

LLS NO. 13-0115 AMENDMENT # 2
INTERIM COMMITTEE AMENDMENT
Lower North Fork Wildfire Commission
BY SENATOR Roberts
LLS No. 13-0115 be amended as follows:

- 1 Amend LLS No. 13-0115, page 3, strike line 9 and substitute:
 - 2 "vegetative fuels within a variety of ecosystems, including forests and
 - 3 grasslands, reduces the risk and severity of".
- 4 Page 3, line 20, strike "in local," and substitute "on private as well as
- 5 local,".
- 6 Page 3, strike lines 25 through 27 and substitute:
 - 7 "(2) The general assembly further finds and declares that, as
 - 8 Colorado's population continues to grow, a variety of competing interests
 - 9 have placed limitations on prescribed burn activity, thus reducing the
 - 10 aforementioned benefits to the state and its citizens.".
- 11 Page 4, strike lines 1 through 6.
- 12 Page 4, strike lines 8 through 11 and substitute:
 - 13 "(a) Acknowledges the natural role of fire in forests and other
 - 14 ecosystems, and finds and declares it is in the public interest to use fire
 - 15 as a management tool, under controlled conditions, to reduce the threat
 - 16 of wildfires by maintaining healthy forests and reducing high risk levels
 - 17 of vegetative fuel;".
- 18 Page 4, line 13, strike "forest fire" and substitute "wildfire".
- 19 Page 4, line 16, strike "continued" and substitute "safe, effective, and
- 20 appropriate".
- 21 Page 4, strike lines 18 and 19 and substitute:
 - 22 "purposes, while ensuring the best efforts are undertaken with respect to
 - 23 precautionary measures to assist in confining the fires to a predetermined
 - 24 area.".
- 25 Page 8, line 13, strike "SEPTEMBER" and substitute "DECEMBER".



1 Page 8, line 20, strike "AND INDIRECT".

2 Page 9, line 12, strike "DIRECTOR," and substitute "DIRECTOR, IN
3 CONSULTATION WITH THE COLORADO STATE FOREST SERVICE AS
4 DESCRIBED IN PART 3 OF ARTICLE 31 OF TITLE 23, C.R.S., AND".

5 Page 10, line 4, strike "THE" and substitute "SUBJECT TO THE PROVISIONS
6 OF PARAGRAPH (c) OF THIS SUBSECTION (6), THE".

7 Page 10, after line 19 insert:

8 "(c) (I) WHERE AN AGENCY OF THE FEDERAL GOVERNMENT
9 ASSUMES PRIMARY RESPONSIBILITY FOR CONDUCTING A PRESCRIBED BURN
10 IN THE STATE, NEITHER THE AGENCY NOR ANY OTHER AGENCY OF THE
11 FEDERAL GOVERNMENT IS REQUIRED TO COMPLY WITH THE RULES AND
12 STANDARDS PROMULGATED PURSUANT TO SUB-SUBPARAGRAPH (B) OF
13 SUBPARAGRAPH (II) OF PARAGRAPH (a) OF SUBSECTION (5) OF THIS
14 SECTION.

15 (II) IF THE DIRECTOR HAS ENTERED INTO AN AGREEMENT WITH AN
16 AGENCY OF THE FEDERAL GOVERNMENT AS OF THE EFFECTIVE DATE OF
17 THIS SECTION OF THE TYPE DESCRIBED IN PARAGRAPH (a) OF THIS
18 SUBSECTION (6), NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
19 REQUIRE A NEW AGREEMENT OR MODIFICATION OF AN EXISTING
20 AGREEMENT."

21 Page 11, after line 15 insert:

22 "(10) NOTWITHSTANDING ANY OTHER PROVISION OF LAW:

23 (a) IN PERFORMING THE DUTIES ASSIGNED TO HIM OR HER UNDER
24 SUBSECTIONS (5) AND (6) OF THIS SECTION, THE DIRECTOR SHALL CONSULT
25 WITH THE COLORADO STATE FOREST SERVICE AS DESCRIBED IN PART 3 OF
26 ARTICLE 31 OF TITLE 23, C.R.S.

27 (b) THE PRESCRIBED BURNING STANDARDS ADOPTED BY THE
28 DIRECTOR PURSUANT TO SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (II)
29 OF PARAGRAPH (a) OF SUBSECTION (5) OF THIS SECTION SHALL BE
30 CONSISTENT WITH EXISTING LAWS AND PROCESSES THAT BAN, REGULATE,
31 OR HAVE DEVELOPED RECOMMENDATIONS CONCERNING OPEN BURNING,
32 INCLUDING SECTIONS 18-13-109, 18-13-109.5, 23-31-312, 23-31-313 (6)
33 (a) (II) AND (6) (a) (III), 25-7-106 (7) AND (8), 25-7-123, 29-20-105.5, AND
34 30-11-124, C.R.S.



1 (c) NOTHING IN THIS SECTION OR SECTIONS 24-33.5-1217.5,
2 24-33.5-1217.7, OR 25-33.5-1217.9 SHALL BE CONSTRUED TO AFFECT THE
3 AUTHORITY OF A COUNTY GOVERNMENT TO DEVELOP OR ADMINISTER AN
4 OPEN BURNING PERMIT SYSTEM FOR THE PURPOSE OF SAFELY DISPOSING OF
5 SLASH IN ACCORDANCE WITH THE PROVISIONS OF SECTION 30-15-401 (1)
6 (n.5), C.R.S."

7 Page 13, line 10, after "THE" insert "COLORADO STATE FOREST SERVICE
8 AS DESCRIBED IN PART 3 OF ARTICLE 31 OF TITLE 23, C.R.S., THE".

9 Page 15, line 19, strike "FIRE" and substitute "BURN".

10 Page 16, line 14, strike "**fires and uncontrolled**" and substitute "**fires.**".

11 Page 16, line 15, strike "**wildfires.**".

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