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FISCAL IMPACT REPORT

SPONSOR: Ponce DATE TYPED: 2/2/03 HB 209/aHGUAC
 SHORT TITLE: Create Fire Planning Task Force SB _____
 ANALYST: Valenzuela

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
			\$18.0 - \$50.4	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates Senate Bill 148

SOURCES OF INFORMATION

Legislative Finance Committee files

Responses Received From
 Public Regulation Commission
 Regulation and Licensing Department
 Department of Finance and Administration
 Energy, Minerals and Natural Resources Department
 General Services Department

Synopsis of HGUAC amendment

The House Government and Urban Affairs Committee (HGUAC) amendment to House Bill 209 adds two members to the task force: a representative of the Commissioner of Public Lands and a representative of the federal Bureau of Land Management, who would be appointed by the Governor.

SUMMARY

Synopsis of Bill

House Bill 209 proposes a nine-member fire planning task force, to work with communities at-risk for forest fires to develop standards for building codes and ordinances to reduce the threat. Assisted by EMNRD and DFA staff, the task force will hold public meetings to solicit community input on standards designed to better protect forested communities from the risks of wildfire. These standards for building codes and ordinances, according to the bill, shall recognize the dis-

inction between altering existing situations and establishing standards for new construction, consider the benefits of thinning overgrown forests, conducting controlled burns, clearing spaces around homes and other structures, using noncombustible roofing materials and double-pane windows and take other fire suppression or prevention measures, and shall consider the impact to wildlife.

The bill identifies the members of the task force, who will be paid mileage and per diem for attendance at meetings and who shall elect the chair. The bill requires the task force to seek public input from affected landowners, land users and local governments.

HB209 requires the task force to report its recommended legislation and progress to the legislature and governor by December 15th.

Significant Issues

The bill makes recognition of two important points about the danger of forest fire and forested communities. First, improved building codes or construction materials may have a beneficial impact in reducing risk to structures during a forest fire. Second, zoning ordinances for wild-land/urban interface areas could be designed to create a buffer area to better protect a community from an encroaching wildfire. The Forestry Division, in its marketing literature on this topic, identifies more than 540,000 acres of wildland urban interface. HB209 also makes clear that any standards must be sensitive to existing structures, presumably because new building codes or ordinances could place a significant burden on current land or homeowners in these communities.

DFA reports that it does not believe the Director of the Local Government Division should be on the task force. EMNRD suggests the bill be modified to include a representative of the Department of Game and Fish, which has expertise in management of wildlife and habitat.

FISCAL IMPLICATIONS

HB 209 does not contain an appropriation. Enactment would have a measurable fiscal impact because it requires that members be paid mileage and per diem for meetings. The bill does not identify a required location or schedule for these meetings. The table below provides estimated costs for mileage and per diem for a nine-member board based on the number of meeting days and a range of average per member mileage and per diem rates from \$125.00/day to \$175.00/day. These figures include mileage and per diem for three support staffers.

<u>Number of meeting days</u>	<u>\$125.00</u>	<u>\$150.00</u>	<u>\$175.00</u>
1	\$ 1,500	\$ 1,800	\$ 2,100
5	\$ 7,500	\$ 9,000	\$ 10,500
10	\$ 15,000	\$ 18,000	\$ 21,000
12	\$ 18,000	\$ 21,600	\$ 25,200
15	\$ 22,500	\$ 27,000	\$ 31,500
20	\$ 30,000	\$ 36,000	\$ 42,000
24	\$ 36,000	\$ 43,200	\$ 50,400
25	\$ 37,500	\$ 45,000	\$ 52,500
30	\$ 45,000	\$ 54,000	\$ 63,000

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A reasonable scenario would be for the task force to hold a one- or two-day meeting each month. The respective costs, for the task force, would range from \$18.0 to \$25.2 for 12 one-day meetings and \$36.0 to \$50.4 for 12 two-day meetings.

The bill does not identify any state agency that would be required cover the mileage and per diem costs.

ADMINISTRATIVE IMPLICATIONS

Enactment of HB209 would have an administrative impact on each of the state agencies included in the task force.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

House Bill 209 duplicates Senate Bill 148.

The Construction Industries Division of RLD reports that local jurisdictions may not adopt construction standards that are less stringent than state standards. The issue has already grown contentious between local jurisdiction and state standards for construction materials such as straw bale used for home construction.

OTHER SUBSTANTIVE ISSUES

The interim legislative water and natural resources committee have held several hearings on the impact of forest fires to forested communities as has the Legislative Finance Committee. A requirement to present the task force findings to one or both of these legislative committees may be a good strategy for any potential legislation.

POSSIBLE QUESTIONS

What state agency would be required to cover the mileage and per diem costs for the task force ?

MFV/yr