

STATE OF COLORADO

Colorado General Assembly

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MEMORANDUM

TO: Darlene Kobobel and Gail Bell

FROM: Legislative Council Staff and Office of Legislative Legal Services

DATE: April 12, 2019

SUBJECT: Proposed initiative measure 2019-2020 #79, concerning the Restoration of Gray Wolves.

Section 1-40-105 (1), Colorado Revised Statutes, requires the directors of the Colorado Legislative Council and the Office of Legislative Legal Services to "review and comment" on initiative petitions for proposed laws and amendments to the Colorado constitution. We hereby submit our comments to you regarding the appended proposed initiative.

The purpose of this statutory requirement of the directors of Legislative Council and the Office of Legislative Legal Services is to provide comments intended to aid proponents in determining the language of their proposal and to avail the public of knowledge of the contents of the proposal. Our first objective is to be sure we understand your intent and your objective in proposing the amendment. We hope that the statements and questions contained in this memorandum will provide a basis for discussion and understanding of the proposal.

This initiative was submitted with proposed initiative 2019-2020 #77. The comments and questions raised in this memorandum will not include comments and questions that were addressed in the memorandum for proposed initiative 2019-2020 #77, except as necessary to fully understand the issues raised by the revised proposed initiative. Comments and questions addressed in the other memorandum may also be relevant, and those questions and comments are hereby incorporated by reference in this memorandum. Only new comments and questions are included in this memorandum.

Purpose

The major purpose of the proposed amendment to the Colorado Revised Statutes appears to be to restore gray wolves to public lands in Colorado in a manner that fosters the species' capacity to sustain itself.

Substantive Comments and Questions

The substance of the proposed initiative raises the following comments and questions:

1. Article V, section 1 (5.5) of the Colorado constitution requires all proposed initiatives to have a single subject. What is the single subject of the proposed initiative?
2. Under section 1-40-105.5, Colorado Revised Statutes, the director of research of the legislative council is required to prepare an initial fiscal impact statement, which includes an abstract that appears on petition sections, for each initiative that is submitted to the Title Board. In preparing the statement, the director is required to consider any fiscal impact estimate prepared by the proponents.
 - a. Will you submit the initiative to the Title Board? If so, when do you intend to do so?
 - b. Are you submitting a fiscal impact estimate today? If not, do you plan to submit an estimate in the future, and if so, when do you intend to do so?
 - c. To ensure that there is time for consideration, you are strongly encouraged to submit your estimate, if any, at least 12 days before the measure is scheduled for a Title Board hearing. The estimate should be submitted to the legislative council staff at BallotImpactEstimates.ga@state.co.us.
3. Given that the definition of "restore" includes not only "reintroduction" but also post-release management to foster the species' capacity to sustain itself, ought the heading of section 33-2-105.8 refer to "restoration" of gray wolves rather than their "reintroduction"?

Technical Comments

Technical comments are the same as the technical comments for proposed initiative 2019-2020 #77.