

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 12-0255.01 Thomas Morris x4218

HOUSE BILL 12-1032

HOUSE SPONSORSHIP

Hamner,

SENATE SPONSORSHIP

Nicholson,

House Committees

Agriculture, Livestock, & Natural Resources
Appropriations

Senate Committees

A BILL FOR AN ACT

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

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill continues the forest restoration program, and its associated funding from severance taxes, for 5 years and specifies that the program is no longer a pilot program. The bill also extends for 5 years the annual transfers from the operational account of the severance tax trust fund of \$1.45 million to the healthy forests and vibrant communities fund and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

HOUSE
3rd Reading Unamended
February 9, 2012

HOUSE
Amended 2nd Reading
February 8, 2012

\$50,000 to the wildland-urban interface training fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-31-310, **amend**
3 (6), (8), (8.5), and (9); and **repeal** (7) as follows:

4 **23-31-310. Forest restoration program - definitions - technical**
5 **advisory panel - repeal.** (6) **Proposal selection.** After consulting with
6 the technical advisory panel established in subsection (5) of this section,
7 the forest service shall select the proposals that will receive funding
8 through this section. In carrying out the ~~pi~~lot program and approved
9 projects to provide forest restoration activities, the forest service and
10 stakeholders shall, whenever feasible, contract with the Colorado youth
11 corps association or an accredited Colorado youth corps to provide labor.

12 (7) ~~**Report.** No later than July 1, 2008, the director shall submit~~
13 ~~a report to the governor, which shall include an assessment of whether,~~
14 ~~and to what extent, projects authorized pursuant to this section have~~
15 ~~achieved the purposes identified in this section.~~

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

19 (8.5) **Forest restoration program cash fund.** There is hereby
20 created in the state treasury the forest restoration ~~pi~~lot program cash fund.
21 ~~which shall be administered by~~ The department of higher education ~~and~~
22 ~~shall consist~~ SHALL ADMINISTER THE FUND, WHICH CONSISTS of all moneys
23 transferred by the treasurer as specified in section 39-29-109.3 (2) (k),
24 C.R.S. All moneys in the fund are continuously appropriated to the
25 department of higher education for allocation to the board of governors

1 of the Colorado state university system for the forest restoration ~~pilot~~
2 program specified in this section. All moneys in the fund at the end of
3 each fiscal year ~~shall be retained~~ REMAIN in the fund and ~~shall~~ DO not
4 revert to the general fund or any other fund.

5 (9) **Repeal.** This section is repealed, effective September 1, ~~2012~~
6 2017. Prior to such repeal, the DEPARTMENT OF REGULATORY AGENCIES
7 SHALL REVIEW THE technical advisory panel ~~shall be reviewed~~ as provided
8 for in section 2-3-1203, C.R.S.

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

11 **23-31-313. Healthy forests - vibrant communities - funds**
12 **created - repeal.** (6) **Community watershed restoration.** (a) In order
13 to support communities and land managers in moving from risk reduction
14 to long-term ecological restoration so that the underlying condition of
15 Colorado's forests supports a variety of values, particularly public water
16 supply and high-quality wildlife habitat, the forest service shall:

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

20 (b) (I) The forest service may use up to one million dollars
21 annually until July 1, ~~2012~~ 2017, from the forest restoration ~~pilot~~ program
22 cash fund created in section 23-31-310 (8.5) for the purpose of complying
23 with this subsection (6).

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

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

27 **2-3-1203. Sunset review of advisory committees.** (3) The

1 following dates are the dates for which the statutory authorization for the
2 designated advisory committees is scheduled for repeal:

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

5 (dd.5) SEPTEMBER 1, 2017:

6 (I) THE TECHNICAL ADVISORY PANEL CONVENED IN SECTION
7 23-31-310, C.R.S.

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

10 **39-29-109.3. Operational account of the severance tax trust**
11 **fund - repeal.** (2) Subject to the requirements of subsections (3) and (4)
12 of this section, if the general assembly chooses not to spend up to one
13 hundred percent of the moneys in the operational account as specified in
14 subsection (1) of this section, the state treasurer shall transfer the
15 following:

16 (k) (I) For ~~four~~ NINE state fiscal years, beginning with the state
17 fiscal year commencing on July 1, 2008, one million dollars per year to
18 the forest restoration ~~pilot~~ program cash fund created in section
19 23-31-310 (8.5), C.R.S.

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

21 (n) (I) For ~~three~~ EIGHT fiscal years commencing on or after July
22 1, 2009, the state treasurer shall transfer:

23 (A) One million four hundred fifty thousand dollars of the moneys
24 in the account to the healthy forests and vibrant communities fund created
25 in section 23-31-313 (10), C.R.S.

26 (B) Fifty thousand dollars of the moneys in the account to the
27 wildland-urban interface training fund created in section 24-33.5-1212

1 (5), C.R.S.

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

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

11 **SECTION 6. Effective date.** This act takes effect upon passage;
12 except that section 3 takes effect only if House Bill 12-___ does not
13 become law.

14 **SECTION 7. Safety clause.** The general assembly hereby finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, and safety.