



## HB18-1008

**SHORT TITLE:** Mussel-Free Colorado Act

**LONG TITLE:** Concerning the financing of the division of parks and wildlife's aquatic nuisance species program, and, in connection therewith, creating an aquatic nuisance species stamp for the operation of motorboats and sailboats in waters of the state, increasing penalties related to the introduction of aquatic nuisance species into the waters of the state, and combining two separate funds related to the aquatic nuisance species program into one fund.

**SPONSORS:** [Rep. D. Esgar](#) | [Rep. J. Arndt](#) | [Sen. K. Donovan](#) | [Sen. D. Coram](#) (Interim bill)

**COMMITTEES:** House Committees – Agriculture, Livestock, & Natural Resources; Finance; Appropriations. Senate Committees – Finance; Appropriations.

**PURPOSE OF THE BILL:** To provide continuous funding to operate inspection of conveyances (trailers, motor vehicles, watercraft) for aquatic nuisance species

**PROPONENTS:** Colorado Division of Parks and Wildlife

**POTENTIAL STAKEHOLDERS:** Water providers, water recreation organizations; water diverters (owners of headgates)

**BACKGROUND:** The inspection program for aquatic nuisance species (ANS) previously was funded by Tier 2 Severance Tax appropriations. Money available in this account has fallen due to decreased prices for oil and natural gas and diminished coal production – two activities that produce severance tax revenue. During the 2017 legislative session a bill to increase fees throughout the division of parks and wildlife (including ANS inspections) failed to pass. Thereafter, the legislature appropriated \$4 million from the general fund to operate the program on July 1.

**Is this bill necessary this year?** Yes. There is currently no stable identified funding source and inspections must continue to avoid further infestation.

**How does the bill change current law?** New definitions are added for “motorboat” and “sailboat”. Boat owners registering their vessel is would be required to purchase a stamp (\$25 for instate registrants and \$50 for non-residents who operate their vessel in Colorado 60 days or more ). Penalties would be imposed for failure to purchase a stamp and fines for failure to comply with inspections would be increased. CPW would be authorized to seek reimbursement for storing and decontaminating a quarantined vessel, trailer, or motor vehicle. The statute which authorized the transfer of money \$4 million) from the general fund on July 1, 2017 is repealed. Two existing funds for this purpose are combined into a single fund.

**Does the bill affect the prior appropriations system?** No

**How is the bill implemented?** Boat owners would purchase a stamp to be retained in the owner's possession during operation, the proceeds of which are paid into the aquatic nuisance species fund within the state treasury. Moneys collected from fines for non-compliance would also be transmitted to the fund. The money in the fund collected from stamp purchases and fines is cumulative to money authorized to be transferred from the severance tax operational fund should the operational fund not be totally expended. That authorized amount is four million six thousand five dollars. This is a continuing appropriation by the legislature to the division of parks and wildlife to administer the program; moneys remaining at the end of a fiscal year do not revert to the general fund or any other fund.

**Fiscal Impact:** According to the Legislative Council, the bill could reduce funding requirements from the state and would create more stability in the program; the additional revenue would not impact TABOR because CPW is operated as an enterprise. Fiscal impact statement for bill as introduced (interim committee version) estimates Fee Revenue at \$2,258,365 for FY 2018-19 and \$2,383,555 FY 2019-20. The bill is expected to increase annual revenue from reimbursements by \$6,000 beginning in FY 2018-19. Division staff are expected to decontaminate approximately 25 boats per year at an average cost of \$240 per boat. Actual costs will vary depending on the severity of the ANS infestation. Costs are rarely incurred for storage. Criminal penalty provisions are only expected to increase cash fund revenue by less than \$500 in FY 2018-19 and less than \$1,000 in FY 2019-20 and thereafter.