

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

DRAFT 9.17.15
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Bill 8

*Temporary storage location: S:\LCS\Policy & Research\Committees\Interim\2015\Wildfire Matters Review Committee\Bills\Bill 8\_16-0276.wpd*

LLS NO. 16-0276.01 Thomas Morris x4218

**INTERIM COMMITTEE BILL****Wildfire Matters Review Committee**


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**BILL TOPIC: "Use Broadcast Burns Promote Watershed Restoration"**

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**A BILL FOR AN ACT**

101     **CONCERNING INCREASED AUTHORITY TO USE BROADCAST BURNING AS**  
102     **A TOOL TO PROMOTE WATERSHED RESTORATION.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billssummaries>.)*

**Wildfire Matters Review Committee.** The bill adds broadcast burning, the method by which fire is applied generally to most or all of an area within well-defined boundaries, to the types of projects and methods for which the state forest service may award grants from the healthy

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

forests and vibrant communities fund and the forest restoration program cash fund to help restore community watersheds.

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

2           **SECTION 1.** In Colorado Revised Statutes, 23-31-313, **amend**  
3 (3) (g) (IV) and (6) (a) (II) as follows:

4           **23-31-313. Healthy forests - vibrant communities - funds**  
5 **created - repeal.** (3) **Definitions.** As used in this section, unless the  
6 context otherwise requires:

7           (g) "Wildfire risk mitigation" or "fuel mitigation treatments"  
8 means preventive forest management projects or actions, which meet or  
9 exceed forest service standards or any other applicable state rules, that are  
10 designed to reduce the potential for unwanted impacts caused by  
11 wildfires, including:

12           (IV) The secondary treatment of woody fuels by lopping and  
13 scattering, piling, chipping, removing from the site, BROADCAST  
14 BURNING, or prescribed burning; and

15           (6) **Community watershed restoration.** (a) In order to support  
16 communities and land managers in moving from risk reduction to  
17 long-term ecological restoration so that the underlying condition of  
18 Colorado's forests supports a variety of values, particularly public water  
19 supply and high-quality wildlife habitat, the forest service shall:

20           (II) Facilitate and work collaboratively with the division of fire  
21 prevention and control, landowners, local governments, including  
22 conservation districts created pursuant to article 70 of title 35, C.R.S., and  
23 county noxious weed program administrators and other appropriate  
24 parties, including any electric, gas, and water utilities in the affected area,  
25 to design prescribed fire AND FUEL MITIGATION TREATMENT projects and

1 to encourage increased responsible use of prescribed fire AND FUEL  
2 MITIGATION TREATMENTS as a tool for restoring healthy forest conditions  
3 consistent with programs established pursuant to section 25-7-106 (7) and  
4 (8), C.R.S., and section 24-33.5-1217, C.R.S. The forest service shall  
5 emphasize providing training and technical assistance for landowners,  
6 local communities, and state agencies.

7       **SECTION 2. Act subject to petition - effective date -**  
8 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
9 the expiration of the ninety-day period after final adjournment of the  
10 general assembly (August 10, 2016, if adjournment sine die is on May 11,  
11 2016); except that, if a referendum petition is filed pursuant to section 1  
12 (3) of article V of the state constitution against this act or an item, section,  
13 or part of this act within such period, then the act, item, section, or part  
14 will not take effect unless approved by the people at the general election  
15 to be held in November 2016 and, in such case, will take effect on the  
16 date of the official declaration of the vote thereon by the governor.

17       (2) This act applies to conduct occurring on or after the applicable  
18 effective date of this act.

19       <*Do you want a safety clause or a specific effective date?*>