

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 16-0277.01 Thomas Morris x4218

SENATE BILL 16-003

SENATE SPONSORSHIP

Roberts and Jones, Baumgardner, Cooke, Merrifield

HOUSE SPONSORSHIP

Becker K., Buck, Singer, Thurlow

Senate Committees

Judiciary
Appropriations

House Committees

Agriculture, Livestock, & Natural Resources
Appropriations

A BILL FOR AN ACT

101 CONCERNING INCREASED METHODS TO REDUCE WILDFIRE RISK.

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/billsummaries>.)

Wildfire Matters Review Committee. Section 1 of the bill adds broadcast burning, the method by which fire is applied generally to most or all of an area within well-defined boundaries with well-defined conditions, as an optional method for which the department of natural resources may award grants from the wildfire risk reduction fund to reduce wildfire risk in the wildland-urban interface.

Sections 2 and 3 transfer \$3 million to the wildfire risk reduction fund, half from tier 2 of the severance tax operational fund and half from

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.

HOUSE
2nd Reading Unamended
May 10, 2016

SENATE
3rd Reading Unamended
May 4, 2016

SENATE
Amended 2nd Reading
May 3, 2016

the general fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, 36-7-402, **amend** (3)
3 introductory portion as follows:

4 **36-7-402. Definitions.** As used in this part 4, unless the context
5 otherwise requires:

6 (3) "Hazardous fuel reduction treatment" means treatments that
7 remove or reduce vegetative fuel, including mechanical, manual,
8 BROADCAST BURNING, and pile burning fire treatments, in order to:

9 **SECTION 2.** In Colorado Revised Statutes, 36-7-405, **amend** (2)
10 as follows:

11 **36-7-405. Wildfire risk reduction fund - creation - transfer -**
12 **repeal.** (2) (a) (I) On July 1, 2013, the state treasurer shall transfer from
13 the general fund to the wildfire risk reduction fund the sum of nine
14 million eight hundred thousand dollars.

15 (II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JULY 1, 2016.

16 (b) (I) ON JULY 1, 2016, THE STATE TREASURER SHALL TRANSFER
17 FROM THE GENERAL FUND TO THE WILDFIRE RISK REDUCTION FUND THE
18 SUM OF ONE MILLION DOLLARS.

19 (II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2018.

20

21 **SECTION 3.** In Colorado Revised Statutes, 2-3-1602, **amend** (1)
22 and (4); and **add** (1.5) (c) as follows:

23 **2-3-1602. Wildfire matters review committee - creation -**
24 **repeal of part.** (1) To address wildfire prevention and mitigation and to
25 review and propose legislation relating to such matters, the wildfire

1 matters review committee is hereby created, and is referred to in this part
2 16 as the "committee". The committee shall meet at the call of the chair
3 at least once during the interim of each year to review and to propose
4 legislation or other policy changes relating to wildfire prevention and
5 mitigation and all related matters, including, without limitation, public
6 safety and forest health, issues AND COOPERATION WITH APPROPRIATE
7 FEDERAL AGENCIES AND LOCAL GOVERNMENTS. The committee may TAKE
8 UP TO TWO FIELD TRIPS DURING THE INTERIM AND consult with experts in
9 all fields relating to wildfire prevention and mitigation as may be
10 necessary to achieve the objectives of this part 16. All personnel of any
11 state agency or political subdivision of Colorado involved in wildfire
12 prevention and mitigation, including the Colorado department of public
13 safety and the Colorado state forest service, shall cooperate with the
14 committee and with any persons assisting the committee in carrying out
15 its duties pursuant to this section. On June 5, 2013, any remaining
16 powers, duties, and responsibilities delegated to and possessed by the
17 lower north fork wildfire commission created in section 2-2-1702 (1) are
18 hereby transferred to the committee.

19 (1.5) (c) (I) IN 2016, IN ADDITION TO ANY OTHER MATTERS IT
20 CONSIDERS, THE COMMITTEE SHALL CONSIDER POTENTIAL MARKETABLE
21 USES FOR HAZARDOUS FUELS IN FORESTS, INCLUDING BIOCHAR, ENERGY,
22 LIQUID FUEL, HEAT, WOOD WASTE PRODUCTS, AND COMBINED USES, FOR
23 THE PURPOSE OF MAINTAINING AND IMPROVING WATERSHED HEALTH,
24 FOREST HEALTH, JOB CREATION, IMPACTS ON CARBON EMISSIONS, AND
25 INNOVATION AND DETERMINING THE MOST ECONOMICALLY VIABLE,
26 VALUE-ADDED MEANS OF REMOVING WOODY MATERIALS, INCLUDING
27 THOSE THAT ARE USED IN TRADITIONAL WOOD PRODUCTS, FROM THE

1 FORESTS, INCLUDING A CONSIDERATION OF FEDERAL, STATE, AND LOCAL
2 GOVERNMENTAL EFFORTS IN USING WOODY MATERIALS; AN EXAMINATION
3 OF COSTS, INCLUDING TECHNOLOGY AND TRANSPORTATION, MARKETS,
4 AND THE AMOUNT OF WOODY MATERIAL USED FOR EACH POTENTIAL USE;
5 CONSIDERATION OF THE EFFECTS OF STRUCTURES AND A WARMER CLIMATE
6 ON FORESTS AND FIREFIGHTER SAFETY; AND AN UPDATED REPORT
7 PREPARED BY THE COLORADO STATE FOREST SERVICE CONCERNING THE
8 ISSUES SPECIFIED BY SECTION 23-31-314, C.R.S., PRIOR TO ITS REPEAL ON
9 JULY 1, 2012.

10 (II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE SEPTEMBER 1,
11 2017.

12 (4) (a) The committee shall select a chair and vice-chair from
13 among its membership and PRESIDENT OF THE SENATE SHALL APPOINT THE
14 CHAIR OF THE COMMITTEE IN EVEN-NUMBERED YEARS AND THE
15 VICE-CHAIR IN ODD-NUMBERED YEARS. THE SPEAKER OF THE HOUSE OF
16 REPRESENTATIVE SHALL APPOINT THE CHAIR OF THE COMMITTEE IN
17 ODD-NUMBERED YEARS AND THE VICE-CHAIR IN EVEN-NUMBERED YEARS.

18 (b) THE COMMITTEE SHALL prescribe its own rules of procedure.

19 **SECTION 4. Safety clause.** The general assembly hereby finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, and safety.