

SENATE BILL NO. 102—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE LEGISLATIVE COMMITTEE  
ON PUBLIC LANDS)

PREFILED JANUARY 30, 2015

Referred to Committee on Government Affairs

SUMMARY—Provides for the creation of rangeland fire protection associations. (BDR 42-484)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to fire protection; providing for the creation of rangeland fire protection associations; authorizing a board of county commissioners to approve a petition to create an association; providing for the evaluation of an association by the board and the State Forester Firewarden; requiring the State Forester Firewarden to adopt regulations relating to the formation, operation and training of the members of an association; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

**Section 3** of this bill authorizes a board of county commissioners to approve a petition submitted by two or more rangeland agricultural producers or property owners within the county to create a rangeland fire protection association if the petitioners meet certain requirements. **Section 3** additionally provides for the routine evaluation of such an association by the board during the term of a cooperative agreement based on certain criteria and requires the State Forester Firewarden to adopt regulations relating to the formation, operation and training of members of such an association.

Existing law authorizes fire protection districts, the State Forester Firewarden and a board of county commissioners to enter into certain cooperative agreements for the purpose of providing fire protection services in this State. (NRS 472.050-472.070) **Sections 4-6** of this bill authorize fire protection districts, the State Forester Firewarden and a board of county commissioners to enter into such agreements with a rangeland fire protection association.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1       **Section 1.** Chapter 472 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 and 3 of this act.

3       **Sec. 2.** *As used in this chapter, the term “rangeland fire*  
4 *protection association” means a nonprofit unincorporated*  
5 *association formed pursuant to section 3 of this act.*

6       **Sec. 3. 1.** *Two or more rangeland agricultural producers or*  
7 *property owners within a county in this State may establish a*  
8 *rangeland fire protection association by petitioning the county in*  
9 *which the producers and owners reside or in which their property*  
10 *is located for recognition as a rangeland fire protection*  
11 *association.*

12       2. *A board of county commissioners may approve a petition*  
13 *submitted pursuant to subsection 1 if the petitioners:*

14       (a) *Meet the requirements established by the board relating to*  
15 *the creation, operation and duties of a rangeland fire protection*  
16 *association.*

17       (b) *Provide to the board a copy of written notice from the State*  
18 *Forester Firewarden that the petitioners have met all the*  
19 *requirements set forth in the regulations adopted by the State*  
20 *Forester Firewarden pursuant to subsection 5 concerning the*  
21 *formation, operation and training of the members of a rangeland*  
22 *fire protection association.*

23       3. *A board of county commissioners, in cooperation with the*  
24 *State Forester Firewarden or his or her designee, shall, before the*  
25 *board enters into a cooperative agreement with a rangeland fire*  
26 *protection association pursuant to NRS 472.060 or 472.070 and*  
27 *annually thereafter during the term of the agreement, evaluate:*

28       (a) *The governance and management structure of the*  
29 *association;*

30       (b) *The adequacy of any policy of liability insurance carried by*  
31 *the association;*

32       (c) *The condition and maintenance of the vehicles and*  
33 *equipment used by the association in carrying out its duties; and*

34       (d) *The training and qualifications of each member of the*  
35 *association in accordance with the Wildland Fire Qualification*  
36 *System Guide published by the National Wildfire Coordinating*  
37 *Group.*

38       4. *The board of county commissioners, the State Forester*  
39 *Firewarden and any other agency which is a party to a cooperative*  
40 *agreement entered into with a rangeland fire protection*  
41 *association shall, to the extent practicable, assist the association in*  
42 *procuring funding for the association, carrying out the duties of*



1 *the association, training the members of the association and*  
2 *providing personal protective equipment for the members of the*  
3 *association.*

4 *5. The State Forester Firewarden shall adopt regulations*  
5 *setting forth:*

6 *(a) The requirements for the formation of a rangeland fire*  
7 *protection association, including the governance and management*  
8 *structure of the association;*

9 *(b) The scope of the operations which may be conducted by an*  
10 *association;*

11 *(c) The training requirements for the members of an*  
12 *association;*

13 *(d) The amount of liability insurance that must be carried by*  
14 *an association; and*

15 *(e) Any financial requirements for the formation and*  
16 *operation of an association.*

17 **Sec. 4.** NRS 472.050 is hereby amended to read as follows:

18 472.050 1. The State Forester Firewarden, with the approval  
19 of the Director of the State Department of Conservation and Natural  
20 Resources, may represent the State of Nevada in negotiating and  
21 entering into agreements with the Federal Government for the  
22 purpose of securing cooperation in forest management and the  
23 protection of the forest and watershed areas of Nevada from fire,  
24 and enter into such other agreements with boards of county  
25 commissioners, municipalities, *rangeland fire protection*  
26 *associations and other* organizations, and individuals in the State  
27 of Nevada owning lands therein, as are necessary in carrying out the  
28 terms of the federal agreements or that will otherwise promote and  
29 encourage forest management and the protection from fire of forest  
30 or other lands having an inflammable cover.

31 2. Any federal money allotted to the State of Nevada under the  
32 terms of the federal agreements and such other money as may be  
33 received by the State for the management and protection of forests  
34 and watershed areas therein shall be deposited in the Division of  
35 Forestry Account in the State General Fund.

36 **Sec. 5.** NRS 472.060 is hereby amended to read as follows:

37 472.060 Any fire protection district and board or boards of  
38 county commissioners of the State of Nevada may:

39 1. Enter into cooperative agreements with the State Forester  
40 Firewarden subject to the approval of the Director of the State  
41 Department of Conservation and Natural Resources, acting for the  
42 State, and with other counties, *rangeland fire protection*  
43 *associations and other* organizations and individuals, to prevent and  
44 suppress outdoor fires.



2. Appropriate and expend funds for the payment of wages and expenses incurred in fire prevention and fire suppression; for the purchase, construction and maintenance of forest protection improvements and equipment; and for paying other expenses incidental to the protection of forest and other lands from fire, including any portion of the office and travel expense of any Division of Forestry incurred in carrying out the provisions of any cooperative agreements with the State of Nevada.

**Sec. 6.** NRS 472.070 is hereby amended to read as follows:

472.070 The State Forester Firewarden with the approval of the Director of the State Department of Conservation and Natural Resources, fire protection districts, and the boards of county commissioners, separately or collectively, may enter into agreements with the United States Forest Service, United States Bureau of Land Management, ~~and~~ other fire protection agencies ~~and~~ *and rangeland fire protection associations* to provide for placing any or all portions of the fire protection work under the direction of the agency *or association* concerned, under such terms as the contracting parties deem equitable, and may place any or all funds appropriated or otherwise secured for forest protection in the cooperative work fund of the respective agency *or rangeland fire protection association* for disbursement by that agency *or association* for the purposes stated in the agreements and otherwise in conformity with the terms thereof.

**Sec. 7.** Chapter 474 of NRS is hereby amended by adding thereto a new section to read as follows:

*As used in this chapter, the term "rangeland fire protection association" has the meaning ascribed to it in section 2 of this act.*

**Sec. 8.** NRS 474.163 is hereby amended to read as follows:

474.163 1. The board of directors of a county fire protection district may appoint a district fire chief who shall have adequate training and experience in fire control and who shall hire such employees as are authorized by the board. The district fire chief shall administer all fire control laws in the district and perform such other duties as may be designated by the board of directors. The district fire chief shall coordinate fire protection activities in the district and shall cooperate with all other fire protection agencies ~~and~~ *and rangeland fire protection associations.*

2. In lieu of or in addition to the provisions of subsection 1, the board of directors may:

(a) Provide fire protection to the county fire protection district by entering into agreements with other agencies *or rangeland fire protection associations* as provided by NRS 277.180 and 472.060 to 472.090, inclusive, for the furnishing of such protection to the district; or



(b) Support volunteer fire departments within the county fire protection district for the furnishing of such protection to the district.

**Sec. 9.** NRS 474.500 is hereby amended to read as follows:

474.500 1. The board of fire commissioners may appoint a district fire chief who shall have adequate training and experience in fire control and who shall hire such employees as are authorized by the board. The district fire chief shall administer all fire control laws in the territory of the county described by NRS 474.460 and perform such other duties as may be designated by the board of fire commissioners and the State Forester Firewarden. The district fire chief shall coordinate fire protection activities in the district and shall cooperate with all other existing fire protection agencies *and rangeland fire protection associations* and with the State Forester Firewarden for the standardization of equipment and facilities.

2. In lieu of or in addition to the provisions of subsection 1, the board of fire commissioners may:

(a) Provide the fire protection required by NRS 474.460 to 474.540, inclusive, to the districts by entering into agreements with other agencies *or rangeland fire protection associations* as provided by NRS 472.060 to 472.090, inclusive, and 277.180, for the furnishing of such protection to the districts; or

(b) Support volunteer fire departments within districts organized under the provisions of NRS 474.460 to 474.540, inclusive, for the furnishing of such protection to the districts.

**Sec. 10.** This act becomes effective:

1. Upon passage and approval for the purposes of adopting regulations and performing any other preparatory administrative tasks necessary to carry out the provisions of this act; and

2. On January 1, 2016, for all other purposes.

