

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE CREATION OF A STATE COMMISSION TO ADDRESS MATTERS ARISING OUT OF THE LOWER NORTH FORK WILDFIRE.

Prime Sponsors: Reps. Gardner B. and Gerou  
Senator Cadman

JBC Analyst: Byron DeLuke  
Phone: 303-866-4957  
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**Summary of Amendments Made to the Bill After the 04/30/12 Legislative Council Staff Fiscal Note Was Prepared**

The House Judiciary Committee Report amends the introduced bill to allow claimants to request an evidentiary hearing before the Lower North Fork Wildfire Commission (Commission). The legislation previously included language providing the Commission with the authority to determine that a claim could be fairly resolved on the basis of the written record without input from the claimant. The amendment does not alter the fiscal impact of the bill because Legislative Council and JBC Staff have calculated the required state expenditures under the assumption that the claims administration process will be subject to a later appropriation.

**JBC Staff Concurrence with Legislative Council Staff Fiscal Note**

**Concurs**       **Does Not Concur**       **Updated Analysis**

**Amendments/Appropriation Status**

The bill requires but does not contain an appropriation clause. Staff has prepared amendment **J.001** (attached) to add a provision appropriating \$25,832 General Fund and 0.4 FTE to the Legislative Department for FY 2012-13.

**Bill Sponsor Amendments**

Staff is not aware of any sponsor amendments to be offered.

**Points to Consider**

1. Legislative Branch – Review of claims – Conditional expenditure: The two major cost drivers in HB 12-1352 are the creation of a Lower North Fork Wildfire study by Dec. 31, 2012 and the evaluation of claims by the Commission. The fiscal note includes a conditional cost of \$56,000 for claims evaluation. However, JBC Staff has not included an appropriation in **J.001** for this purpose because the bill does not dictate the investigative or adjudicatory process that will be used. The Commission will determine how it will evaluate claims. As

a result, these costs are difficult to estimate with any precision and will be subject to a later appropriation. Additional dollars would be required, for example, if there are more claims, more time expended per claim, or more "special masters" utilized than is assumed by Legislative Council Staff in the fiscal note.