State Agricultural Land Issues

| **HB 09-1317** - (Signed into Law) | Prohibit Transfer of State Lands for Piñon Canyon Expansion |

Develop Renewable Energy Opportunities

| **SB 09-124** (Signed into Law) | Extend Agriculture Energy-related Projects |

Game Damage Issues

| **SB 09-024** (Signed into Law) | Wildlife Division Response to Game Damage |

Pet Animal Care Issues

| **SB 09-118** (Signed into Law) | Continue Regulation of Pet Animal Care Facilities |
| **HB 09-1172** - (Postponed Indefinitely) | Regulation of Pet Animal Care Facilities |

State Lands and the Piñon Canyon Maneuver Site

The State Board of Land Commissioners is housed in the Department of Natural Resources. It manages state trust lands for the benefit of eight trusts, the largest of which is a school trust to support K-12 education in the state. At statehood, the federal government provided Colorado with a grant of 4.8 million acres of land to be used for specific purposes, including the support of the common schools. Of the original 4.8 million acres, nearly 3 million surface acres are still under the control of the board, including land located in area that the U.S. Department of Defense (DOD) has identified for expansion of its Piñon Canyon maneuver site in Las Animas County. **House Bill 09-1317** prohibits the State Board of Land Commissioners from selling or leasing any property it holds in trust to the DOD for expansion of the Piñon Canyon maneuver site. It requires the Attorney General to make it a priority to oppose any attempt by the federal government to acquire state lands associated with the expansion of the maneuver site, for which consent to acquire has been withdrawn.

Develop Renewable Energy Opportunities

The Colorado Agricultural Value-Added Development Board within the Colorado Department of Agriculture administers the Advancing Colorado's Renewable Energy Program, which provides funding to promote energy-related projects and research beneficial to Colorado's agriculture industry. **House Bill 06-1322** appropriated $500,000 annually from the Operational Account of the Severance Tax Trust Fund for FY 2006-07 through FY 2008-09 to the program. **Senate Bill 09-124** extends the funding to the Department of Agriculture for this program until FY 2011-12. Under current law, funding would have concluded on June 30, 2009.
Game Damage

When wild game, such as elk or deer, cause damage to personal property, crops, and fences, landowners can submit a claim for damages to the Division of Wildlife (DOW) in the Department of Natural Resources. To stop damage from occurring, the DOW provides damage prevention materials to landowners under specified conditions. In response to a landowner's request for damage prevention materials, Senate Bill 09-024 requires the DOW to:

• contact the landowner within two business days and consult with the landowner within five business days of a damage prevention material request being filed;
• provide temporary game damage prevention materials within 15 days of receiving a request;
• provide permanent game damage prevention materials within 45 days of receiving a request; and
• under certain circumstances pay for damages that occur between the request of damage prevention materials and the receipt of damage prevention materials if the deadlines are not met or the provided materials are insufficient to prevent game damage.

The bill specifies that the DOW will not be liable for damages under certain circumstances including:

• when appropriate damage prevention materials have been provided but the claimant refused to accept or use the materials for damage prevention; and
• if the claimant charges more than $500 per person, per season for access to or across their property for big game hunting under certain circumstances.

Game damage prevention materials will only be available to landowners who:

• do not unreasonably restrict hunting species likely to cause damage on their land or limit access across lands under the landowners control; and
• do not charge more than $500 per person, per season, to hunt on or across the landowners property.

In cases where DOW determines that wildlife is causing excessive property damage, the bill contains provisions that authorize DOW to issue a permit to the property owner or his or her designee to kill a specified number of the species of wildlife causing the damage. Additionally, the bill directs DOW to provide an annual report to the General Assembly that includes:

• information about the herd management objectives set by the DOW;
• requests for game damage prevention materials and DOW’s response to these requests;
• the quantity and adequacy of game damage materials issued; and
• permits issued to take wildlife causing damage.
Regulation of Pet Animal Care Facilities

The Pet Animal Care Facilities Act (PACFA) program within the Colorado Department of Agriculture is responsible for licensing pet care facilities and enforcing PACFA provisions. PACFA inspectors examine pet care facilities to ensure compliance with standards for facility operation regarding sanitation, ventilation, heating, cooling, humidity, spatial and enclosure requirements, nutrition, humane care, medical treatment, methods of operation, maintenance of records, euthanasia, and transactions. The regulation of the pet animal care facilities was scheduled to end July 1, 2009, unless the General Assembly passed a law to continue the program. Senate Bill 09-118 continues PACFA until July 1, 2014, and the Pet Animal Advisory Committee indefinitely. It also:

- authorizes the Commissioner of Agriculture to set fees and dates for licensing;
- adds a new facilities inspector;
- expands regulations to include pet rats and gerbils; and
- adds a representative of the dog day care industry to the Pet Animal Advisory Committee.

Another bill, House Bill 09-1172 would have amended PACFA to limit the number of dogs allowed in a facility, and would have made the denial or revocation of a license mandatory if the applicant had been convicted of cruelty to animals. This bill was postponed indefinitely.