

## CHAPTER 41

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**NATURAL RESOURCES**


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**HOUSE BILL 10-1223**

BY REPRESENTATIVE(S) Baumgardner, Fischer, Hullinghorst, Looper, Pace, Ryden, Vigil, Gerou, Merrifield, Tipton;  
also SENATOR(S) Whitehead, Schwartz.

**AN ACT**

**CONCERNING THE CONTINUATION OF THE FORESTRY ADVISORY BOARD, AND, IN CONNECTION THEREWITH, REPEALING THE FORESTRY ADVISORY BOARD.**

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

**SECTION 1. Repeal.** 2-3-1203 (3) (w) (III), Colorado Revised Statutes, is repealed as follows:

**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:

(w) July 1, 2010:

(III) ~~The forestry advisory board, created in section 24-33-202, C.R.S.;~~

**SECTION 2.** 24-1-124 (3) (j), Colorado Revised Statutes, is amended to read:

**24-1-124. Department of natural resources - creation - divisions.** (3) The department of natural resources shall consist of the following divisions:

(j) The division of forestry, created in section 24-33-201 (1), the head of which shall be the state forester, appointed pursuant to section 23-31-207, C.R.S. ~~and the forestry advisory board, created in section 24-33-202 (1).~~ The division of forestry AND the state forester ~~and the forestry advisory board~~ shall exercise their powers, duties, and functions as prescribed by law under the department of natural resources and the executive director thereof as if the same were transferred to the department by a **type 2** transfer.

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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.*

**SECTION 3.** 24-33-104 (1) (k), Colorado Revised Statutes, is amended to read:

**24-33-104. Divisions under the department.** (1) The department of natural resources shall consist of the following divisions:

(k) The division of forestry. ~~and the forestry advisory board.~~

**SECTION 4. Repeal.** 24-33-201 (2) (d), Colorado Revised Statutes, is repealed as follows:

**24-33-201. Division of forestry - creation - state forest service agreement.**

(2) The division of forestry's powers and duties shall include:

(d) ~~Providing, through the executive director of the department of natural resources or the executive director's designee, staff support to the forestry advisory board, created in section 24-33-202;~~

**SECTION 5. Repeal.** 24-33-202, Colorado Revised Statutes, is repealed as follows:

**24-33-202. Forestry advisory board - creation - repeal.** (1) ~~There is hereby created a forestry advisory board in the department of natural resources for the purpose of assisting the governor, the executive director of the department of natural resources, and the division of forestry with establishing state forest policy. The board shall consist of seven members. Three members shall include the executive director of the department of natural resources or the executive director's designee, the president of Colorado state university or the president's designee, and the commissioner of agriculture or the commissioner's designee. Four members shall be appointed by the governor and shall serve three-year terms. Of these four members, one shall be a local government representative, one shall be a private land owner with forest land in the state, one shall be a representative of the forest products industry, and one shall be a representative of an organization dedicated to forest and wildlife habitat preservation.~~

(2) ~~Members of the forestry advisory board shall serve without compensation but are entitled to reimbursement of actual and necessary expenses incurred in the performance of their duties.~~

(3) ~~This section is repealed, effective July 1, 2010. Prior to such repeal, the forestry advisory board shall be reviewed as provided for in section 2-3-1203, C.R.S.~~

**SECTION 6. Act subject to petition - 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 (August 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part shall not take effect unless approved by the people at the general election to be held in November 2010

and shall take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 29, 2010