

Amendment No. 642

Senate Amendment to Assembly Bill No. 84	(BDR 42-110)
<b>Proposed by:</b> Senate Committee on Government Affairs	
<b>Amends:</b> Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

NAS/HAC



Date: 5/16/2021

A.B. No. 84—Revises provisions relating to wildfires. (BDR 42-110)





ASSEMBLY BILL NO. 84—COMMITTEE  
ON GOVERNMENT AFFAIRS(ON BEHALF OF THE COMMITTEE TO CONDUCT  
AN INTERIM STUDY CONCERNING WILDFIRES)

PREFILED JANUARY 26, 2021

Referred to Committee on Natural Resources

SUMMARY—Revises provisions relating to wildfires. (BDR 42-110)

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

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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 wildfires; authorizing the State Forester Firewarden to enter into certain public-private partnerships; authorizing the State Forester Firewarden to purchase or acquire certain equipment for the early warning or detection of wildfires; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes the State Forester Firewarden, with certain approval, to enter into certain cooperative agreements for the purpose of securing cooperation in forest management and the protection of the forest and watershed areas of Nevada from fire. (NRS 472.050) ~~[This]~~ Section 1 of this bill authorizes the State Forester Firewarden, with certain approval, to also enter into certain public-private partnerships for the purpose of addressing the threat of wildfires.

Existing law sets forth the powers and duties of the State Forester Firewarden, which include the discretionary authority to purchase, or acquire by donation, supplies and equipment necessary for fire protection and forest and watershed management. (NRS 472.040) Section 2 of this bill further authorizes the State Forester Firewarden to purchase, or acquire by donation, cameras or other equipment necessary for the early warning or detection of wildfires.

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

**Section 1.** Chapter 472 of NRS is hereby amended by adding thereto a new section to read as follows:

*The State Forester Firewarden, with the approval of the Director of the State Department of Conservation and Natural Resources, may represent the State of Nevada in negotiating and entering into, cancelling, modifying and renewing one or more public-private partnerships for the purpose of addressing the threat of*

*catastrophic wildfires in this State. Any such public-private partnership may address, without limitation, investment in wildfire prevention, restoration, infrastructure and workforce development for enhancing landscape resiliency against the threat of wildfires.*

**Sec. 2. NRS 472.040 is hereby amended to read as follows:**

472.040 1. The State Forester Firewarden shall:

(a) Supervise or coordinate all forestry and watershed work on state-owned and privately owned lands, including fire control, in Nevada, working with federal agencies, private associations, counties, towns, cities or private persons.

(b) Administer all fire control laws and all forestry laws in Nevada outside of townsite boundaries, and perform any other duties designated by the Director of the State Department of Conservation and Natural Resources or by state law.

(c) Assist and encourage county or local fire protection districts to create legally constituted fire protection districts where they are needed and offer guidance and advice in their operation.

(d) Designate the boundaries of each area of the State where the construction of buildings on forested lands creates such a fire hazard as to require the regulation of roofing materials.

(e) Adopt and enforce regulations relating to standards for fire retardant roofing materials to be used in the construction, alteration, change or repair of buildings located within the boundaries of fire hazardous forested areas.

(f) Purchase communication equipment which can use the microwave channels of the state communications system and store this equipment in regional locations for use in emergencies.

(g) Administer money appropriated and grants awarded for fire prevention, fire control and the education of firefighters and award grants of money for those purposes to fire departments and educational institutions in this State.

(h) Determine the amount of wages that must be paid to offenders who participate in conservation camps and who perform work relating to fire fighting and other work projects of conservation camps.

(i) Cooperate with the State Fire Marshal in the enforcement of all laws and the adoption of regulations relating to the prevention of fire through the management of vegetation in counties located within or partially within the Lake Tahoe Basin and the Lake Mead Basin.

(j) Assess the codes, rules and regulations which are adopted by other agencies that have specific regulatory authority within the Lake Tahoe Basin and the Lake Mead Basin, and which are not subject to the authority of a state or local fire agency, for consistency with fire codes, rules and regulations.

(k) Ensure that any adopted regulations are consistent with those of fire protection districts created pursuant to chapter 318 or 474 of NRS.

(l) Upon the request of the State Engineer, review a plan submitted with an application for the issuance of a temporary permit pursuant to NRS 533.436.

2. The State Forester Firewarden in carrying out the provisions of this chapter may:

(a) Appoint paid foresters and firewardens to enforce the provisions of the laws of this State respecting forest and watershed management or the protection of forests and other lands from fire, subject to the approval of the board of county commissioners of each county concerned.

(b) Appoint suitable citizen-wardens. Citizen-wardens serve voluntarily except that they may receive compensation when an emergency is declared by the State Forester Firewarden.

(c) Appoint, upon the recommendation of the appropriate federal officials, resident officers of the United States Forest Service and the United States Bureau of

1 Land Management as voluntary firewardens. Voluntary firewardens are not entitled  
2 to compensation for their services.

3 (d) Appoint certain paid foresters or firewardens to be arson investigators.

4 (e) Employ, with the consent of the Director of the State Department of  
5 Conservation and Natural Resources, clerical assistance, county and district  
6 coordinators, patrol officers, firefighters, and other employees as needed, and  
7 expend such sums as may be necessarily incurred for this purpose.

8 (f) Purchase, or acquire by donation, supplies, material, equipment and  
9 improvements necessary ~~for~~ for fire protection, fire prevention and forest and  
10 watershed management ~~for~~ , including, without limitation, cameras or other  
11 equipment necessary for the early warning or detection of wildfires.

12 (g) With the approval of the Director of the State Department of Conservation  
13 and Natural Resources and the State Board of Examiners, purchase or accept the  
14 donation of real property to be used for lookout sites and for other administrative,  
15 experimental or demonstration purposes. No real property may be purchased or  
16 accepted unless an examination of the title shows the property to be free from  
17 encumbrances, with title vested in the grantor. The title to the real property must be  
18 examined and approved by the Attorney General.

19 (h) Expend any money appropriated by the State to the Division of Forestry of  
20 the State Department of Conservation and Natural Resources for paying expenses  
21 incurred in fighting fires or in emergencies which threaten human life.

22 3. The State Forester Firewarden, in carrying out the powers and duties  
23 granted in this section, is subject to administrative supervision by the Director of  
24 the State Department of Conservation and Natural Resources.