

SENATE BILL NO. 180—SENATORS
SEEVERS GANSERT AND KIECKHEFER

MARCH 8, 2021

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to fire prevention.
(BDR 42-601)

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 fire protection; authorizing the State Forester Firewarden to purchase or acquire certain supplies, material, equipment and improvements necessary for fire prevention; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law authorizes the State Forester Firewarden to purchase, or acquire
- 2 by donation, supplies, material, equipment and improvements necessary for fire
- 3 protection and forest and watershed management. (NRS 472.040) **Section 1** of this
- 4 bill authorizes the State Forester Firewarden to also purchase or acquire certain
- 5 supplies, material, equipment and improvements necessary for fire prevention.
- 6 Existing law: (1) authorizes the State Forester Firewarden to represent the State
- 7 of Nevada in negotiating and entering into certain agreements with the Federal
- 8 Government and certain other entities for the purpose of securing cooperation in
- 9 forest management and the protection of the forest and watershed areas of Nevada
- 10 from fire; and (2) provides that any federal money allotted to the State under the
- 11 terms of such agreements as may be received for the management and protection of
- 12 forests and watershed areas is to be deposited in the Division of Forestry Account
- 13 in the State General Fund. (NRS 472.050) **Section 2** of this bill clarifies that: (1)
- 14 the State Forester Firewarden may also negotiate and enter into such agreements for
- 15 the purpose of securing cooperation in fire prevention; and (2) provides that any
- 16 federal money allotted to the State under such an agreement as may be received for
- 17 fire prevention is also deposited in the Division of Forestry Account.



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

1 **Section 1.** NRS 472.040 is hereby amended to read as follows:

2 472.040 1. The State Forester Firewarden shall:

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

17 (c) Appoint, upon the recommendation of the appropriate federal
18 officials, resident officers of the United States Forest Service and
19 the United States Bureau of Land Management as voluntary
20 firewardens. Voluntary firewardens are not entitled to compensation
21 for their services.

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

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

29 (f) Purchase, or acquire by donation, supplies, material,
30 equipment and improvements necessary ~~for~~ *for* fire protection, *fire*
31 *prevention* and forest and watershed management ~~for~~ *, including,*
32 *without limitation, purchasing or acquiring cameras or other*
33 *equipment necessary for early warning or detection of wildfires.*

34 (g) With the approval of the Director of the State Department of
35 Conservation and Natural Resources and the State Board of
36 Examiners, purchase or accept the donation of real property to be
37 used for lookout sites and for other administrative, experimental or
38 demonstration purposes. No real property may be purchased or
39 accepted unless an examination of the title shows the property to be
40 free from encumbrances, with title vested in the grantor. The title to
41 the real property must be examined and approved by the Attorney
42 General.

43 (h) Expend any money appropriated by the State to the Division
44 of Forestry of the State Department of Conservation and Natural



1 Resources for paying expenses incurred in fighting fires or in
2 emergencies which threaten human life.

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

7 **Sec. 2.** NRS 472.050 is hereby amended to read as follows:

8 472.050 1. The State Forester Firewarden, with the approval
9 of the Director of the State Department of Conservation and Natural
10 Resources, may represent the State of Nevada in negotiating and
11 entering into agreements with the Federal Government for the
12 purpose of securing cooperation in forest management , *fire*
13 *prevention* and the protection of the forest and watershed areas of
14 Nevada from fire, and enter into such other agreements with boards
15 of county commissioners, municipalities, rangeland fire protection
16 associations and other organizations and individuals in the State of
17 Nevada owning lands therein, as are necessary in carrying out the
18 terms of the federal agreements or that will otherwise promote and
19 encourage forest management , *fire prevention* and the protection
20 from fire of forest or other lands having an inflammable cover.

21 2. Any federal money allotted to the State of Nevada under the
22 terms of the federal agreements and such other money as may be
23 received by the State for *fire prevention*, the management and
24 protection of forests and watershed areas therein shall be deposited
25 in the Division of Forestry Account in the State General Fund.

26 **Sec. 3.** This act becomes effective on July 1, 2021.

