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Colorado General Assembly

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MEMORANDUM

To: Stan VanderWerf and Spencer Thomas
From: Legislative Council Staff and Office of Legislative Legal Services

Date: September 24, 2025

Subject: Proposed initiative measure 2025-2026 #154, concerning ending wolf reintroduction

Section 1-40-105 (1), C.R.S., 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 and questions 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 and questions intended to aid designated representatives, and the proponents they represent, in determining the language of their proposal and to avail the public of the contents of the proposal. Our first objective is to be sure we understand your intended purposes of the proposal. We hope that the comments and questions in this memorandum provide a basis for discussion and understanding of the proposal. Discussion between designated representatives or their legal representatives and employees of the Colorado Legislative Council and the Office of Legislative Legal Services is encouraged during review and comment meetings, but comments or discussion from anyone else is not permitted.

An earlier version of this proposed initiative, proposed initiative 2025-2026 #13, was submitted by the same designated representatives, was the subject of a memorandum dated January 31, 2025, and was discussed at a public meeting on February 4, 2025. The comments and questions raised in this memorandum do not include comments and questions that were addressed in the earlier memorandum or at the earlier meeting, except as necessary to fully understand the issues raised by the revised proposed

initiative. Prior comments and questions that are not restated in this memorandum continue to be relevant and are considered part of this memorandum.

Purpose

The major purpose of the proposed amendments to the Colorado Revised Statutes appears to be to end the reintroduction of gray wolves on designated lands west of the continental divide by December 31, 2026.

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. Article V, section 1 (8) of the Colorado constitution requires that the following enacting clause be the style for all laws adopted by the initiative: "*Be it Enacted by the People of the State of Colorado.*". To comply with this constitutional requirement, this phrase must be added to the beginning of the proposed initiative.
3. The proposed initiative states that the Colorado parks and wildlife commission (commission) must "[t]ake the steps necessary to begin reintroductions of gray wolves by December 31, 2023, and end reintroductions of gray wolves by December 31, 2026, only on designated lands." "Designated lands" is defined in section 33-2-105.8 (5)(a), C.R.S., as "lands west of the continental divide in Colorado that the commission determines are consistent with its plan to restore and manage gray wolves." Although the reintroductions are restricted to the designated lands by the language of section 33-2-105.8, C.R.S., the proponents should consider rephrasing the proposed initiative to state "[t]ake the steps necessary to begin reintroductions of gray wolves by December 31, 2023, only on designated lands, and end reintroductions of gray wolves by December 31, 2026" if the proponents' intent is to stop reintroductions on a statewide basis.
4. S.B. 25B-005, enacted in 2025, prohibits the division of parks and wildlife from using money appropriated from the general fund for state fiscal year 2025-26 for the purpose of reintroducing gray wolves. If money is appropriated by the general

assembly for state fiscal year 2026-27 for this purpose pursuant to section 33-2-105.8 (4.5)(a), C.R.S., how do the proponents intend that this money be used in the event that the proposed initiative takes effect during that state fiscal year and prohibits further reintroductions?

5. The proponents should consider updating the headnote of section 33-2-105.8, C.R.S., to reflect that reintroductions of gray wolves would cease in 2026 if the proposed initiative takes effect and section 33-2-105.8, C.R.S., is amended. The headnote could be amended as follows:

33-2-105.8. Reintroduction of gray wolves on designated lands west of the continental divide - reintroductions to end in 2026 - public input on development of restoration plan - compensation to owners of livestock - definitions.

Technical Comments

The following comments address technical issues raised by the form of the proposed initiatives. These comments will be read aloud at the public hearing only if the designated representatives so request. You will have the opportunity to ask questions about these comments at the review and comment hearing. Please consider revising the proposed initiative as follows:

1. The statutory section number within the headnote of the proposed initiative contains a typo and should read as “**33-2-105.8.**”
2. It is standard drafting practice to use SMALL CAPITAL LETTERS [rather than ALL CAPS] to show the language being added to and stricken type, which appears as ~~stricken type~~, to show language being removed from the Colorado constitution or the Colorado Revised Statutes.
3. “DECEMBER 31, 2023,” is part of the existing language of section 33-2-105.8 (2)(d), C.R.S., and should be written in lowercase as “December 31, 2023.”