

HB1162_L.005

PROPOSED CONFERENCE COMMITTEE AMENDMENT
ON HB09-1162

[See Explanation at End of Amendment]

BY REPRESENTATIVE Gerou
also SENATOR Kopp

HB09-1162 be amended as follows:

1 Amend rerevised bill, page 5, after line 23, insert the following:

2 "(5) IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION
3 33-10-108 (3) (a), C.R.S., AND PURSUANT TO A CONTRACT,
4 INTERGOVERNMENTAL AGREEMENT, OR MEMORANDUM OF
5 UNDERSTANDING, THE DIVISION OF PARKS AND OUTDOOR RECREATION
6 CREATED IN SECTION 33-10-103 (1), C.R.S., MAY ALLOW FIRE MITIGATION
7 PERSONNEL AND ACCOMPANYING EQUIPMENT AND MATERIAL UNDER THE
8 CONTROL OR SUPERVISION OF A POLITICAL SUBDIVISION TO ENTER STATE
9 PARKS, STATE RECREATION AREAS, AND NATURAL AREAS FOR THE
10 PURPOSE OF MITIGATING FOREST LAND OR WILD LAND FIRES IN OR AROUND
11 SUCH PARKS, RECREATION AREAS, AND NATURAL AREAS.

12 **SECTION 2.** 33-10-108, Colorado Revised Statutes, is amended
13 BY THE ADDITION OF A NEW SUBSECTION to read:

14 **33-10-108. Duties of the division of parks and outdoor**
15 **recreation.** (3) (a) PURSUANT TO A CONTRACT, INTERGOVERNMENTAL
16 AGREEMENT, OR MEMORANDUM OF UNDERSTANDING, THE DIVISION MAY
17 ALLOW FIRE MITIGATION PERSONNEL AND ACCOMPANYING EQUIPMENT
18 AND MATERIAL UNDER THE CONTROL OR SUPERVISION OF A POLITICAL
19 SUBDIVISION TO ENTER STATE PARKS, STATE RECREATION AREAS, AND
20 NATURAL AREAS FOR THE PURPOSE OF MITIGATING FOREST LAND OR WILD
21 LAND FIRES IN OR AROUND SUCH PARKS, RECREATION AREAS, AND
22 NATURAL AREAS. PERMISSIBLE ACTIVITIES TO BE UNDERTAKEN BY A
23 POLITICAL SUBDIVISION UNDER THIS PARAGRAPH (a) INCLUDE PRESCRIBED
24 BURNING AS A COMPONENT OF WILDFIRE MITIGATION OR FOREST OR WILD
25 LAND MANAGEMENT AND EXERCISES TO PROMOTE THE TRAINING OF
26 FIRE-FIGHTING PERSONNEL.

1 (b) AS USED IN THIS SUBSECTION (3):

2 (I) "NATURAL AREAS" SHALL HAVE THE SAME MEANING AS SET
3 FORTH IN SECTION 33-33-103 (8).

4 (II) "POLITICAL SUBDIVISION" SHALL HAVE THE SAME MEANING AS
5 SET FORTH IN SECTION 29-1-202 (2), C.R.S."

6 Renumber succeeding section accordingly.

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Explanation:

This amendment allows the division of parks and outdoor recreation, pursuant to a contract, intergovernmental agreement, or memorandum of understanding, to allow fire mitigation personnel and accompanying equipment and material under the control or supervision of a political subdivision to enter state parks, state recreation areas, and natural areas for the purpose of mitigating forest land or wild land fires in or around such parks, recreation areas, and natural areas. The amendment further specifies that permissible activities to be undertaken by a political subdivision may include prescribed burning as a component of wildfire mitigation or forest or wild land management and exercises to promote the training of fire-fighting personnel.

The amendment also makes a conforming amendment to the main section addressed in the bill, section 29-20-105.5, C.R.S.

This amendment is outside the scope of the differences between the two houses so it would be necessary for both houses to get "beyond the scope powers" to have it included in the readopted bill.