

CHAPTER 386

GENERAL ASSEMBLY

SENATE BILL 13-082

BY SENATOR(S) Nicholson and Roberts, Aguilar, Carroll, Giron, Guzman, Heath, Hudak, Jahn, Kefalas, Kerr, King, Newell, Schwartz, Todd, Ulibarri;
also REPRESENTATIVE(S) Levy, Exum, Fields, Hamner, Hullinghorst, Labuda, Lee, Mitsch Bush, Pettersen, Rosenthal, Schafer, Young, Ferrandino.

AN ACT**CONCERNING THE CREATION OF A PERMANENT INTERIM COMMITTEE OF THE GENERAL ASSEMBLY TO REVIEW MATTERS RELATING TO WILDFIRES IN THE STATE.**

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

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

PART 16
WILDFIRE MATTERS REVIEW COMMITTEE

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

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

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

(c) FOR MANY YEARS NOW, RESIDENTIAL AREAS IN NUMEROUS PARTS OF THE STATE ARE REGULARLY THREATENED BY A CLOSE PROXIMITY TO WILDFIRES AND, TRAGICALLY, DURING THE SPRING AND SUMMER OF 2012, COLORADO WILDFIRES RESULTED IN THE LOSS OF LIFE AND EXTENSIVE PROPERTY DAMAGE, INCLUDING THE DESTRUCTION OF HOMES AFFECTING THOUSANDS OF PEOPLE;

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

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

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

2-3-1602. Wildfire matters review committee - creation - repeal of part.

(1) TO ADDRESS WILDFIRE PREVENTION AND MITIGATION AND TO REVIEW AND PROPOSE LEGISLATION RELATING TO SUCH MATTERS, THE WILDFIRE MATTERS REVIEW COMMITTEE IS HEREBY CREATED, AND IS REFERRED TO IN THIS PART 16 AS THE "COMMITTEE". THE COMMITTEE SHALL MEET AT THE CALL OF THE CHAIR 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, INCLUDING, WITHOUT LIMITATION, PUBLIC SAFETY AND FOREST HEALTH ISSUES. THE COMMITTEE MAY CONSULT WITH EXPERTS IN ALL FIELDS RELATING TO WILDFIRE PREVENTION AND MITIGATION AS MAY BE NECESSARY TO ACHIEVE THE OBJECTIVES OF THIS PART 16. 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, SHALL COOPERATE WITH THE COMMITTEE AND WITH ANY PERSONS ASSISTING THE COMMITTEE IN CARRYING OUT ITS DUTIES PURSUANT TO THIS SECTION. ON THE EFFECTIVE DATE OF THIS SUBSECTION (1), ANY REMAINING POWERS, DUTIES, AND RESPONSIBILITIES DELEGATED TO AND POSSESSED BY THE LOWER NORTH FORK WILDFIRE COMMISSION CREATED IN SECTION 2-2-1702 (1) ARE HEREBY TRANSFERRED TO THE COMMITTEE.

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

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

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

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

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

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

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

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

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

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

2-2-1702. Lower north fork wildfire commission - created - membership - chair - meetings - quorum - reimbursement of expenses - staff assistance - public meetings - transfer of duties. (6) ON THE EFFECTIVE DATE OF THIS SUBSECTION (6), ANY REMAINING POWERS, DUTIES, AND RESPONSIBILITIES DELEGATED TO AND POSSESSED BY THE COMMISSION UNDER THIS PART 17 ARE HEREBY TRANSFERRED TO THE WILDFIRE MATTERS REVIEW COMMITTEE CREATED IN SECTION 2-3-1602.

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: June 5, 2013