

NO FISCAL IMPACT

Drafting Number: LLS 10-0460**Date:** February 8, 2010**Prime Sponsor(s):** Sen. Gibbs**Bill Status:** Senate Agriculture

Rep. Fischer

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TITLE: CONCERNING THE CERTIFICATION OF USERS OF PRESCRIBED FIRE ACCORDING TO STANDARDS ESTABLISHED BY THE COLORADO STATE FOREST SERVICE.

Summary of Legislation

This bill requires the Colorado State Forester (CSF) in the Department of Higher Education to establish standards for training and for certification of prescribed fire users. The CSF will work with the Colorado Prescribed Fire Council, a nonprofit organization that works for appropriate and safe prescribed fire use, and may work with local fire jurisdictions. The CSF certification standards must include the following:

- ▶ a certified and noncertified burner designation;
- ▶ requirements, processes, and procedures for certified burners to follow when conducting a prescribed burn; and
- ▶ recommended organizational structures for prescribed burn operations.

The CSF must also identify preexisting fees, permit requirements, liabilities, liability exemptions, and penalties for burn personnel and landowners. The use of prescribed burns will not require certification, rather, standards for training and certification are provided as a resource to help prescribed burners plan for and use fire safely. Organizations that provide training and certification, which may include the CSF, will provide consistent instructional content and certification requirements. Prescribed fires other than agricultural burns are permitted by the Department of Public Health and Environment.

The bill is effective upon signature of the Governor, or upon becoming law without his signature.

Assessment

With no change to state or local government revenue or expenditures, this bill is assessed as having no fiscal impact. The CSF will work with the Colorado Prescribed Fire Council, local fire jurisdictions, and the Department of Public Health and Environment while developing the standards required by this bill. Although the bill requires the CSF to develop training criteria, identify best prescribed burn practices, and establish the parameters of certified and noncertified burner designations, these tasks are within the scope of current workload and can be accomplished within existing appropriations.

Local fire jurisdictions may be consulted in the development of the new standards. The bill does not require participation and any assistance will be at the discretion of the local jurisdiction.

Departments Contacted

Public Health and Environment

Higher Education

Natural Resources