



Colorado Legislative Council Staff Fiscal Note
**STATE and LOCAL
 FISCAL IMPACT**

Drafting Number: LLS 09-0121
Prime Sponsor(s): Sen. Gibbs
 Rep. Scanlan

Date: January 19, 2009
Bill Status: Senate Local Government & Energy
Fiscal Analyst: Bill Zepernick (303-866-4777)

TITLE: CONCERNING THE RESPONSIBILITY FOR RESPONDING TO WILD LAND FIRES.

| Fiscal Impact Summary | FY 2009-2010 | FY 2010-2011 |
|---|---------------------|---------------------|
| State Revenue | | |
| State Expenditures | | |
| General Fund | \$389,583 | \$150,000 |
| FTE Position Change | 2.3 FTE | 2.5 FTE |
| Effective Date: 90 days after final adjournment of the General Assembly (August 4, 2009, if adjournment sine die is on May 6, 2009). | | |
| Appropriation Summary for FY 2009-2010: See the State Appropriations section of the fiscal note. | | |
| Local Government Impact: See the Local Government Impact section of the fiscal note. | | |

Summary of Legislation

The bill, recommended by the Interim Committee on Wildfire Issues in Wild Land-Urban Interface Areas, requires each county and municipality to designate an emergency response authority that is responsible for creating a plan for responding to wild land fires in its jurisdiction. The plan must include a description of response capabilities, response tactics, and incident command structure. Designated emergency response authorities may choose to provide and maintain response capabilities as described in the plan itself or through mutual aid or other agreements.

The bill specifies that the fire authority of a municipality or the sheriff of a county shall be the emergency response authority of the respective municipality or county, unless otherwise designated by the municipality or county. The Colorado State Forest Service is to be the emergency response authority for state-owned lands. The board of county commissioners of each county, in collaboration with emergency response authorities, is required to develop an annual wildfire preparedness plan for unincorporated areas of the county.

In addition, the bill states that regardless of jurisdiction, the first emergency response authority or designated public agency to arrive at the scene of a wild land fire shall act as incident commander and be responsible for the initial emergency response until the emergency response authority that has jurisdiction over the site arrives.

State Expenditures

The bill is expected to increase expenditures by the Colorado State Forest Service by \$389,583 and 2.3 FTE in FY 2009-10 and by \$150,000 and 2.5 FTE in FY 2010-11. Expenditures in FY 2009-10 reflect the initial costs of developing and implementing fire plans and coordinating with other state and local government agencies as the emergency response authority for state lands. A summary of program expenditures is shown in Table 1.

| Table 1. Expenditures Under SB09-020 | | |
|---|-------------------|-------------------|
| Cost Components | FY 2009-10 | FY 2010-11 |
| Personal Services | \$114,583 | \$125,000 |
| FTE | 2.3 | 2.5 |
| Contracted Services | 175,000 | 0 |
| Operating Expenses and Capital Outlay | 100,000 | 25,000 |
| TOTAL | \$389,583 | \$150,000 |

**More information is available at: http://www.state.co.us/gov_dir/leg_dir/lcsstaff/2009/comsched/CommonPolicies2009.pdf*

In FY 2009-10, the State Forest Service will require 2.3 FTE for staff foresters in the central office to coordinate wildfire planning and temporary contract staff to evaluate state land and create the required wildfire plans. Beginning in FY 2010-11 expenditures for personal services will only include the central office staff to maintain and update the wildfire plans and coordinate with state and local government agencies.

Local Government Impact

The bill is expected to have a fiscal impact on local government entities that are designated as an emergency response authority. The exact amount of this impact cannot be determined as wild fire planning needs vary across the state depending on the prior level of planning conducted by local governments and the size and types of land under their jurisdiction. Unless otherwise designated, municipal fire authorities and county sheriffs will most likely incur costs associated with their roles as emergency response authorities in their jurisdictions. In addition, counties may incur additional expenses developing wildfire preparedness plans and updating the plans annually. State law currently allows counties to levy a special tax on property to prevent, control, and extinguish wild land fires up to the lesser of 1 mill or \$500,000, which could be used to fund the wild land fire planning mandated by the bill.

State Appropriations

The bill requires an appropriation of \$389,583 from the General Fund and 2.3 FTE in FY 2009-10 to the Department of Higher Education, Board of Governors of the Colorado State University System, for allocation to the Colorado State Forest Service.

Departments Contacted

Higher Education (State Forest Service) Local Affairs