

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 15-0211.03 Esther van Mourik x4215

HOUSE BILL 15-1225

HOUSE SPONSORSHIP

Rankin and Becker K.,

SENATE SPONSORSHIP

Roberts and Donovan,

House Committees
Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE PROVISION OF STATE ASSISTANCE TO LOCAL**
102 **GOVERNMENTS FOR THE PURPOSE OF IMPROVED COORDINATION**
103 **IN FEDERAL LAND MANAGEMENT DECISION-MAKING.**

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 requires the governor, in cooperation with the executive director of the department of natural resources, the commissioner of agriculture, and the executive director of the department of local affairs, to make available to interested local governments technical support to aid local governments in:

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.

- ! Entering into cooperating agency relationships with federal agencies;
- ! Sharing information and expertise with federal land managers;
- ! Developing local land use plans;
- ! Hiring consultants to perform analyses of local government interests;
- ! Entering into memoranda of understanding with federal land management agencies; or
- ! Similar methods to improve coordination, cooperation, and collaboration in federal land management decision-making.

The bill allows the governor to establish an advisory committee to provide technical assistance for one or more federal land management decision-making processes if the governor determines that the advisory committee would provide effective and efficient technical support for collaborative engagement.

The bill requires the governor, in cooperation with the executive director of the department of natural resources, the commissioner of agriculture, and the executive director of the department of local affairs, to notify local governments of the availability of technical assistance.

The bill specifies that grant moneys may be awarded from the local government mineral impact fund for planning, analyses, public engagement, and coordination and collaboration with federal land managers and stakeholders, or for similar or related local government processes needed by local governments for engagement in federal land management decision-making.

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

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

4 (a) Federal land managers have statutory authorities and
 5 responsibilities to coordinate and cooperate with state and local
 6 governments in federal land management decision-making processes;

7 (b) The state and local governments have authorities and
 8 responsibilities to coordinate and cooperate with federal land
 9 management agencies in state and local decision-making processes;

10 (c) Early and consistent cooperative and collaborative

1 involvement of local governments in federal land management
2 decision-making processes can improve federal land management
3 outcomes, reduce conflict, and save state, local, and federal resources;

4 (d) Effective local government engagement in federal land
5 management decision-making processes often requires financial resources
6 for:

7 (I) Planning;

8 (II) Analyses;

9 (III) Public engagement;

10 (IV) Coordination and collaboration with federal land managers
11 and stakeholders; or

12 (V) Similar or related local government processes; and

13 (e) Local governments could benefit from technical assistance
14 provided by the state to effectively engage their communities in federal
15 land decision-making processes.

16 (2) The general assembly further declares that it is imperative to
17 encourage effective cooperative and collaborative engagement among
18 counties, municipalities, the state, and federal land management agencies.

19 **SECTION 2.** In Colorado Revised Statutes, **add** 24-20-113 as
20 follows:

21 **24-20-113. Governor to provide technical assistance in federal**

22 **land issues.** (1) (a) THE GOVERNOR, IN COOPERATION WITH THE

23 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES, THE

24 COMMISSIONER OF AGRICULTURE, AND THE EXECUTIVE DIRECTOR OF THE

25 DEPARTMENT OF LOCAL AFFAIRS, SHALL MAKE AVAILABLE TO INTERESTED

26 LOCAL GOVERNMENTS TECHNICAL SUPPORT TO AID LOCAL GOVERNMENTS

27 IN:

1 (I) ENTERING INTO COOPERATING AGENCY RELATIONSHIPS WITH
2 FEDERAL AGENCIES;

3 (II) SHARING INFORMATION AND EXPERTISE WITH FEDERAL LAND
4 MANAGERS;

5 (III) DEVELOPING LOCAL LAND USE PLANS WITHIN THE MEANING
6 OF PART 1 OF ARTICLE 28 OF TITLE 30 AND ARTICLE 23 OF TITLE 31,
7 C.R.S.;

8 (IV) HIRING CONSULTANTS TO PERFORM ANALYSES OF LOCAL
9 GOVERNMENT INTERESTS;

10 (V) ENTERING INTO MEMORANDA OF UNDERSTANDING WITH
11 FEDERAL LAND MANAGEMENT AGENCIES; OR

12 (VI) IMPLEMENTING SIMILAR METHODS TO IMPROVE
13 COORDINATION, COOPERATION, AND COLLABORATION IN FEDERAL LAND
14 MANAGEMENT DECISION-MAKING.

15 (b) THE GOVERNOR MAY ESTABLISH AN ADVISORY COMMITTEE TO
16 PROVIDE TECHNICAL ASSISTANCE AS DESCRIBED IN PARAGRAPH (a) OF
17 THIS SUBSECTION (1) FOR ONE OR MORE FEDERAL LAND MANAGEMENT
18 DECISION-MAKING PROCESSES IF THE GOVERNOR DETERMINES THAT THE
19 ADVISORY COMMITTEE WOULD PROVIDE EFFECTIVE AND EFFICIENT
20 TECHNICAL SUPPORT FOR COLLABORATIVE ENGAGEMENT.

21 (2) THE GOVERNOR, IN COOPERATION WITH THE EXECUTIVE
22 DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES, THE
23 COMMISSIONER OF AGRICULTURE, AND THE EXECUTIVE DIRECTOR OF THE
24 DEPARTMENT OF LOCAL AFFAIRS, SHALL NOTIFY LOCAL GOVERNMENTS OF
25 THE AVAILABILITY OF TECHNICAL ASSISTANCE AS DESCRIBED IN
26 SUBSECTION (1) OF THIS SECTION.

27 **SECTION 3.** In Colorado Revised Statutes, 34-63-102, **amend**

1 (5.4) (b) (I) introductory portion; and **add** (5.4) (b) (III) as follows:

2 **34-63-102. Creation of mineral leasing fund - distribution -**
3 **advisory committee - local government permanent fund created -**
4 **definitions - repeal.** (5.4) Except as otherwise provided in subsection
5 (5.5) of this section, on and after July 1, 2008, all moneys other than
6 bonus payments, as defined in paragraph (b) of subsection (5.3) of this
7 section, credited to the mineral leasing fund created in subparagraph (II)
8 of paragraph (a) of subsection (1) of this section shall be distributed on
9 a quarterly basis for quarters beginning on July 1, October 1, January 1,
10 and April 1 of each state fiscal year as follows:

11 (b) (I) For each quarter commencing during the 2008-09 fiscal
12 year or during any succeeding fiscal year, forty percent of the moneys
13 shall be credited to the local government mineral impact fund. Fifty
14 percent of the moneys so credited shall be distributed by the executive
15 director of the department of local affairs in accordance with the purposes
16 and priorities described in subsection (1) of this section, and FOR
17 PLANNING, ANALYSES, PUBLIC ENGAGEMENT, AND COORDINATION AND
18 COLLABORATION WITH FEDERAL LAND MANAGERS AND STAKEHOLDERS,
19 OR FOR SIMILAR OR RELATED LOCAL GOVERNMENT PROCESSES NEEDED BY
20 LOCAL GOVERNMENTS FOR ENGAGEMENT IN FEDERAL LAND MANAGEMENT
21 DECISION-MAKING. In distributing the moneys, the executive director shall
22 give priority to those communities most directly and substantially
23 impacted by production of energy resources on federal mineral lands and
24 to grant applications that:

25 (III) NO LATER THAN JULY 1, 2015, THE DEPARTMENT OF LOCAL
26 AFFAIRS SHALL FORMALLY ANNOUNCE, ON ITS WEB SITE AND BY LETTER
27 TO THE STATE'S LOCAL GOVERNMENTS, AN INITIATIVE FROM THE LOCAL

1 GOVERNMENT MINERAL IMPACT FUND OF ONE MILLION DOLLARS PER YEAR
2 FOR FIVE YEARS FOR GRANT FUNDING TO COUNTIES FOR PLANNING,
3 ANALYSES, PUBLIC ENGAGEMENT, AND COORDINATION AND
4 COLLABORATION WITH FEDERAL LAND MANAGERS AND STAKEHOLDERS,
5 OR FOR SIMILAR OR RELATED LOCAL GOVERNMENT PROCESSES NEEDED BY
6 LOCAL GOVERNMENTS FOR ENGAGEMENT IN FEDERAL LAND MANAGEMENT
7 DECISION-MAKING.

8 **SECTION 4. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, and safety.