

HPP Statutes

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 shall appoint a council of nine persons to act as the “habitat partnership council”, referred to in this section as the “council”. The council has 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);

(VII) To allocate an annual budget to each local habitat partnership committee and submit each committee's budget for the director's final approval; and

(VIII) To expend money as necessary in areas that are not covered by a local habitat partnership committee formed pursuant to subsection (8)(b) of this section to reduce wildlife and land management conflicts as the conflicts relate to big game ungulate species forage and fence issues, assist with private land conservation efforts, enhance wildlife migration corridors, and implement other management objectives.

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

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) Notwithstanding section 24-1-136 (11)(a)(I), 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 money 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) The balance of unexpended and unencumbered money in the habitat partnership cash fund at the end of each state fiscal year must not exceed the total amount of the wildlife cash fund transfer from the beginning of that state fiscal year. Any amount of unexpended and unencumbered money in the habitat partnership cash fund at the end of a state fiscal year that exceeds the amount transferred to the fund at the beginning of that state fiscal year reverts to the wildlife cash fund.

(IV) Repealed.

24-101-105

- (1) (a) This code applies to all publicly funded contracts entered into by all governmental bodies of the executive branch of this state; except that this code does not apply to:
- (I) Bridge and highway construction or to contracts for unsolicited or comparable proposals for public-private initiatives under section 43-1-1203;
 - (II) Contracts between the state and its political subdivisions or other governments, except as provided in article 110 of this title 24;
 - (II.5) Grants;
 - (III) Public printing, as defined in section 24-70-201, except for the provisions of article 109 of this title 24;
 - (IV) Professional services, as defined in section 24-30-1402;
 - (V) The Colorado state fair authority created pursuant to section 35-65-401 (1);
 - (VI) The state board of land commissioners in connection with contract expenditures from the state board of land commissioners investment and development fund created in section 36-1-153 (1), or the commercial real property operating fund created in section 36-1-153.7;
 - (VII) Repealed.
 - (VIII) Utilities, including water, electricity, and natural gas;
 - (IX) Works of art for display, purchase, or performance;
 - (X) Copyrighted materials such as books, periodicals, collections, and subscriptions;
 - (XI) Conference facilities at hotels or other venues that include, but need not to be limited to, meeting rooms, audio visual equipment, catering, and guest accommodation rooms;
 - (XII) Client-based services including medical services or services where the client has the right to choose the vendor;
 - (XIII) Dues and memberships;
 - (XIV) Annuities;
 - (XV) Real property or interest in real property;
 - (XVI) The habitat partnership program created in section 33-1-110 (8)(a);
 - (XVII) The department of early childhood in soliciting and selecting entities to serve as local coordinating organizations pursuant to section 26.5-2-103 and coordinating agreements entered into pursuant to section 26.5-2-105; or
 - (XVIII) Public-private partnerships authorized by part 1 of article 94 of this title 24.

(a.5) If the procurement official or his or her designee determines that reasonable competition exists in the procurement of a good or service that is exempt from the code pursuant to subsection (1)(a) of this section, the procurement official or his or her designee may require a competitive process.

(b) The governing board of each institution of higher education, including the Auraria higher education center established in article 70 of title 23, by formal action of the board, and the Colorado commission on higher education, by formal action of the commission, may elect to be exempt from the provisions of this code and may enter into contracts independent of the terms specified in this code.

(c) Repealed.

(d) (Deleted by amendment, L. 2017.)

(e) Upon the request to purchase items for resale to the public, the procurement official may, by written determination, provide that this code shall not apply to items acquired for such resale.

(f) Nothing in this code or in rules promulgated under this code shall prevent any governmental body or political subdivision from complying with the terms and conditions of any grant, gift, bequest, or cooperative agreement.

(g) Upon the request to enter into a revenue-producing contract, the procurement official may, by written determination, provide that this code shall not apply to the revenue-producing contract. Governmental bodies shall maximize the return to the state when they are parties to revenue-producing contracts.

(2) All political subdivisions and local public agencies of this state are authorized to adopt all or any part of this code and its accompanying rules.

(3) and (4) (Deleted by amendment, L. 2017.)