

**First Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 09-0130.02 Jason Gelender

**HOUSE BILL 09-1031**

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**HOUSE SPONSORSHIP**

**King S.,** Lundberg

**SENATE SPONSORSHIP**

**Penry and Gibbs,** Kopp

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**House Committees**

Agriculture, Livestock, & Natural Resources  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING A REQUIREMENT THAT THE STATE MATCH LOCAL**  
102 **GOVERNMENT CONTRIBUTIONS TO THE EMERGENCY FIRE FUND.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

**Interim Committee on Wildfire Issues in Wild Land-Urban Interface Areas.** For the 2009-10 fiscal year and for each succeeding fiscal year, requires the state to make an appropriation from the general fund to the Colorado state forest service in an amount equal to the total amount of voluntary contributions made during the prior fiscal year to the emergency fire fund (fund), which is funded by voluntary contributions from most counties in the state and the Denver water board and used to

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.*

pay for emergency responses to wildfires. Requires the state forester to grant the entire annual appropriation to the fund.

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

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

5           **23-31-309.5. Emergency fire fund - creation - state**  
6 **appropriations - transfers to wildfire emergency response fund -**  
7 **legislative declaration.** (1) THE GENERAL ASSEMBLY HEREBY FINDS AND  
8 DECLARES THAT:

9           (a) IN 1967, SEVERAL COUNTIES ESTABLISHED THE EMERGENCY  
10 FIRE FUND AS A FUNDING SOURCE FOR EMERGENCY RESPONSES TO  
11 WILDFIRES THAT WOULD OTHERWISE BE BEYOND THE CAPABILITIES OF THE  
12 IMPACTED COUNTY OR COUNTIES.

13           (b) SINCE 1967, MOST COUNTIES AND THE DENVER WATER BOARD  
14 HAVE MADE FINANCIAL CONTRIBUTIONS TO THE EMERGENCY FIRE FUND,  
15 WHICH IS ADMINISTERED BY A TEN-PERSON COMMITTEE COMPOSED OF  
16 COUNTY COMMISSIONERS, SHERIFFS, FIRE CHIEFS, AND THE STATE  
17 FORESTER. WITH THE APPROVAL OF THE STATE FORESTER, MONEYS ARE  
18 EXPENDED FROM THE EMERGENCY FIRE FUND TO PAY FOR EMERGENCY  
19 RESPONSES TO WILDFIRES.

20           (c) IN RECENT YEARS, THE AMOUNT OF MONEYS IN THE  
21 EMERGENCY FIRE FUND HAS BEEN INSUFFICIENT TO PAY ALL OF THE COSTS  
22 OF THE EMERGENCY RESPONSES TO WILDFIRES THAT THE FUND WAS  
23 ESTABLISHED TO PAY, AND THE GOVERNOR HAS HAD TO EXPEND STATE  
24 DISASTER EMERGENCY MONEYS TO COVER THE UNCOVERED COSTS.

25           (d) IT IS THEREFORE NECESSARY, APPROPRIATE, AND IN THE BEST

1 INTERESTS OF THE PEOPLE OF THE STATE FOR THE STATE TO PROVIDE  
2 MATCHING FUNDING FOR THE EMERGENCY FIRE FUND AS SPECIFIED IN THIS  
3 SECTION.

4 (2) AS USED IN THIS SECTION, "EMERGENCY FIRE FUND" MEANS THE  
5 EMERGENCY FIRE FUND ESTABLISHED IN 1967 THAT IS:

6 (a) FUNDED BY VOLUNTARY CONTRIBUTIONS FROM COUNTIES AND  
7 THE DENVER WATER BOARD;

8 (b) ADMINISTERED BY A TEN-PERSON COMMITTEE COMPOSED OF  
9 COUNTY COMMISSIONERS, SHERIFFS, FIRE CHIEFS, AND THE STATE  
10 FORESTER; AND

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

13 (3) FOR EACH FISCAL YEAR COMMENCING ON OR AFTER JULY 1,  
14 2009, THE GENERAL ASSEMBLY SHALL APPROPRIATE FROM THE GENERAL  
15 FUND TO THE COLORADO STATE FOREST SERVICE AN AMOUNT EQUAL TO  
16 THE AGGREGATE AMOUNT OF ALL VOLUNTARY CONTRIBUTIONS MADE TO  
17 THE EMERGENCY FIRE FUND BY COUNTIES AND THE DENVER WATER BOARD  
18 DURING THE PRIOR FISCAL YEAR. THE STATE FORESTER SHALL GRANT ALL  
19 MONEYS APPROPRIATED PURSUANT TO THIS SUBSECTION (3) TO THE  
20 EMERGENCY FIRE FUND.

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