

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading 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 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5 **technical advisory panel - repeal.** (9) **Repeal.** This section is repealed,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10 Statutes, is repealed as follows: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) Section 7 of this act shall not take effect if House Bill 08-1398
6 is enacted at the Second Regular Session of the Sixty-sixth General
7 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.