West
13 of the 6th Principal Meridian. The real property will be acquired by the
14 division of parks and wildlife for the division's administrative office and
15 public service center.

16 (2) The real property may be acquired by the division of parks and
17 wildlife for the sum of five hundred fifty-two thousand five hundred
18 dollars (\$552,500).

19 (3) The real property may not be subject to any restrictive
20 covenants, contracts, or zoning requirements that restrict public access to
21 the property or restrict any alternative state use of the property.

22 (4) The division of parks and wildlife may not enter into any
23 agreement for a payment in lieu of property taxes from which the state is
24 statutorily exempt under section 39-3-124 (1), Colorado Revised Statutes.

25 (5) The state controller must approve all agreements relating to
26 the purchase of the real property prior to closing.

27 (6) Any title to real property received by the division of parks and

1 wildlife will be held by the state for the benefit and use of the division of
2 parks and wildlife.

3 **SECTION 3. Appropriation.** For the 2015-16 state fiscal year,
4 \$552,500 is appropriated to the department of natural resources for use
5 by the division of parks and wildlife. This appropriation is from the
6 wildlife cash fund created in section 33-1-112 (1), C.R.S. To implement
7 this act, the division of parks and wildlife may use this appropriation for
8 the acquisition of real property authorized in section 2 of this act.

9 **SECTION 4. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety.