

**First Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 05-0741.01 Thomas Morris

HOUSE BILL 05-1259

HOUSE SPONSORSHIP

Penry, and Hoppe

SENATE SPONSORSHIP

Isgar,

House Committees

Senate Committees

Agriculture, Livestock, & Natural Resources

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A ROADLESS AREAS REVIEW TASK**
102 **FORCE.**

Bill Summary

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

Creates the Colorado roadless areas review task force, consisting of the executive director of the department of natural resources, 8 members appointed by the governor, one member appointed by the speaker of the house of representatives, one member appointed by the president of the senate, the chairperson of the house of representatives committee on agriculture, livestock, and natural resources, and the chairperson of the senate committee on agriculture, natural resources, and energy.

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.

Directs the task force to make recommendations to the governor regarding the appropriate management of roadless areas in national forests. Specifies that the act becomes effective upon the adoption of a final rule by the federal department of agriculture regarding state petitions for inventoried roadless area management and the receipt of an adequate implementing appropriation from the federal government. Repeals the task force after the completion of its work.

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

SECTION 1. Legislative declaration. The general assembly finds, determines, and declares that the management of national forest roadless areas is of great import to Colorado, its economy, its rural lifestyle, and its environment. The general assembly further finds that the state of Colorado should proactively seek to resolve longstanding disputes concerning such management by engaging local communities and affected stakeholders as to the proper management of these lands, under authorities granted to the governor in a proposed United States department of agriculture rule.

SECTION 2. Article 7 of title 36, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

PART 3

ROADLESS AREAS REVIEW TASK FORCE

36-7-301. Definitions. AS USED IN THIS PART 3, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "APPLICABLE FOREST AREA" MEANS THE APPROXIMATELY FOUR MILLION FOUR HUNDRED THOUSAND ACRES OF UNITED STATES FOREST LANDS LOCATED IN COLORADO THAT WERE IDENTIFIED AS ROADLESS IN A SET OF INVENTORIED ROADLESS AREA MAPS CONTAINED IN THE FEDERAL FOREST SERVICE'S ROADLESS AREA CONSERVATION FINAL ENVIRONMENTAL IMPACT STATEMENT, VOLUME 2, DATED NOVEMBER 2000, AND HELD AT

1 THE NATIONAL HEADQUARTERS OF THE FOREST SERVICE.

2 (2) "FINAL RULE" MEANS THE FEDERAL DEPARTMENT OF
3 AGRICULTURE'S RULE REGARDING STATE PETITIONS FOR INVENTORIED
4 ROADLESS AREA MANAGEMENT ADOPTED AFTER AND IN RESPONSE TO THE
5 PROPOSED RULE.

6 (3) "PROPOSED RULE" MEANS THE FEDERAL DEPARTMENT OF
7 AGRICULTURE'S RULE ADOPTED ON JULY 16, 2004, REGARDING STATE
8 PETITIONS FOR INVENTORIED ROADLESS AREA MANAGEMENT, 69 FED. REG.
9 42636.

10 (4) "TASK FORCE" MEANS THE COLORADO ROADLESS AREAS
11 REVIEW TASK FORCE CREATED IN SECTION 36-7-302.

12 **36-7-302. Roadless areas review task force.** (1) THERE IS
13 HEREBY CREATED THE COLORADO ROADLESS AREAS REVIEW TASK FORCE.
14 THE TASK FORCE SHALL MAKE RECOMMENDATIONS TO THE GOVERNOR
15 REGARDING THE APPROPRIATE MANAGEMENT OF APPLICABLE FOREST
16 AREAS. THE TASK FORCE SHALL MAKE ITS RECOMMENDATIONS ON OR
17 BEFORE THE DATE THAT IS TWO MONTHS BEFORE THE DEADLINE SPECIFIED
18 IN THE FINAL RULE FOR THE GOVERNOR TO SUBMIT MANAGEMENT
19 RECOMMENDATIONS TO THE NATIONAL FOREST SERVICE.

20 (2) PRIOR TO MAKING ITS RECOMMENDATIONS, THE TASK FORCE
21 SHALL HOLD AT LEAST ONE PUBLIC MEETING FOR EACH NATIONAL FOREST
22 LOCATED IN COLORADO THAT CONTAINS AN APPLICABLE FOREST AREA IN
23 A COMMUNITY SURROUNDED BY OR IN CLOSE PROXIMITY TO THE
24 APPLICABLE NATIONAL FOREST. THE TASK FORCE SHALL CONSIDER AND
25 GIVE WEIGHT TO PUBLIC COMMENTS RECEIVED DURING THE PUBLIC
26 HEARING PROCESS, AS WELL AS WRITTEN COMMENTS FROM AFFECTED
27 COUNTIES, CITIES, CITY AND COUNTIES, SPECIAL DISTRICTS, AND FOREST

1 STAKEHOLDER GROUPS.

2 (3) THE TASK FORCE SHALL CONSIST OF:

3 (a) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL
4 RESOURCES OR THE EXECUTIVE DIRECTOR'S DESIGNEE, WHO IS AUTHORIZED
5 TO CONTRACT WITH A MEDIATOR OR OTHER THIRD PARTY TO FACILITATE
6 ACCOMPLISHMENT OF THE TASK FORCE'S DUTIES;

7 (b) EIGHT MEMBERS APPOINTED BY THE GOVERNOR;

8 (c) ONE MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE OF
9 REPRESENTATIVES;

10 (d) ONE MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE;

11 (e) THE CHAIRPERSON OF THE HOUSE OF REPRESENTATIVES
12 COMMITTEE ON AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES;
13 AND

14 (f) THE CHAIRPERSON OF THE SENATE COMMITTEE ON
15 AGRICULTURE, NATURAL RESOURCES, AND ENERGY.

16 **36-7-303. Repeal of part.** THIS PART 3 IS REPEALED, EFFECTIVE
17 WHEN THE GOVERNOR DELIVERS MANAGEMENT RECOMMENDATIONS TO
18 THE NATIONAL FOREST SERVICE. THE GOVERNOR SHALL NOTIFY THE
19 REVISOR OF STATUTES WHEN THE RECOMMENDATIONS HAVE BEEN
20 DELIVERED.

21 **SECTION 3. Effective date.** (1) This act shall take effect upon
22 adoption of the final rule and the receipt of an implementing
23 appropriation from the federal government in an amount deemed
24 sufficient by the executive director of the department of natural resources
25 to implement this act. The executive director shall notify the revisor of
26 statutes in writing when the conditions contained in this subsection (1)
27 have been satisfied.

1 (2) However, if a referendum petition is filed against this act or
2 an item, section, or part of this act during the 90-day period after final
3 adjournment of the general assembly that is allowed for submitting a
4 referendum petition pursuant to article V, section 1 (3) of the state
5 constitution, then the act, item, section, or part, shall not take effect
6 unless approved by the people at a biennial regular general election and
7 shall take effect on the date specified in subsection (1) or on the date of
8 the official declaration of the vote thereon by proclamation of the
9 governor, whichever is later.