

## CHAPTER 5

---

**GOVERNMENT - STATE**

---

**HOUSE BILL 02S-1025**

BY REPRESENTATIVE(S) Plant, Coleman, Groff, Grossman, Jahn, Mace, Madden, Marshall, Romanoff, Stafford, Stengel, Tapia, Tochtrop, Veiga, Weddig, and Williams S.;

also SENATOR(S) Owen, Anderson, Chlouber, Epps, Evans, Fitz-Gerald, Gordon, Hagedorn, Hanna, Hernandez, Isgar, May, Nichol, Perlmutter, Phillips, Taylor, Teck, Tupa, and Windels.

**AN ACT****CONCERNING THE CREATION OF A WILDFIRE EMERGENCY RESPONSE FUND, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**

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

**SECTION 1.** Part 3 of article 30 of title 23, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**23-30-310. Wildfire emergency response fund - creation.** (1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE WILDFIRE EMERGENCY RESPONSE FUND, WHICH SHALL BE ADMINISTERED BY THE COLORADO STATE FOREST SERVICE. THE FUND SHALL CONSIST OF ALL MONEYS THAT MAY BE APPROPRIATED THERETO BY THE GENERAL ASSEMBLY. ALL INTEREST EARNED FROM THE INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. THE MONEYS IN THE FUND ARE HEREBY CONTINUOUSLY APPROPRIATED FOR THE PURPOSES INDICATED IN SUBSECTION (2) OF THIS SECTION. ANY MONEYS NOT EXPENDED AT THE END OF THE FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE TRANSFERRED TO OR REVERT TO THE GENERAL FUND.

(2) THE COLORADO STATE FOREST SERVICE SHALL USE THE MONEYS IN THE WILDFIRE EMERGENCY RESPONSE FUND TO PROVIDE FUNDING OR REIMBURSEMENT FOR THE FIRST AERIAL TANKER FLIGHT TO A WILDFIRE AT THE REQUEST OF ANY COUNTY SHERIFF, MUNICIPAL FIRE DEPARTMENT, OR FIRE PROTECTION DISTRICT.

**SECTION 2. Appropriations.** In addition to any other appropriation, for the fiscal year beginning July 1, 2002, there is hereby appropriated, from the disaster emergency fund created in section 24-32-2106, Colorado Revised Statutes, to the

---

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

wildfire emergency response fund created in section 23-30-310, Colorado Revised Statutes, the sum of two hundred forty thousand two hundred fifty dollars (\$240,250), or so much thereof as may be necessary, for the implementation of this act.

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

Approved: July 18, 2002