

**Second Regular Session  
Sixty-sixth General Assembly  
STATE OF COLORADO**

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 08-0237.01 Thomas Morris

**SENATE BILL 08-071**

---

**SENATE SPONSORSHIP**

**Gibbs,** Boyd, Harvey, Kester, Kopp, Morse, Penry, Renfroe, Romer, Schwartz, Spence, Tapia, Wiens, and Williams

**HOUSE SPONSORSHIP**

**Scanlan,** Benefield, Curry, Gallegos, Kefalas, Kerr A., Kerr J., Levy, Looper, Marshall, McFadyen, Peniston, Solano, White, and Witwer

---

**Senate Committees**

Agriculture, Natural Resources & Energy  
Appropriations

**House Committees**

Agriculture, Livestock, & Natural Resources  
Appropriations

---

**A BILL FOR AN ACT**

101 **CONCERNING EXTENSION OF THE REPEAL DATE OF THE FOREST**  
102 **RESTORATION PILOT PROGRAM, AND, IN CONNECTION**  
103 **THEREWITH, EXTENDING THE REPEAL DATE OF THE TECHNICAL**  
104 **ADVISORY PANEL, AND MAKING AN APPROPRIATION.**

---

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Extends the repeal date for the forest restoration pilot program and the technical advisory panel to July 1, 2012.

---

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  
Am ended 3rd Reading  
April 28, 2008

HOUSE  
Am ended 2nd Reading  
April 25, 2008

SENATE  
3rd Reading Unamended  
April 16, 2008

SENATE  
Am ended 2nd Reading  
April 15, 2008

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

2 **SECTION 1.** 23-31-310 (9), Colorado Revised Statutes, is  
3 amended to read:

4 **23-31-310. Forest restoration - pilot program - definitions -**  
5 **technical advisory panel - repeal.** (9) **Repeal.** This section is repealed,  
6 effective ~~July 1, SEPTEMBER 1, 2008~~ 2012. Prior to such repeal, the  
7 technical advisory panel shall be reviewed as provided for in section  
8 2-3-1203, C.R.S.

9 **SECTION 2. Repeal.** 2-3-1203 (3) (u) (IV), Colorado Revised  
10 Statutes, is repealed as follows:

11 **2-3-1203. Sunset review of advisory committees.** (3) The  
12 following dates are the dates for which the statutory authorization for the  
13 designated advisory committees is scheduled for repeal:

14 (u) July 1, 2008:

15 (IV) ~~The technical advisory panel created in section 23-30-311,~~  
16 ~~C.R.S.;~~

17 **SECTION 3.** 2-3-1203 (3), Colorado Revised Statutes, is  
18 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

19 **2-3-1203. Sunset review of advisory committees.** (3) The  
20 following dates are the dates for which the statutory authorization for the  
21 designated advisory committees is scheduled for repeal:

22 (y.5) ~~SEPTEMBER 1, 2012: THE TECHNICAL ADVISORY PANEL~~  
23 ~~CREATED IN SECTION 23-31-310, C.R.S.~~

24 **SECTION 4.** 39-29-109, Colorado Revised Statutes, is amended  
25 BY THE ADDITION OF A NEW SUBSECTION to read:

26 **39-29-109. Severance tax trust fund - created - administration**  
27 **- use of moneys - definitions - repeal.** (9) (a) SUBJECT TO THE END

1 BALANCE REQUIREMENT OF PARAGRAPH (f) OF SUBSECTION (1.5) OF THIS  
2 SECTION AND THE MAINTENANCE OF A TWO-YEAR RESERVE PURSUANT TO  
3 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (III) OF PARAGRAPH (c) OF  
4 SUBSECTION (1) OF THIS SECTION, FOR FOUR STATE FISCAL YEARS,  
5 BEGINNING WITH THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2008,  
6 ONE MILLION DOLLARS PER YEAR FROM THE OPERATIONAL ACCOUNT OF  
7 THE SEVERANCE TAX TRUST FUND SHALL BE APPROPRIATED FOR PURPOSES  
8 SPECIFIED IN SECTION 23-31-310, C.R.S., FOR THE FOREST RESTORATION  
9 PILOT PROGRAM. IF THERE ARE INSUFFICIENT MONEYS IN THE  
10 OPERATIONAL ACCOUNT TO MAKE ALL APPROPRIATIONS AND TRANSFERS  
11 AT THE HIGHEST LEVEL AUTHORIZED BY LAW, THE TRANSFERS  
12 AUTHORIZED BY THIS SUBSECTION (9) SHALL BE REDUCED PRO RATA AS  
13 NECESSARY TO ACCOMMODATE ALL APPROPRIATIONS AND TRANSFERS AT  
14 THE HIGHEST LEVEL AUTHORIZED BY LAW OTHER THAN THIS SUBSECTION  
15 (9).

16 (b) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE SEPTEMBER 1,  
17 2012.

18 **SECTION 5.** 39-29-109.3 (2), Colorado Revised Statutes, as  
19 enacted by House Bill 08-1398, enacted at the Second Regular Session of  
20 the Sixty-sixth General Assembly, is amended BY THE ADDITION OF  
21 A NEW PARAGRAPH to read:

22 **39-29-109.3. Operational account of the severance tax trust**  
23 **fund - repeal.** (2) Subject to the requirements of subsections (3) and (4)  
24 of this section, if the general assembly chooses not to spend up to one  
25 hundred percent of the moneys in the operational account as specified in  
26 subsection (1) of this section, the state treasurer shall transfer the  
27 following:

1 (i) (I) FOR FOUR STATE FISCAL YEARS, BEGINNING WITH THE STATE  
2 FISCAL YEAR COMMENCING ON JULY 1, 2008, ONE MILLION DOLLARS PER  
3 YEAR TO THE FOREST RESTORATION PILOT PROGRAM CASH FUND CREATED  
4 IN SECTION 23-31-310, C.R.S.

5 (II) THIS PARAGRAPH (i) IS REPEALED, EFFECTIVE JULY 1, 2013.

6 **SECTION 6.** 23-31-310, Colorado Revised Statutes, is amended  
7 BY THE ADDITION OF A NEW SUBSECTION to read:

8 **23-31-310. Forest restoration - pilot program - definitions -**  
9 **technical advisory panel - repeal. (8.5) Forest restoration pilot**  
10 **program cash fund.** THERE IS HEREBY CREATED IN THE STATE TREASURY  
11 THE FOREST RESTORATION PILOT PROGRAM CASH FUND, WHICH SHALL BE  
12 ADMINISTERED BY THE DEPARTMENT OF HIGHER EDUCATION AND SHALL  
13 CONSIST OF ALL MONEYS TRANSFERRED BY THE TREASURER AS SPECIFIED  
14 IN SECTION 39-29-109.3 (2) (i), C.R.S. ALL MONEYS IN THE FUND ARE  
15 CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT OF HIGHER  
16 EDUCATION FOR ALLOCATION TO THE BOARD OF GOVERNORS OF THE  
17 COLORADO STATE UNIVERSITY SYSTEM FOR THE FOREST RESTORATION  
18 PILOT PROGRAM SPECIFIED IN THIS SECTION. ALL MONEYS IN THE FUND AT  
19 THE END OF EACH FISCAL YEAR SHALL BE RETAINED IN THE FUND AND  
20 SHALL NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND.

21 **SECTION 7. Appropriation.** In addition to any other  
22 appropriation, there is hereby appropriated, out of any moneys in the  
23 operational account of the severance tax trust fund created in section  
24 39-29-109, Colorado Revised Statutes, not otherwise appropriated, to the  
25 department of higher education, for allocation to the board of governors  
26 of the Colorado state university system, for the fiscal year beginning July  
27 1, 2008, the sum of one million dollars (\$1,000,000) for the forest

1 restoration pilot program, or so much thereof as may be necessary, for the  
2 implementation of this act.

3 **SECTION 8. Effective date.** (1) This act shall take effect upon  
4 passage; except that:

5 (a) Sections 4 and 7 of this act shall not take effect if House Bill  
6 08-1398 is enacted at the Second Regular Session of the Sixty-sixth  
7 General Assembly and becomes law;

8 (b) Sections 5 and 6 of this act shall take effect only if House Bill  
9 08-1398 is enacted at the Second Regular Session of the Sixty-sixth  
10 General Assembly and becomes law.

11 **SECTION 9. Safety clause.** The general assembly hereby finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, and safety.