

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

HOUSE BILL 12-1032

BY REPRESENTATIVE(S) Hamner, Fields, Fischer, Gerou, Hullinghorst, Kerr A., Kerr J., Pace, Todd, Wilson, Young, Labuda, Schafer S., Solano; also SENATOR(S) Nicholson, Foster, Guzman, Heath, Williams S.

CONCERNING CONTINUATION OF FORESTRY-RELATED PROGRAMS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, 23-31-310, **amend** (6), (8), (8.5), and (9); and **repeal** (7) as follows:

**23-31-310. Forest restoration program - definitions - technical advisory panel - repeal.** (6) **Proposal selection.** After consulting with the technical advisory panel established in subsection (5) of this section, the forest service shall select the proposals that will receive funding through this section. In carrying out the ~~pilot~~ program and approved projects to provide forest restoration activities, the forest service and stakeholders shall, whenever feasible, contract with the Colorado youth corps association or an accredited Colorado youth corps to provide labor.

(7) **Report.** ~~No later than July 1, 2008, the director shall submit a report to the governor, which shall include an assessment of whether, and~~

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

~~to what extent, projects authorized pursuant to this section have achieved the purposes identified in this section.~~

(8) **Administrative costs.** The forest service may utilize no more than three percent of any amounts appropriated in any fiscal year for its direct and indirect costs in administering the ~~pilot~~ program.

(8.5) **Forest restoration program cash fund.** There is hereby created in the state treasury the forest restoration ~~pilot~~ program cash fund. ~~which shall be administered by~~ The department of higher education ~~and shall consist~~ SHALL ADMINISTER THE FUND, WHICH CONSISTS of all moneys transferred by the treasurer as specified in section 39-29-109.3 (2) (k), C.R.S. All moneys in the fund are continuously appropriated to the department of higher education for allocation to the board of governors of the Colorado state university system for the forest restoration ~~pilot~~ program specified in this section. All moneys in the fund at the end of each fiscal year ~~shall be retained~~ REMAIN in the fund and ~~shall~~ DO not revert to the general fund or any other fund.

(9) **Repeal.** This section is repealed, effective September 1, ~~2012~~ 2017. Prior to such repeal, the DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE technical advisory panel ~~shall be reviewed~~ as provided for in section 2-3-1203, C.R.S.

**SECTION 2.** In Colorado Revised Statutes, 23-31-313, **amend** (6) (a) (I) (A) and (6) (b) as follows:

**23-31-313. Healthy forests - vibrant communities - funds created - repeal.** (6) **Community watershed restoration.** (a) In order to support communities and land managers in moving from risk reduction to long-term ecological restoration so that the underlying condition of Colorado's forests supports a variety of values, particularly public water supply and high-quality wildlife habitat, the forest service shall:

(I) (A) Hire additional temporary field capacity to support the implementation and monitoring of forest restoration ~~pilot~~ program grants awarded pursuant to section 23-31-310.

(b) (I) The forest service may use up to one million dollars annually until July 1, ~~2012~~ 2017, from the forest restoration ~~pilot~~ program cash fund

created in section 23-31-310 (8.5) for the purpose of complying with this subsection (6).

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2018.

**SECTION 3.** In Colorado Revised Statutes, 2-3-1203, **repeal** (3) (y.5); and **add** (3) (dd.5) as follows:

**2-3-1203. Sunset review of advisory committees.** (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(y.5) ~~September 1, 2012: The technical advisory panel convened in section 23-31-310, C.R.S.;~~

(dd.5) SEPTEMBER 1, 2017:

(I) THE TECHNICAL ADVISORY PANEL CONVENED IN SECTION 23-31-310, C.R.S.

**SECTION 4.** In Colorado Revised Statutes, 39-29-109.3, **amend** (2) (k) and (2) (n) as follows:

**39-29-109.3. Operational account of the severance tax trust fund - repeal.** (2) Subject to the requirements of subsections (3) and (4) of this section, if the general assembly chooses not to spend up to one hundred percent of the moneys in the operational account as specified in subsection (1) of this section, the state treasurer shall transfer the following:

(k) (I) For ~~four~~ NINE state fiscal years, beginning with the state fiscal year commencing on July 1, 2008, one million dollars per year to the forest restoration ~~pilot~~ program cash fund created in section 23-31-310 (8.5), C.R.S.

(II) This paragraph (k) is repealed, effective July 1, ~~2013~~ 2018.

(n) (I) For ~~three~~ EIGHT fiscal years commencing on or after July 1, 2009, the state treasurer shall transfer:

(A) One million four hundred fifty thousand dollars of the moneys

in the account to the healthy forests and vibrant communities fund created in section 23-31-313 (10), C.R.S.

(B) Fifty thousand dollars of the moneys in the account to the wildland-urban interface training fund created in section 24-33.5-1212 (5), C.R.S.

(II) This paragraph (n) is repealed, effective July 1, ~~2013~~ 2018.

**SECTION 5. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the wildland-urban interface training fund created in section 24-33.5-1212 (5) (a), Colorado Revised Statutes, not otherwise appropriated, to the department of public safety, for the fiscal year beginning July 1, 2012, the sum of \$50,000, or so much thereof as may be necessary, for allocation to the office of preparedness, security, and fire safety for personal services and operating expenses.

**SECTION 6. 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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Frank McNulty  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO