

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

DRAFT  
12.9.09

DRAFT

LLS NO. 10-0460.01 Thomas Morris

SENATE BILL

SENATE SPONSORSHIP

Gibbs,

HOUSE SPONSORSHIP

(None),

**SHORT TITLE:** "State Forester Prescribed Fire Cert Stnd"

**DEADLINES:** Finalize by: 01/12/10 File by: 01/15/10

A BILL FOR AN ACT

101 CONCERNING THE CERTIFICATION OF USERS OF PRESCRIBED FIRE  
102 ACCORDING TO STANDARDS ESTABLISHED BY THE COLORADO  
103 STATE FOREST SERVICE.

Bill Summary

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

The bill directs the Colorado state forest service to establish training and certification standards for users of prescribed fire, including certified burner and noncertified burner designations, recommended processes for landowners and managers to conduct a prescribed fire, recommended organizational structures for prescribed burn operations, training standards for certified burners, and identification of preexisting

*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

fees, permit requirements, liabilities, liability exemptions, and penalties for prescribed burn personnel and landowners. The bill also requires the use of a written plan that has been approved by the state forester.

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

2           **SECTION 1.** 23-31-313 (6) (a), Colorado Revised Statutes, is  
3 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

4           **23-31-313. Healthy forests - vibrant communities - funds**  
5 **created.** (6) **Community watershed restoration.** (a) In order to  
6 support communities and land managers in moving from risk reduction  
7 to long-term ecological restoration so that the underlying condition of  
8 Colorado's forests supports a variety of values, particularly public water  
9 supply and high-quality wildlife habitat, the forest service shall:

10           (III) ESTABLISH TRAINING AND CERTIFICATION STANDARDS FOR  
11 USERS OF PRESCRIBED FIRE. THE STANDARDS SHALL:

12           (A) CREATE CERTIFIED BURNER AND NONCERTIFIED BURNER  
13 DESIGNATIONS FOR USERS OF PRESCRIBED FIRE ON PRIVATE AND  
14 NONFEDERAL LAND;

15           (B) IDENTIFY PROCESSES FOR LANDOWNERS AND MANAGERS, BOTH  
16 CERTIFIED AND NONCERTIFIED, TO CONDUCT A PRESCRIBED FIRE,  
17 INCLUDING REQUIRING THE USE OF A WRITTEN PLAN THAT HAS BEEN  
18 APPROVED BY THE STATE FORESTER;

19           (C) RECOMMEND ORGANIZATIONAL STRUCTURES FOR PRESCRIBED  
20 BURN OPERATIONS;

21           (D) ESTABLISH TRAINING STANDARDS FOR CERTIFIED BURNERS;  
22 AND

23           (E) CLEARLY IDENTIFY PREEXISTING FEES, PERMIT REQUIREMENTS,  
24 LIABILITIES, LIABILITY EXEMPTIONS, AND PENALTIES FOR PRESCRIBED

1 BURN PERSONNEL AND LANDOWNERS, INCLUDING THOSE SPECIFIED IN  
2 SECTIONS 18-13-109, 25-7-106 (7) AND (8), AND 25-7-123, C.R.S.

3 **SECTION 2. Safety clause.** The general assembly hereby finds,  
4 determines, and declares that this act is necessary for the immediate  
5 preservation of the public peace, health, and safety.