

### **33-1-110**

(6.7) The director shall certify to the state controller that commitment or payment vouchers submitted by local habitat partnership committees are consistent with distribution management plans and guidelines approved by the commission. Such certification is the only requirement necessary to authorize the state controller to disburse funds from the habitat partnership cash fund.

(7) (a) The director, with approval of the commission, shall appoint a committee of nine persons to act as the "habitat partnership council", referred to in this section as the "council". The council shall have statewide responsibility and authority.

(b) (I) The council shall consist of the following members: Two sports persons who purchase big game licenses on a regular basis in Colorado; two persons representing livestock growers in Colorado; one person from the United States department of agriculture forest service; one person from the United States department of the interior bureau of land management; one person from the Colorado state university range extension program; one person representing agricultural crop producers; and one person from the Colorado division of parks and wildlife. All persons on the council shall be residents of the state of Colorado.

(II) Members of the council who will represent livestock growers and agricultural crop producers shall be chosen by the director from persons nominated by the local habitat partnership committees, pursuant to subparagraph (VI) of paragraph (d) of subsection (8) of this section.

(III) For the initial appointments to the council, the terms of the four members representing sports persons and livestock growers shall be two years for one member of each group and four years for the other member of each group, after which all appointments shall be for four years. The term lengths for the members representing the various agencies shall be at the discretion of the respective agencies. There shall be no limit on the number of terms a member may serve.

(c) The duties of the council are:

(I) To advise local habitat partnership committees;

(II) To assist in the dissemination of information concerning the habitat partnership program;

(III) To review draft plans for compliance with program guidelines established by the commission and to recommend appropriate action by the commission;

(IV) To monitor program effectiveness and to propose to the commission changes in guidelines and land acquisition planning and review as appropriate;

(V) To advise the director whether or not payment vouchers submitted by local habitat partnership committees are consistent with distribution management plans approved by the commission;

(VI) To report to the commission and to the senate agriculture, natural resources, and energy committee and the house of representatives agriculture, livestock, and natural resources committee pursuant to [section 33-1-112 \(8\)](#).

(d) (Deleted by amendment, L. 96, p. 1727, § 1, effective June 3, 1996.)

(8) (a) The habitat partnership program is hereby created to assist the division of parks and wildlife by working with private land managers, public land management agencies, sports persons, and other interested parties to reduce wildlife conflicts, particularly those associated with forage and fence issues, and to assist the division of parks and wildlife in meeting game management objectives through duties as deemed appropriate by the director.

(b) The director, with the approval of the commission, shall have the authority to appoint a "habitat partnership committee", referred to in this section as a "committee", in any area of the state where conflicts between wildlife and private land owners and managers engaged in the management of public and private land exist.

(c) A committee shall consist of the following members: One sports person who purchases big game licenses on a regular basis in Colorado; three persons representing livestock growers in the area of the state in which the committee is being established; one person from each of the federal agencies that has land management responsibilities in such area of the state; and one person from the Colorado division of parks and wildlife. All persons on any such committee shall be residents of the state of Colorado.

(d) The duties of a committee are the following:

(I) To develop big game distribution management plans to resolve rangeland forage, growing hay crop, harvested crop aftermath grazing, and fence conflicts subject to commission approval;

(II) To monitor program effectiveness and to propose to the council changes in

guidelines and land acquisition planning and review as appropriate;

(III) To request for the committee, on an annual basis, funds from the council consistent with the distribution management plan developed by any such committee;

(IV) To expend funds allocated by the council or acquired from other sources as necessary to implement distribution management plans;

(V) To make an annual report of expenditures and accomplishments of the committee to the council by August 15 of each year;

(VI) To nominate a person to act as a representative of agricultural livestock growers or crop producers to the habitat partnership council for the area of the state where such committee is organized;

(VII) To reduce wildlife and land management conflicts as the conflicts relate to big game forage and fence issues and other management objectives.

(e) The committee shall be authorized to procure from land owners, land managers, or other providers, materials or services necessary for carrying out activities identified in the distribution management plans pursuant to subparagraph (IV) of paragraph (d) of this subsection (8); except that all such procurements shall be certified as within the scope of the activities and funding levels authorized in such distribution management plans before any such procurement may be authorized.

### **33-1-112**

(8) (a) There is hereby created in the state treasury the habitat partnership cash fund. The moneys in the habitat partnership cash fund shall consist of those moneys annually transferred from the wildlife cash fund in accordance with paragraph (e) of this subsection (8) for the partnership program and any gifts, grants, donations, and reimbursements made to the program from other sources. The moneys in the fund shall be used in accordance with the duties of the habitat partnership council as specified in [section 33-1-110 \(7\)](#) and (8), including, but not limited to, reasonable and necessary expenses incurred by council members in the fulfillment of their duties, as approved by the director. All interest derived from the investment of moneys in the habitat partnership cash fund shall be credited to the fund. Any balance remaining in the fund at the end of any fiscal year shall remain in the fund subject to the limitations provided in paragraph (e) of this subsection (8).

(b) The council shall submit an annual report to the commission, the senate and house agriculture committees, and the executive director of the department of natural resources specifically stating the items for which it has expended moneys from the fund and the purpose of such items.

(c) If the council ceases to exist, all moneys in the habitat partnership cash fund shall revert to the wildlife cash fund.

(d) (Deleted by amendment, L. 96, p. 1729, § 2, effective June 3, 1996.)

(e) (I) On July 1, 2002, and each year thereafter, there shall be transferred from the wildlife cash fund to the habitat partnership cash fund an amount equal to five percent of the net sales of big game licenses used in the geographic areas represented by local habitat partnership committees from the previous calendar year.

(II) All moneys in the habitat partnership cash fund shall be continuously appropriated to the division of parks and wildlife for the purpose of funding the habitat partnership program.

(III) Any balance in the habitat partnership cash fund at the end of the fiscal year shall not exceed the total amount of the wildlife cash fund transfer from the beginning of that fiscal year. Any excess moneys shall revert to the wildlife cash fund.

(IV) This paragraph (e) is repealed, effective July 1, 2023.