

CHAPTER 279

HEALTH AND ENVIRONMENT

HOUSE BILL 97-1324

BY REPRESENTATIVES Schauer, C. Berry, G. Berry, Dean, Lamborn, Miller, Musgrave, Paschall, Reeser, Schwarz, Smith, Sullivant, Swenson, Taylor, and Young;
also SENATORS Ament, Norton, Wattenberg, and Tebedo.

AN ACT

CONCERNING A REQUIREMENT FOR LEGISLATIVE APPROVAL OF ADVISORY RECOMMENDATIONS, REPORTS, AND INTERPRETATIONS OF THE GRAND CANYON VISIBILITY TRANSPORT COMMISSION AND ANY SUCCESSOR ORGANIZATION PRIOR TO IMPLEMENTATION IN COLORADO.

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

SECTION 1. Part 1 of article 7 of title 25, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

25-7-137. Requirements for legislative approval of Grand Canyon visibility transport commission or successor body advisory recommendations, reports, and interpretations. (1) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES:

(a) THAT THE GRAND CANYON VISIBILITY TRANSPORT COMMISSION (GCVTC) WAS CREATED PURSUANT TO SECTION 169B OF THE FEDERAL ACT TO ISSUE A REPORT DIRECTED TOWARD PROTECTING VISIBILITY IN THE GRAND CANYON NATIONAL PARK;

(b) THAT THE GCVTC'S TASKS ASSIGNED UNDER THE FEDERAL ACT HAVE BEEN COMPLETED, AND A SUCCESSOR BODY IS BEING PROPOSED;

(c) THAT PROTECTING VISIBILITY IS IMPORTANT TO THE PEOPLE OF COLORADO, IS AN INTERSTATE ISSUE, AND IS HIGHLY TECHNICAL, COMPLEX, AND SUBJECT TO VARYING INTERPRETATIONS; AND

(d) THAT THE PROVISIONS OF THIS SECTION ARE ENACTED TO PRESERVE COLORADO SOVEREIGNTY AND TO ENHANCE PUBLIC NOTICE AND AWARENESS OF THE GCVTC OR ITS SUCCESSOR BODIES' ADVISORY RECOMMENDATIONS, REPORTS, OR

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

INTERPRETATIONS, AND TO ENSURE PUBLIC CONFIDENCE IN THE FAIRNESS OF THE IMPLEMENTATION OF ANY COLORADO REQUIREMENTS.

(2) THE GOVERNOR OR THE GOVERNOR'S DESIGNEE IS ENCOURAGED TO ATTEND AND PARTICIPATE IN THE SUCCESSOR BODY TO THE GCVTC. A STAKEHOLDER PROCESS SHALL BE IMPLEMENTED TO INCLUDE REPRESENTATIVES OF THE GENERAL ASSEMBLY. THE GOVERNOR SHALL PROVIDE AN ANNUAL REPORT OF THE ACTIVITIES OF THE GCVTC OR ITS SUCCESSOR BODIES TO THE GENERAL ASSEMBLY. THE GOAL OF THIS PROCESS IS TO PROTECT THE INTEREST OF COLORADO OVER AIR QUALITY ISSUES.

(3) NO FINAL RECOMMENDATION OR REPORT OR OTHER ACTION OF THE GCVTC OR ITS SUCCESSOR BODIES MAY IMPOSE ANY NEW OR DIFFERENT REQUIREMENTS UPON THE REGULATED COMMUNITY OR CITIZENS OF THE STATE OF COLORADO UNLESS APPROVED OR ENACTED BY THE GENERAL ASSEMBLY ACTING BY BILL.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: June 4, 1997