

First Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

REVISED

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

LLS NO. 11-0932.01 Thomas Morris

HOUSE BILL 11-1291

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HOUSE SPONSORSHIP

McNulty,

SENATE SPONSORSHIP

Morse,

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House Committees  
Health and Environment

Senate Committees  
State, Veterans & Military Affairs

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A BILL FOR AN ACT

101 CONCERNING LEGISLATIVE APPROVAL OF THE REGIONAL HAZE  
102 ELEMENT OF THE STATE IMPLEMENTATION PLAN, AND, IN  
103 CONNECTION THEREWITH, POSTPONING THE AUTOMATIC  
104 EXPIRATION OF THE PORTION OF THE PLAN THAT CONSISTS OF  
105 RULES.

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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>.)*

**Legislative Council.** The air quality control commission adopted

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.

SENATE  
2nd Reading Unam ended  
April 26, 2011

HOUSE  
3rd Reading Unam ended  
April 11, 2011

HOUSE  
2nd Reading Unam ended  
April 8, 2011

a regional haze state implementation plan (SIP) on January 7, 2011. The bill approves the regional haze SIP and postpones the automatic expiration under the "State Administrative Procedure Act" of the portion of the rules on regional haze that are contained in the SIP.

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

2 **SECTION 1. Legislative declaration.** (1) The general  
3 assembly hereby finds and declares that:

4 (a) A hearing regarding the changes to the state implementation  
5 plan contained in the January 14, 2011, report from the air quality control  
6 commission to the general assembly was requested pursuant to section  
7 25-7-133 (2) (b), Colorado Revised Statutes; and

8 (b) For any additions or changes to the state implementation plan  
9 to be federally enforceable, the automatic expiration under the "State  
10 Administrative Procedure Act" of rules that are contained in the state  
11 implementation plan must be postponed by the general assembly.

12 (2) It is the intent of the general assembly to approve the additions  
13 and changes to the state implementation plan described in the January 14,  
14 2011, report from the air quality control commission to allow for  
15 submission of the plan to the federal environmental protection agency for  
16 federal enforceability by approving the additions and changes to the plan  
17 and postponing the automatic expiration of the rules contained in the plan.

18 **SECTION 2.** 25-7-133.5 (2), Colorado Revised Statutes, is  
19 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

20 **25-7-133.5. Approval or rescission of specific revisions to state**  
21 **implementation plan (SIP) after 1996.** (2) Pursuant to section  
22 25-7-133, the following revisions to the state implementation plan (SIP),  
23 which were adopted by the air quality control commission on the dates

1 indicated and received by the legislative council for review, are approved  
2 for incorporation into the state implementation plan:

3 (bb) (I) THE "COLORADO VISIBILITY AND REGIONAL HAZE STATE  
4 IMPLEMENTATION PLAN FOR THE TWELVE MANDATORY CLASS I FEDERAL  
5 AREAS IN COLORADO", ADOPTED BY THE AIR QUALITY CONTROL  
6 COMMISSION ON JANUARY 7, 2011.

7 (II) THE AUTOMATIC EXPIRATION OF THE RULES CONTAINED IN THE  
8 PLAN SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (bb) THAT  
9 WERE ADOPTED ON JANUARY 7, 2011, AND THAT ARE THEREFORE  
10 SCHEDULED FOR EXPIRATION ON MAY 15, 2012, IS POSTPONED, EFFECTIVE  
11 MAY 15, 2011.

12 **SECTION 3. Safety clause.** The general assembly hereby finds,  
13 determines, and declares that this act is necessary for the immediate  
14 preservation of the public peace, health, and safety.