UNEDITED UNREVISED DRAFT 1.23.09

HOUSE COMMITTEE OF REFERENCE REPORT

	Chairman of Committee Date
	Committee on Agriculture, Livestock, & Natural Resources.
	After consideration on the merits, the Committee recommends the following:
	HB09-1161 be amended as follows:
1	Amend printed bill, strike everything below the enacting clause and
2	substitute the following:
3	" SECTION 1. 34-63-102 (1) (a) (II), Colorado Revised Statutes,
4	is amended, and the said 34-63-102 is further amended BY THE
5	ADDITION OF A NEW SUBSECTION, to read:
6	34-63-102. Creation of mineral leasing fund - distribution -
7	advisory committee - definitions. (1) (a) (II) (A) On and after July 1,
8	2008, EXCEPT FOR ALL STATE FISCAL YEARS FROM THE 2009-10 FISCAL
9	YEAR TO THE 2020-21 FISCAL YEAR, all moneys, including any interest and
10	income derived therefrom, received by the state treasurer pursuant to the
11	provisions of the federal "Mineral Lands Leasing Act" of February 25,
12	1920, as amended, except those moneys described in section 34-63-104,
13	shall be deposited by the state treasurer into the mineral leasing fund for
14	use by state agencies, public schools, and political subdivisions of the
15	state as described in subsections (5.3) and (5.4) of this section and for
16	transfer to the higher education federal mineral lease revenues fund
17	created in section 23-19.9-102 (1) (a), C.R.S., the higher education
18	maintenance and reserve fund created in section 23-19.9-102 (2) (a),
19	C.R.S., and the local government permanent fund created in
20	sub-subparagraph (A) of subparagraph (I) of paragraph (a) of subsection

23 (B) FOR ALL STATE FISCAL YEARS FROM THE 2009-10 FISCAL YEAR

(5.3) of this section, as required by this section and section 23-19.9-102,



C.R.S.

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- 1 TO THE 2020-21 FISCAL YEAR, TEN PERCENT OF ALL MONEYS, INCLUDING 2 ANY INTEREST AND INCOME DERIVED THEREFROM, RECEIVED BY THE STATE TREASURER PURSUANT TO THE PROVISIONS OF THE FEDERAL 4 "MINERAL LANDS LEASING ACT" OF FEBRUARY 25, 1920, AS AMENDED, 5 EXCEPT THOSE MONEYS DESCRIBED IN SECTION 34-63-104, SHALL BE 6 DEPOSITED BY THE STATE TREASURER INTO COUNTY OF ORIGIN 7 CONSTRUCTION CASH FUND, CREATED IN SUBSECTION (6.5) OF THIS 8 SECTION FOR USE BY COUNTIES AND MUNICIPALITIES OF THE STATE AS 9 DESCRIBED IN SAID SUBSECTION. THE REMAINING NINETY PERCENT OF 10 SAID MONEYS RECEIVED DURING SUCH STATE FISCAL YEARS SHALL BE 11 DEPOSITED BY THE STATE TREASURER INTO THE MINERAL LEASING FUND 12 FOR USE BY STATE AGENCIES, PUBLIC SCHOOLS, AND POLITICAL 13 SUBDIVISIONS OF THE STATE AS DESCRIBED IN SUBSECTIONS (5.3) AND 14 (5.4) OF THIS SECTION AND FOR TRANSFER TO THE HIGHER EDUCATION 15 FEDERAL MINERAL LEASE REVENUES FUND CREATED IN SECTION 23-19.9-102 (1) (a), C.R.S., THE HIGHER EDUCATION MAINTENANCE AND 16 17 RESERVE FUND CREATED IN SECTION 23-19.9-102 (2) (a), C.R.S., AND THE 18 LOCAL GOVERNMENT PERMANENT FUND CREATED IN SUB-SUBPARAGRAPH 19 (A) OF SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (5.3) OF THIS 20 SECTION, AS REQUIRED BY THIS SECTION AND SECTION 23-19.9-102, C.R.S.
- 21 THE COUNTY OF ORIGIN CONSTRUCTION CASH FUND IS (6.5)22 HEREBY CREATED IN THE STATE TREASURY THE COUNTY OF ORIGIN 23 CONSTRUCTION CASH FUND. THE FUND SHALL CONSIST OF ALL MONEYS 24 CREDITED TO THE FUND PURSUANT TO SECTION SUB-SUBPARAGRAPH (B) 25 OF SUBPARAGRAPH (II) OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS 26 SECTION. ALL INTEREST EARNED FROM THE INVESTMENT OF MONEYS IN 27 THE FUND SHALL BE CREDITED TO THE FUND. TEN WORKING DAYS AFTER 28 RECEIPT OF THE LAST MONTHLY PAYMENT IN EACH QUARTER, THE STATE 29 TREASURER SHALL DISTRIBUTE ALL MONEYS IN THE FUND AS OF SUCH TIME 30 AMONG THOSE RESPECTIVE COUNTIES OF THIS STATE FROM WHICH THE 31 FEDERAL LEASING MONEY IS DERIVED IN PROPORTION TO THE AMOUNT OF 32 SAID FEDERAL LEASING MONEY DERIVED FROM EACH OF THE RESPECTIVE 33 COUNTIES. THE COUNTY SHALL USE SUCH MONEYS FOR THE 34 CONSTRUCTION OF PUBLIC FACILITIES; EXCEPT THAT THE COUNTY MAY 35 ALSO DISTRIBUTE THE MONEYS TO A MUNICIPALITY LOCATED WITHIN THE 36 COUNTY FOR CONSTRUCTION OF PUBLIC FACILITIES BY THE MUNICIPALITY.
- 37 **SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".



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