

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0116.01 Bob Lackner x4350

SENATE BILL 13-082

SENATE SPONSORSHIP

Nicholson and Roberts,

HOUSE SPONSORSHIP

Levy,

Senate Committees

Local Government
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A PERMANENT INTERIM COMMITTEE**
102 **OF THE GENERAL ASSEMBLY TO REVIEW MATTERS RELATING TO**
103 **WILDFIRES IN THE STATE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Lower North Fork Wildfire Commission. The bill creates the wildfire matters review committee as an interim committee of the general assembly (committee) to address wildfire prevention and mitigation and to review and propose legislation relating to such matters. The committee

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.*

is required to meet at least once during the interim of each year to review and to propose legislation or other policy changes relating to wildfire prevention and mitigation and all related matters. The bill authorizes the committee to consult with experts in all fields relating to wildfire prevention and mitigation as may be necessary to achieve the committee's objectives. All personnel of any state agency or political subdivision of Colorado involved in wildfire prevention and mitigation, including the Colorado department of public safety and the Colorado state forest service, are required to cooperate with the committee and with any persons assisting the committee in carrying out its duties.

Membership of the committee consists of 10 members of the general assembly, equally divided between members of the house and senate. The bill specifies the manner in which the appointments are to be made and additional requirements relating to the service of members of the committee.

The interim committee is repealed on July 1, 2018.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 16 to article
3 3 of title 2 as follows:

4 PART 16

5 WILDFIRE MATTERS REVIEW COMMITTEE

6 **2-3-1601. Legislative declaration.** (1) THE GENERAL ASSEMBLY
7 FINDS, DETERMINES, AND DECLARES THAT:

8 (a) WILDFIRES ARE A PART OF THE NATURAL CYCLE OF
9 COLORADO'S FORESTS, YET INCREASINGLY POSE A SEVERE THREAT TO
10 HUMAN LIFE AND PROPERTY;

11 (b) PEOPLE ARE ATTRACTED TO THE FOREST AND MOUNTAIN AREAS
12 OF THE STATE AND INCREASINGLY CHOOSE TO MAKE THEIR HOMES IN
13 WHAT IS KNOWN AS THE "WILDLAND URBAN INTERFACE", WHERE
14 WILDLAND AREAS MEET RESIDENTIAL DEVELOPMENT;

15 (c) FOR MANY YEARS NOW, RESIDENTIAL AREAS IN NUMEROUS
16 PARTS OF THE STATE ARE REGULARLY THREATENED BY A CLOSE

1 PROXIMITY TO WILDFIRES AND, TRAGICALLY, DURING THE SPRING AND
2 SUMMER OF 2012, COLORADO WILDFIRES RESULTED IN THE LOSS OF LIFE
3 AND EXTENSIVE PROPERTY DAMAGE, INCLUDING THE DESTRUCTION OF
4 HOMES AFFECTING THOUSANDS OF PEOPLE;

5 (d) SINCE WILDFIRES CAUSE ANNUAL HARM TO MANY AREAS OF
6 THE STATE AND THOSE RESIDING IN SUCH AREAS, WILDFIRE PREVENTION
7 AND MITIGATION IS A MATTER OF EXTREME IMPORTANCE THROUGHOUT
8 THE STATE AND AN ISSUE DEMANDING CRITICAL ATTENTION FROM THE
9 GENERAL ASSEMBLY ON A REGULAR BASIS.

10 (2) THE PURPOSE OF THIS PART 16 IS TO PROVIDE A PERMANENT
11 INTERIM COMMITTEE AS A FORUM THROUGH WHICH THE GENERAL
12 ASSEMBLY REVIEWS STATE POLICIES AND RESOURCES ADDRESSING
13 WILDFIRE PREVENTION AND MITIGATION AND THE SUCCESSFUL
14 IMPLEMENTATION AND EXECUTION OF SUCH POLICIES. IN CREATING A
15 PERMANENT INTERIM COMMITTEE TO ADDRESS MATTERS RELATING TO
16 WILDFIRES, THE GENERAL ASSEMBLY INTENDS THAT ISSUES RELATING TO
17 WILDFIRE PREVENTION AND MITIGATION RECEIVE SUFFICIENT LEGISLATIVE
18 SCRUTINY AND PUBLIC PARTICIPATION.

19 **2-3-1602. Wildfire matters review committee - creation -**
20 **repeal.** (1) TO ADDRESS WILDFIRE PREVENTION AND MITIGATION AND TO
21 REVIEW AND PROPOSE LEGISLATION RELATING TO SUCH MATTERS, THE
22 WILDFIRE MATTERS REVIEW COMMITTEE IS HEREBY CREATED, AND IS
23 REFERRED TO IN THIS PART 16 AS THE "COMMITTEE". THE COMMITTEE
24 SHALL MEET AT THE CALL OF THE CHAIR AT LEAST ONCE DURING THE
25 INTERIM OF EACH YEAR TO REVIEW AND TO PROPOSE LEGISLATION OR
26 OTHER POLICY CHANGES RELATING TO WILDFIRE PREVENTION AND
27 MITIGATION AND ALL RELATED MATTERS, INCLUDING, WITHOUT

1 LIMITATION, PUBLIC SAFETY AND FOREST HEALTH ISSUES. THE COMMITTEE
2 MAY CONSULT WITH EXPERTS IN ALL FIELDS RELATING TO WILDFIRE
3 PREVENTION AND MITIGATION AS MAY BE NECESSARY TO ACHIEVE THE
4 OBJECTIVES OF THIS PART 16. ALL PERSONNEL OF ANY STATE AGENCY OR
5 POLITICAL SUBDIVISION OF COLORADO INVOLVED IN WILDFIRE
6 PREVENTION AND MITIGATION, INCLUDING THE COLORADO DEPARTMENT
7 OF PUBLIC SAFETY AND THE COLORADO STATE FOREST SERVICE, SHALL
8 COOPERATE WITH THE COMMITTEE AND WITH ANY PERSONS ASSISTING THE
9 COMMITTEE IN CARRYING OUT ITS DUTIES PURSUANT TO THIS SECTION. ON
10 THE EFFECTIVE DATE OF THIS SUBSECTION (1), ANY REMAINING POWERS,
11 DUTIES AND RESPONSIBILITIES DELEGATED TO AND POSSESSED BY THE
12 LOWER NORTH FORK WILDFIRE COMMISSION CREATED IN SECTION 2-2-1702
13 (1) ARE HEREBY TRANSFERRED TO THE COMMITTEE.

14 (2) THE COMMITTEE CONSISTS OF TEN MEMBERS OF THE GENERAL
15 ASSEMBLY SELECTED AS FOLLOWS:

16 (a) FIVE MEMBERS FROM THE SENATE, THREE APPOINTED BY THE
17 PRESIDENT OF THE SENATE AND TWO APPOINTED BY THE MINORITY LEADER
18 OF THE SENATE;

19 (b) FIVE MEMBERS FROM THE HOUSE OF REPRESENTATIVES, THREE
20 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND
21 TWO APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF
22 REPRESENTATIVES.

23 (3) APPOINTING AUTHORITIES SHALL MAKE THEIR ORIGINAL
24 APPOINTMENTS TO THE COMMITTEE NOT LATER THAN JULY 1, 2013. TERMS
25 OF SERVICE ON THE COMMITTEE ARE FOR TWO YEARS. THE TERMS OF
26 ORIGINAL APPOINTEES TO THE COMMITTEE TERMINATE ON THE CONVENING
27 DATE OF THE FIRST REGULAR SESSION OF THE SEVENTIETH GENERAL

1 ASSEMBLY. THEREAFTER, THE TERMS OF MEMBERS OF THE COMMITTEE
2 TERMINATE ON THE CONVENING DATE OF THE FIRST REGULAR SESSION OF
3 THE GENERAL ASSEMBLY NEXT FOLLOWING THEIR APPOINTMENT OR
4 REAPPOINTMENT, AND ALL SUBSEQUENT APPOINTMENTS OR
5 REAPPOINTMENTS ARE MADE AS SOON AS PRACTICABLE AFTER SUCH
6 CONVENING DATE. INCUMBENT MEMBERS MAY BE REAPPOINTED TO THE
7 COMMITTEE. THE PERSON MAKING THE ORIGINAL APPOINTMENT OR
8 REAPPOINTMENT SHALL FILL ANY VACANCY BY APPOINTMENT FOR THE
9 REMAINDER OF AN UNEXPIRED TERM. MEMBERS SERVE AT THE PLEASURE
10 OF THE APPOINTING AUTHORITY AND CONTINUE IN OFFICE UNTIL A
11 SUCCESSOR IS APPOINTED, AS APPLICABLE.

12 (4) THE COMMITTEE SHALL SELECT A CHAIR AND VICE-CHAIR FROM
13 AMONG ITS MEMBERSHIP AND PRESCRIBE ITS OWN RULES OF PROCEDURE.

14 (5) MEMBERS OF THE COMMITTEE SERVE WITHOUT
15 COMPENSATION; EXCEPT THAT EACH MEMBER IS ENTITLED TO BE
16 REIMBURSED FOR NECESSARY EXPENSES IN CONNECTION WITH THE
17 PERFORMANCE OF HIS OR HER DUTIES AND RECEIVES THE SAME PER DIEM
18 AS OTHER MEMBERS OF INTERIM COMMITTEES IN ATTENDANCE AT
19 MEETINGS.

20 (6) EXISTING EMPLOYEES OF THE LEGISLATIVE SERVICE AGENCIES
21 SHALL PROVIDE ANY STAFF ASSISTANCE REQUIRED BY THE COMMITTEE
22 WITHIN EXISTING APPROPRIATIONS.

23 (7) THIS PART 16 IS REPEALED, EFFECTIVE JULY 1, 2018.

24 **SECTION 2. In Colorado Revised Statutes, 2-2-1702, add (6) as**
25 **follows:**

26 **2-2-1702. Lower north fork wildfire commission - created -**
27 **membership - chair - meetings - quorum - reimbursement of expenses**

1 **- staff assistance - public meetings - transfer of duties. (6) ON THE**
2 **EFFECTIVE DATE OF THIS SUBSECTION (6), ANY REMAINING POWERS,**
3 **DUTIES AND RESPONSIBILITIES DELEGATED TO AND POSSESSED BY THE**
4 **COMMISSION UNDER THIS PART 17 ARE HEREBY TRANSFERRED TO THE**
5 **WILDFIRE MATTERS REVIEW COMMITTEE CREATED IN SECTION 2-3-1602.**

6 **SECTION 3. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, and safety.