

HB1031\_L.002

## HOUSE COMMITTEE OF REFERENCE REPORT

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 Chairman of Committee

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 Date
Committee on Agriculture, Livestock, & Natural Resources.

After consideration on the merits, the Committee recommends the following:

HB09-1031 be amended as follows:

1 Amend printed bill, page 2, line 2, strike everything below the enacting  
2 clause and substitute the following:

3 "SECTION 1. Part 3 of article 31 of title 23, Colorado Revised  
4 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
5 read:

6 **23-31-309.5. State emergency fire fund - creation -**  
7 **appropriations to fund to match local emergency fire fund**  
8 **contributions - definition.** (1) THE STATE EMERGENCY FIRE FUND IS  
9 HEREBY CREATED IN THE STATE TREASURY. THE PRINCIPAL OF THE FUND  
10 SHALL CONSIST OF APPROPRIATIONS MADE TO THE FUND PURSUANT TO  
11 SUBSECTION (3) OF THIS SECTION AND ANY GIFTS, GRANTS, OR DONATIONS  
12 MADE TO THE FUND. INTEREST AND INCOME DERIVED FROM THE DEPOSIT  
13 AND INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE  
14 FUND AND REMAIN IN THE FUND.

15 (2) AS USED IN THIS SECTION, "LOCAL GOVERNMENT EMERGENCY  
16 FIRE FUND" MEANS THE EMERGENCY FIRE FUND ESTABLISHED IN 1967  
17 THAT IS:

18 (a) FUNDED BY VOLUNTARY CONTRIBUTIONS FROM COUNTIES AND  
19 THE DENVER WATER BOARD AND MAY ALSO RECEIVE VOLUNTARY  
20 CONTRIBUTIONS FROM OTHER ENTITIES;

21 (b) ADMINISTERED BY A COMMITTEE COMPOSED OF COUNTY



1 COMMISSIONERS, SHERIFFS, FIRE CHIEFS, AND THE STATE FORESTER; AND

2 (c) USED, WITH THE APPROVAL OF THE STATE FORESTER, TO FUND  
3 EMERGENCY RESPONSES TO WILDFIRES.

4 (3) (a) FOR EACH FISCAL YEAR COMMENCING ON OR AFTER JULY  
5 1, 2009, THE GENERAL ASSEMBLY SHALL APPROPRIATE FROM THE GENERAL  
6 FUND TO THE STATE EMERGENCY FIRE FUND AN AMOUNT EQUAL TO THE  
7 AGGREGATE AMOUNT OF ALL VOLUNTARY CONTRIBUTIONS MADE TO THE  
8 LOCAL GOVERNMENT EMERGENCY FIRE FUND BY COUNTIES, THE DENVER  
9 WATERBOARD, AND ANY OTHER ENTITIES DURING THE PRIOR FISCAL YEAR.  
10 ALL MONEYS IN THE STATE EMERGENCY FIRE FUND ARE CONTINUOUSLY  
11 APPROPRIATED TO THE STATE FORESTER FOR THE PURPOSES AND SUBJECT  
12 TO THE LIMITATIONS SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION (3).

13 (b) WITH THE PRIOR APPROVAL OF THE EXECUTIVE DIRECTOR OF  
14 THE DEPARTMENT OF NATURAL RESOURCES OR ANOTHER EMPLOYEE OF  
15 THE DEPARTMENT DESIGNATED BY THE EXECUTIVE DIRECTOR, THE STATE  
16 FORESTER MAY EXPEND MONEYS FROM THE STATE EMERGENCY FUND TO  
17 PAY A PORTION OF THE COST OF AN EMERGENCY RESPONSE TO A WILDFIRE  
18 THAT IS ALSO BEING FUNDED WITH MONEYS FROM THE LOCAL  
19 GOVERNMENT EMERGENCY FIRE FUND.

20 **SECTION 2. Safety clause.** The general assembly hereby finds,  
21 determines, and declares that this act is necessary for the immediate  
22 preservation of the public peace, health, and safety."

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