

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:**

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

7 Existing law sets forth the powers and duties of the State Forester Firewarden,  
8 which include the discretionary authority to purchase, or acquire by donation,  
9 supplies and equipment necessary for fire protection and forest and watershed  
10 management. (NRS 472.040) **Section 2** of this bill further authorizes the State  
11 Forester Firewarden to purchase, or acquire by donation, cameras or other  
12 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:

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

3       *The State Forester Firewarden, with the approval of the*  
4 *Director of the State Department of Conservation and Natural*  
5 *Resources, may represent the State of Nevada in negotiating and*  
6 *entering into, cancelling, modifying and renewing one or more*  
7 *public-private partnerships for the purpose of addressing the*  
8 *threat of catastrophic wildfires in this State. Any such public-*  
9 *private partnership may address, without limitation, investment in*  
10 *wildfire prevention, restoration, infrastructure and workforce*  
11 *development for enhancing landscape resiliency against the threat*  
12 *of wildfires.*

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

14       472.040 1. The State Forester Firewarden shall:

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

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

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

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

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

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

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

40       (h) Determine the amount of wages that must be paid to  
41 offenders who participate in conservation camps and who perform



1 work relating to fire fighting and other work projects of  
2 conservation camps.

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

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

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

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

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

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

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

29 (c) Appoint, upon the recommendation of the appropriate federal  
30 officials, resident officers of the United States Forest Service and  
31 the United States Bureau of Land Management as voluntary  
32 firewardens. Voluntary firewardens are not entitled to compensation  
33 for their services.

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

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

41 (f) Purchase, or acquire by donation, supplies, material,  
42 equipment and improvements necessary ~~for~~ *for* fire protection, *fire*  
43 *prevention* and forest and watershed management ~~and~~ *, including,*  
44 *without limitation, cameras or other equipment necessary for the*  
45 *early warning or detection of wildfires.*



1 (g) With the approval of the Director of the State Department of  
2 Conservation and Natural Resources and the State Board of  
3 Examiners, purchase or accept the donation of real property to be  
4 used for lookout sites and for other administrative, experimental or  
5 demonstration purposes. No real property may be purchased or  
6 accepted unless an examination of the title shows the property to be  
7 free from encumbrances, with title vested in the grantor. The title to  
8 the real property must be examined and approved by the Attorney  
9 General.

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

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

