

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

INTRODUCED

LLS NO. 09-0319.02 Ed DeCecco

HOUSE BILL 09-1051

HOUSE SPONSORSHIP

Baumgardner,

SENATE SPONSORSHIP

(None),

House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE USE OF FEDERAL MINERAL LEASE REVENUES TO PAY**
102 **FOR CONSTRUCTION PROJECTS IN AREAS IMPACTED BY**
103 **PRODUCTION OF ENERGY RESOURCES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

For a 10-year period, requires federal mineral lease revenues that are currently distributed to local governments by the executive director of the department of local affairs through grants to be instead used to pay for recommended roadway and bridge construction projects. Requires the executive director and the transportation commission, in consultation with certain entities, to develop a prioritized list of such projects.

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.** The introductory portion to 34-63-102 (5.4) (b),
3 Colorado Revised Statutes, is amended, and the said 34-63-102 is further
4 amended BY THE ADDITION OF A NEW SUBSECTION, to read:

5 **34-63-102. Creation of mineral leasing fund - distribution -**
6 **advisory committee - definitions - repeal.** (5.4) Except as otherwise
7 provided in subsection (5.5) of this section, on and after July 1, 2008, all
8 moneys other than bonus payments, as defined in paragraph (b) of
9 subsection (5.3) of this section, credited to the mineral leasing fund
10 created in subparagraph (I) of paragraph (a) of subsection (1) of this
11 section shall be distributed on a quarterly basis for quarters beginning on
12 July 1, October 1, January 1, and April 1 of each state fiscal year as
13 follows:

14 (b) For each quarter commencing during the 2008-09 fiscal year
15 or during any succeeding fiscal year, forty percent of the moneys shall be
16 credited to the local government mineral impact fund. EXCEPT AS
17 OTHERWISE SET FORTH IN SUBSECTION (5.7) OF THIS SECTION, fifty percent
18 of the moneys so credited shall be distributed by the executive director of
19 the department of local affairs in accordance with the purposes and
20 priorities described in subsection (1) of this section, and in distributing
21 such moneys the executive director shall give priority to those
22 communities most directly and substantially impacted by production of
23 energy resources on federal mineral lands and to grant applications that:

24 (5.7) (a) ON OR BEFORE JULY 1, 2010, THE EXECUTIVE DIRECTOR
25 OF THE DEPARTMENT OF LOCAL AFFAIRS AND THE TRANSPORTATION
26 COMMISSION CREATED IN SECTION 43-1-106, C.R.S., IN CONSULTATION

1 WITH THE ENERGY IMPACT ASSISTANCE ADVISORY COMMITTEE AND
2 COUNTIES AND MUNICIPALITIES THAT ARE IMPACTED BY PRODUCTION OF
3 ENERGY RESOURCES ON FEDERAL MINERAL LANDS, SHALL DEVELOP A
4 PRIORITIZED LIST OF RECOMMENDED ROADWAY AND BRIDGE
5 CONSTRUCTION PROJECTS LOCATED WITHIN THE IMPACTED COUNTIES AND
6 MUNICIPALITIES. IN DEVELOPING THE LIST, PREFERENCE SHALL BE GIVEN
7 TO PROJECTS THAT BENEFIT MULTIPLE COUNTIES AND MUNICIPALITIES.

8 (b) FOR EACH FISCAL YEAR BEGINNING ON OR AFTER JULY 1, 2010,
9 BUT BEFORE JULY 1, 2020, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT
10 OF LOCAL AFFAIRS SHALL DISTRIBUTE FIFTY PERCENT OF THE MONEYS
11 CREDITED TO THE LOCAL GOVERNMENT MINERAL IMPACT FUND PURSUANT
12 TO PARAGRAPH (b) OF SUBSECTION (5.4) OF THIS SECTION TO THE
13 PRIORITIZED LIST OF RECOMMENDED ROADWAY AND BRIDGE
14 CONSTRUCTION PROJECTS DEVELOPED PURSUANT TO PARAGRAPH (a) OF
15 THIS SUBSECTION (5.7). THE EXECUTIVE DIRECTOR MAY MAKE THESE
16 DISTRIBUTIONS TO A MUNICIPALITY, A COUNTY, OR THE DEPARTMENT OF
17 TRANSPORTATION.

18 (c) THIS SUBSECTION (5.7) IS REPEALED, EFFECTIVE JULY 1, 2021.

19 **SECTION 2. Safety clause.** The general assembly hereby finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, and safety.