



**Advisory commission.** The advisory commission is composed of 16 members appointed by the governor, who serve without compensation or reimbursement. Specifically, the membership includes 12 voting members and four nonvoting members, representing various governmental and nongovernmental entities involved in wildland and fire management. The advisory commission must meet on or before August 1, 2014, and will meet as often as necessary to advise the DFPC on specific wildfire-related issues. The advisory commission sunsets on September 1, 2023.

**CFAC Fund.** The DFPC is authorized to generate revenue from new sources, for deposit into the CFAC Fund. These additional sources of revenue are investments, bonds, sales, commissions for services, sponsorships, advertising fees, licensing fees, and profits.

**CFAC aircraft.** The bill directs the DFPC to implement recommendations regarding acquisition and contracting for aerial firefighting resources contained in the report issued by the DFPC on March 28, 2014, pursuant to Senate Bill 14-245. The implementation of these recommendations is limited to the 2014 fire season and to the extent feasible and appropriate.

**Center of Excellence.** The DFPC is authorized to operate and promote the Center of Excellence based on technology, tactics, and economics of aerial firefighting resources employed by the CFAC. The Center of Excellence must follow statutory guidelines in the bill if the DFPC elects to proceed with operations. These guidelines include:

- a focus on evaluating the effectiveness, efficiency, and sustainability of aerial firefighting equipment and practices;
- regular conduct and documentation of aerial firefighting research; and
- periodic consultation with one appointed member from each chamber of the General Assembly.

## **Background**

**The FY 2014-15 Long Bill.** As amended, the FY 2014-15 Long Bill (House Bill 14-1336) contains a \$19.67 million appropriation for the DFPC to acquire aircraft. This appropriation is in addition to the continuation of funding for DFPC's base budget, supplementing other appropriations in the DFPC's Wildland Fire Management Services budget line.

**Senate Bill 13-245.** Senate Bill 13-245 authorized the DFPC to purchase and retrofit firefighting aircraft for CFAC, or to contract for such aircraft and supporting services. SB 13-245 also required that, by April 1, 2014, the DFPC submit to the General Assembly a report concerning the feasibility of CFAC and strategies to address state firefighting activities, including budget requests for CFAC and aerial firefighting (SB 245 Report). The SB 245 Report contains a set of recommendations with a total estimated cost in calendar year 2014 of \$33.6 million.

The SB 245 Report includes a proposed schedule for implementation of its recommendations. The procurement and contracting process for new firefighting and management assets is anticipated to take up to six months. Up to 12 months of additional time may be required for full operation of the wildfire information management system and certain aircraft.

Table 1 summarizes recommendations in the SB 245 Report.

<b>Table 1. SB 245 Report recommendations.*</b>	
<b>CFAC program element</b>	<b>DFPC recommendation (SB 245 Report)</b>
Wildfire information management system	Procure custom software (\$100,000)
Multi-mission airplanes	Procure and operate two planes (\$11.7 million)
Helicopters	Contract for four type 3 or larger helicopters (\$4.7 million)
Single engine air tankers (SEATs)	Contract for four exclusive use SEATs (\$3.1 million)
Large air tankers (LATs)	Contract for two exclusive use LATs (\$11.9 million)
Other related expenses*	\$2.1 million
<b>Total Estimated Cost</b>	<b>\$33.6 million</b>

\* Aviation-related expenses include direct and indirect costs for insurance, airport fees, service personnel, and other supplies.

**Existing DFPC fire aviation plans.** Under current law, the DFPC must produce an annual wildfire preparedness plan, addressing, among other items, the amount and availability of aerial firefighting resources necessary for wildfire response in times of both low and high wildfire risk. The state's current fire aviation plan includes a budget for contract aerial firefighting services.

**DFPC advisory committee.** The Advisory Committee to the Director of the Division of Fire Prevention and Control on Wildland and Prescribed Fire Matters (DFPC advisory committee) was created by Executive Order B 2013-001 of the governor on January 30, 2013. The size and membership requirements of this advisory committee (e.g., 12 principal members and four nonvoting members, representing various agencies affected by wildfire) are substantially the same as the advisory commission created by SB 14-164.

## **State Revenue**

The bill may result in new revenue to the CFAC Fund. For example, once the Center of Excellence is operational, it may produce seminars, reference materials, or project consultation that is of value to other firefighting authorities. Sponsorships and licensing of the CFAC (e.g., merchandise, corporate sponsorships displayed on CFAC aircraft) is also a potential source of state revenue.

Potential new revenue is not estimated based on the limitations of existing data. However, only a minimal amount of new revenue from all sources added by the bill is expected in FY 2014-15 and FY 2015-16.

**Assumptions.** By limiting the location, number, and availability to federal agencies and other states of aircraft, the bill may limit the revenue potential of the CFAC. However, based on demand for aerial firefighting resources in Colorado and practical difficulties with deployment of CFAC resources to other agencies, the effect of these limitations will be negligible in FY 2014-15 and FY 2015-16.

**State Expenditures**

If the DFPC elects to implement the bill in a manner consistent with the assumptions in this analysis, the resulting increase in state expenditures will be \$33,997,012 and 19.3 FTE in FY 2014-15 and \$778,933 and 9.0 FTE in FY 2015-16. These costs in the DPS are new costs for helicopters and associated personnel, as well as start-up costs for the Center of Excellence, are summarized in Table 2.

<b>Table 2. Expenditures Under SB 14-164</b>		
<b>Cost Components</b>	<b>FY 2014-15</b>	<b>FY 2015-16</b>
<u>CFAC aircraft and operations**</u>	<u>\$33,723,086</u>	<u>\$0</u>
Personal Services	722,837	0
FTE	16.5	
Operating Expenses	1,379,510	0
Aircraft Procurement (see Table 1)	31,400,000	
Capital Outlay	70,018	0
Centrally Appropriated Costs*	150,721	0
<u>Center of Excellence</u>	<u>273,926</u>	<u>778,933</u>
Personal Services	192,880	522,302
FTE	2.8	9.0
Operating Expenses	22,850	58,550
Capital Outlay (including special equipment)	14,109	65,018
Legislative consultation (2 x 4 mtgs. x \$187)	1,496	1,496
Centrally Appropriated Costs*	42,591	131,567
<b>TOTAL</b>	<b>\$33,997,012</b>	<b>\$778,933</b>

\* Centrally appropriated costs are not included in the bill's appropriation.

\*\* CFAC aircraft operations in FY 2014-15 require appropriated funding of \$33,572,365, calculated as the total CFAC expenditure less \$150,721 in centrally appropriated costs.

**Assumptions.** The following assumptions were used in the analysis of state expenditures under the bill:

- *Scope of the bill - affected aircraft.* The SB 245 Report recommends a comprehensive aerial firefighting program. Implementation of these recommendations in the 2014 fire season involves all aircraft involved in the state fire aviation program and CFAC.
- *Advisory commission.* The advisory commission will function in the same manner as the current DFPC advisory committee and will be constituted by the existing membership of that committee or equivalent appointees.

- **Funding source.** The fiscal note assumes that increased costs in the DFPC are paid by a General Fund appropriation. The fiscal note assumes that current revenue limitations and budget obligations preclude appropriations for the bill from the CFAC Fund and other potential cash fund sources in the DPS. However, some existing fire aviation resources (e.g., SEAT contracts) may be reallocated to the CFAC and offset costs of the bill.

**CFAC aircraft.** During the 2014 fire season (FY 2014-15), the DFPC will contract for multimission aircraft, helicopters, single engine air tankers, and large air tankers as recommended in the SB 245 Report. Aircraft vendors will furnish contract operator pilots and maintenance crew, while the DFPC will hire firefighting aircrew and management personnel sufficient to satisfy minimum daily staffing and other requirements of the bill. Estimated costs during the 2014 fire season (FY 2014-15) are based on six-month exclusive use contracts, where applicable. Personal services costs for year-round positions are prorated in FY 2014-15 to reflect the General Fund payday shift. Finally, airport operations and other direct and indirect costs are budgeted in accordance with the SB 245 Report.

**Center of Excellence.** In FY 2014-15, the Center of Excellence will commence operations, with a limited staff to perform start-up functions and coordinate with other CFAC operations. The DFPC will hire three full-time staff, with budget for a director, administrative assistant, and a firefighting professional. In FY 2015-16 and future fiscal years, the DFPC will fund 9.0 FTE for full operation of the Center of Excellence, adding full-time positions for a grant writer, technology integration specialist, military integration specialist, economist, data analyst, and accountant.

The Center of Excellence will budget for expenses related to its periodic consultation with two members of the General Assembly. On a quarterly basis, each member will be reimbursed for the cost of a meeting with the director, including \$99 legislative per diem and an average of \$88 for travel and related expenses.

**Advisory commission.** Workload for the DFPC will increase to support the advisory commission between FY 2014-15 and FY 2023-24. However, expenditures to support this workload are currently budgeted, as needed, for the DPFC advisory committee. The advisory committee will effectively replace the existing committee and no new appropriations are required.

**Annual report to the Wildfire Matters Review Committee.** Under current law, the DFPC appears before and advises the Wildfire Matters Review Committee (WMRC) on a regular basis. Information presented to the WMRC has included wildfire threats and status, an assessment of state resources, and recommended actions. The bill increases DFPC workload by requiring reports to the WMRC to include specific information, but presentation of this information is consistent with current DFPC efforts and will not require new appropriations.

**Centrally appropriated costs.** Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. The centrally appropriated costs subject to this policy are estimated in the fiscal note for informational purposes and summarized in Table 3.

<b>Table 3. Centrally Appropriated Costs Under SB 14-164*</b>		
<b>Cost Components</b>	<b>FY 2014-15</b>	<b>FY 2015-16</b>
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$117,721	\$55,084
Supplemental Employee Retirement Payments	63,591	40,483
Leased Space (Center of Excellence)	12,000	36,000
<b>TOTAL</b>	<b>\$193,312</b>	<b>\$131,567</b>

\*More information is available at: <http://colorado.gov/fiscalnotes>

**Local Government Impact**

If the state acquires aircraft equipment, it may increase revenue to local governments that operate airports and lease hangar space at the identified air tanker bases. Because airport fees and hangar leases are drawn from a larger market, this impact is assumed to be minimal.

**Effective Date**

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

**State Appropriations**

If the General Assembly elects to fund the Center of Excellence, the Department of Public Safety requires a General Fund appropriation of \$231,335 and 2.8 FTE in FY 2014-15 to cover the initial costs to the DFPC.

No additional monetary appropriation is required to implement the \$33,572,365 (see Table 2) in direct costs for CFAC aircraft operations identified in the fiscal note, provided the enacted FY 2014-15 Long Bill contains sufficient funds in the Wildland Fire Management Services budget line in DPS. However, to the extent that aircraft operations are funded in accordance with the estimate in this analysis, an additional allocation to the DPS of 16.5 FTE is required in FY 2014-15.

This bill does not preclude the use of additional funds in the Wildland Fire Management Services budget line in the DPS for aerial firefighting resources outside the scope of the bill.

In the event that the General Assembly determines to defer expenditures or rely on other statutory authority, no appropriation is required by the bill.

**State and Local Government Contacts**

Public Safety  
 Law  
 Corrections  
 Municipalities

Personnel and Administration  
 Higher Education (CSU-CSFS)  
 Military and Veterans Affairs  
 Special Districts

Local Affairs  
 Fire Chiefs  
 Counties