

CHAPTER 232

NATURAL RESOURCES

HOUSE BILL 98-1409

BY REPRESENTATIVES S. Johnson, Entz, Gottlieb, Hagedorn, Mace, Nichol, Reeser, Tupa, Udall, Young, and Zimmerman;
also SENATORS Dennis, Bishop, and Chlouber.

AN ACT

CONCERNING THE CREATION OF A WILDLIFE MANAGEMENT PUBLIC EDUCATION ADVISORY COUNCIL.

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

SECTION 1. 33-1-112, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

33-1-112. Funds and cost accounting. (3.5) (a) THERE IS HEREBY CREATED THE WILDLIFE MANAGEMENT PUBLIC EDUCATION ACCOUNT. MONEYS IN SUCH ACCOUNT SHALL CONSIST OF MONEYS COLLECTED FROM GIFTS, DONATIONS, AND REIMBURSEMENTS MADE FROM OTHER SOURCES TO THE WILDLIFE MANAGEMENT PUBLIC EDUCATION ADVISORY COUNCIL CREATED IN SECTION 33-4-120.

(b) MONEYS IN THE WILDLIFE MANAGEMENT PUBLIC EDUCATION ACCOUNT SHALL BE USED BY THE WILDLIFE MANAGEMENT PUBLIC EDUCATION ADVISORY COUNCIL FOR CARRYING OUT ITS DUTIES AS SET FORTH IN SECTION 33-4-120, INCLUDING, BUT NOT LIMITED TO, THE REASONABLE AND NECESSARY EXPENSES INCURRED BY COUNCIL MEMBERS IN FULFILLING THEIR DUTIES, AS APPROVED BY THE DIRECTOR.

(c) ALL RECEIPTS AND INTEREST DERIVED FROM THE INVESTMENT OF MONEYS IN THE WILDLIFE MANAGEMENT PUBLIC EDUCATION ACCOUNT SHALL BE CREDITED TO SUCH ACCOUNT.

SECTION 2. Article 4 of title 33, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

33-4-120. Wildlife management public education advisory council - creation - repeal. (1) (a) THE DIRECTOR OF THE DIVISION SHALL APPOINT NINE INDIVIDUALS,

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

AT LEAST THREE OF WHICH ARE FROM THE WESTERN SLOPE, TO ACT AS THE WILDLIFE MANAGEMENT PUBLIC EDUCATION ADVISORY COUNCIL, REFERRED TO IN THIS SECTION AS THE COUNCIL. THE COUNCIL SHALL HAVE STATEWIDE RESPONSIBILITY AND AUTHORITY.

(b) (I) THE COUNCIL SHALL CONSIST OF THE FOLLOWING MEMBERS:

(A) TWO SPORTS PERSONS WHO PURCHASE BIG GAME LICENSES ON A REGULAR BASIS IN COLORADO, ONE OF WHOM IS FROM THE WESTERN SLOPE;

(B) TWO SPORTS PERSONS WHO PURCHASE FISHING LICENSES ON A REGULAR BASIS IN COLORADO, ONE OF WHOM IS FROM THE WESTERN SLOPE;

(C) ONE PERSON REPRESENTING LOCAL COUNTIES IN RURAL AREAS OF COLORADO, THE ECONOMIES OF WHICH HAVE A SUBSTANTIAL INCOME FROM HUNTING OR FISHING RECREATION;

(D) ONE PERSON REPRESENTING MUNICIPALITIES IN RURAL AREAS OF COLORADO, THE ECONOMIES OF WHICH HAVE A SUBSTANTIAL INCOME FROM HUNTING OR FISHING RECREATION;

(E) ONE PERSON REPRESENTING THE DIVISION OF WILDLIFE;

(F) ONE PERSON, WHO SHALL NOT BE AN EMPLOYEE OF THE DIVISION, WITH A SUBSTANTIAL BACKGROUND IN MEDIA AND MARKETING OPERATIONS; AND

(G) ONE PERSON REPRESENTING AGRICULTURAL PRODUCERS.

(II) THE COUNCIL MEMBERS APPOINTED PURSUANT TO SUB-SUBPARAGRAPHS (A) AND (B) OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) SHALL BE NOMINATED BY ORGANIZED SPORTS PERSON GROUPS WITH REGIONAL OR STATEWIDE MEMBERSHIP. THE COUNCIL MEMBERS APPOINTED PURSUANT TO SUB-SUBPARAGRAPHS (C) AND (D) OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) SHALL BE NOMINATED BY ORGANIZATIONS THAT REPRESENT THE INTERESTS OF SUCH COUNTIES AND MUNICIPALITIES.

(III) ALL MEMBERS OF THE COUNCIL SHALL BE RESIDENTS OF THE STATE OF COLORADO.

(IV) EVERY EFFORT SHALL BE MADE BY THE DIRECTOR TO APPOINT MEMBERS FROM ALL GEOGRAPHIC AREAS OF THE STATE.

(c) A MEMBER SHALL SERVE FOR NO MORE THAN TWO TERMS; EXCEPT THAT NO MEMBER REPRESENTING THE DIVISION OF WILDLIFE SHALL BE SO LIMITED. THE APPOINTMENTS TO THE COUNCIL SHALL BE AS FOLLOWS:

(I) THE INITIAL TERMS FOR THE TWO MEMBERS REPRESENTING SPORTS PERSONS WHO HUNT SHALL BE TWO YEARS FOR ONE MEMBER OF SAID GROUP AND FOUR YEARS FOR THE OTHER MEMBER OF SAID GROUP.

(II) THE INITIAL TERMS FOR THE TWO MEMBERS REPRESENTING SPORTS PERSONS

WHO FISH SHALL BE TWO YEARS FOR ONE MEMBER OF SAID GROUP AND FOUR YEARS FOR THE OTHER MEMBER OF SAID GROUP.

(III) THE INITIAL TERM LENGTH FOR THE MEMBER REPRESENTING THE DIVISION SHALL BE AT THE DISCRETION OF THE DIRECTOR OF THE DIVISION.

(IV) THE INITIAL TERM LENGTH FOR THE MEMBER REPRESENTING COUNTIES AND FOR THE MEMBER REPRESENTING AGRICULTURAL PRODUCERS SHALL BE FOUR YEARS.

(V) THE INITIAL TERM LENGTH FOR THE MEMBER REPRESENTING MUNICIPALITIES AND FOR THE MEMBER WITH SUBSTANTIAL EXPERIENCE IN MEDIA AND MARKETING OPERATIONS SHALL BE TWO YEARS.

(VI) AFTER THE INITIAL APPOINTMENTS, ALL SUBSEQUENT APPOINTMENTS SHALL BE FOR FOUR YEARS.

(d) MEMBERS OF THE COUNCIL SHALL BE COMPENSATED FROM THE WILDLIFE CASH FUND CREATED IN SECTION 33-1-112 (1), FOR THE REASONABLE AND NECESSARY EXPENSES THEY INCUR IN CONNECTION WITH THEIR ACTIVITIES FOR THE COUNCIL.

(e) THE COUNCIL SHALL PERFORM THE FOLLOWING DUTIES:

(I) OVERSEE THE DESIGN OF A COMPREHENSIVE MEDIA-BASED PUBLIC INFORMATION PROGRAM TO EDUCATE THE GENERAL PUBLIC ABOUT THE BENEFITS OF WILDLIFE, WILDLIFE MANAGEMENT, AND WILDLIFE-RELATED RECREATIONAL OPPORTUNITIES IN COLORADO, SPECIFICALLY HUNTING AND FISHING;

(II) PREPARE AN OPERATIONAL PLAN FOR THE DIRECTOR'S APPROVAL NO LATER THAN DECEMBER 1, 1998;

(III) EXPEND MONEYS FROM THE WILDLIFE MANAGEMENT PUBLIC EDUCATION ACCOUNT IN ACCORDANCE WITH THE OPERATIONAL PLAN APPROVED BY THE DIRECTOR; EXCEPT THAT ALL SUCH EXPENDITURES SHALL BE WITHIN THE SCOPE OF THE ACTIVITIES AND FUNDING LEVELS AUTHORIZED IN SUCH OPERATIONAL PLAN.

(2) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO BE A MECHANISM TO SUBSTITUTE FUNDING THAT WOULD OTHERWISE BE AVAILABLE FOR EXPENDITURE BY THE DIVISION, OR TO REPLACE OR REDUCE THE OBLIGATION OF THE DIVISION TO CARRY OUT PUBLIC INFORMATION PROGRAMS UNDER THIS TITLE.

(3) (a) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2005.

(b) PRIOR TO SAID REPEAL, THE COUNCIL CREATED IN THIS SECTION SHALL BE REVIEWED AS PROVIDED FOR IN SECTION 2-3-1203, C.R.S.

SECTION 3. 2-3-1203 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(n) JULY 1, 2005: THE WILDLIFE MANAGEMENT PUBLIC EDUCATION ADVISORY COUNCIL, CREATED IN SECTION 33-4-120, C.R.S.

SECTION 4. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the wildlife cash fund created in section 33-1-112 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of natural resources, for allocation to the wildlife management public education advisory council, for the fiscal year beginning July 1, 1998, the sum of two thousand dollars (\$2,000), or so much thereof as may be necessary, for the reasonable and necessary expenses incurred by members of the council in the implementation of this act.

SECTION 5. Effective date. This act shall take effect July 1, 1998.

SECTION 6. 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.

Approved: May 26, 1998