

**NOTE: The governor signed this measure on 5/13/2015.**

# An Act

HOUSE BILL 15-1225

BY REPRESENTATIVE(S) Rankin and Becker K., Brown, Duran, Fields, Ginal, Hamner, Lebsock, Mitsch Bush, Pettersen, Rosenthal, Salazar, Singer, Vigil, Williams, Winter;  
also SENATOR(S) Roberts and Donovan, Crowder, Guzman, Heath, Hill, Johnston, Jones, Kefalas, Merrifield.

CONCERNING THE PROVISION OF STATE ASSISTANCE TO LOCAL GOVERNMENTS FOR THE PURPOSE OF IMPROVED COORDINATION IN FEDERAL LAND MANAGEMENT DECISION-MAKING, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

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

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

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

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(c) Early and consistent cooperative and collaborative involvement of local governments in federal land management decision-making processes can improve federal land management outcomes, reduce conflict, and save state, local, and federal resources;

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

(I) Planning;

(II) Analyses;

(III) Public engagement;

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

(V) Similar or related local government processes; and

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

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

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

**24-20-113. Governor to provide technical assistance in federal land issues.** (1) (a) 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, SHALL MAKE AVAILABLE TO INTERESTED LOCAL GOVERNMENTS TECHNICAL SUPPORT TO AID LOCAL GOVERNMENTS IN:

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

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

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

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

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

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

(b) THE GOVERNOR MAY ESTABLISH AN ADVISORY COMMITTEE TO PROVIDE TECHNICAL ASSISTANCE AS DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1) 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.

(2) 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, SHALL NOTIFY LOCAL GOVERNMENTS OF THE AVAILABILITY OF TECHNICAL ASSISTANCE AS DESCRIBED IN SUBSECTION (1) OF THIS SECTION.

**SECTION 3.** In Colorado Revised Statutes, 24-32-104, **add** (2) as follows:

**24-32-104. Functions of the division.** (2) NO LATER THAN JULY 1, 2015, THE DIVISION SHALL FORMALLY ANNOUNCE, ON ITS WEB SITE AND BY LETTER TO THE STATE'S LOCAL GOVERNMENTS, AN INITIATIVE FROM THE LOCAL GOVERNMENT MINERAL IMPACT FUND CREATED IN SECTION

34-63-102 (5), C.R.S., OR THE LOCAL GOVERNMENT SEVERANCE TAX FUND CREATED IN SECTION 39-29-110, C.R.S., OF ONE MILLION DOLLARS PER YEAR FOR THREE YEARS FOR GRANT FUNDING TO LOCAL GOVERNMENTS 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.

**SECTION 4.** In Colorado Revised Statutes, 34-63-102, **amend** (5.4) (b) (I) introductory portion as follows:

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

(b) (I) For each quarter commencing during the 2008-09 fiscal year or during any succeeding fiscal year, forty percent of the moneys shall be credited to the local government mineral impact fund. Fifty percent of the moneys so credited shall be distributed by the executive director of the department of local affairs in accordance with the purposes and priorities described in subsection (1) of this section, and 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. In distributing the moneys, the executive director shall give priority to those communities most directly and substantially impacted by production of energy resources on federal mineral lands and to grant applications that:

**SECTION 5.** In Colorado Revised Statutes, 39-29-110, **add** (1) (b) (V) as follows:

**39-29-110. Local government severance tax fund - creation - administration - definitions.** (1) (b) (V) IN ADDITION TO THE DISTRIBUTION OF MONEYS AUTHORIZED UNDER SUBPARAGRAPHS (I), (II), (III), AND (IV) OF THIS PARAGRAPH (b), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS MAY DISTRIBUTE MONEYS 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.

**SECTION 6. Appropriation.** For the 2015-16 state fiscal year, \$32,369 is appropriated to the department of local affairs for use by the division of local government. This appropriation is from reappropriated funds transferred from the appropriation to the department of local affairs for local government mineral and energy impact grants and disbursements from the local government mineral impact fund created in section 34-63-102 (5) (a) (I), C.R.S. This appropriation is based on an assumption that the department will require an additional 0.5 FTE. To implement this act, the department may use this appropriation for field services program costs.

**SECTION 7. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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Dickey Lee Hullinghorst  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Bill L. Cadman  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO