

REFERENCE TITLE: prescribed burns liability study committee

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

HB 2581

Introduced by
Representative Campbell

AN ACT

ESTABLISHING THE PRESCRIBED BURN LIABILITY STUDY COMMITTEE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Prescribed burn liability study committee; members;
3 duties; report; delayed repeal

4 A. The prescribed burn liability study committee is established
5 consisting of the following members:

6 1. Two members of the house of representatives who are appointed by
7 the speaker of the house of representatives and who are members of different
8 political parties. The speaker of the house of representatives shall
9 designate one of these members to serve as cochairperson of the committee.

10 2. Two members of the senate who are appointed by the president of the
11 senate and who are members of different political parties. The president of
12 the senate shall designate one of these members to serve as cochairperson of
13 the committee.

14 3. The director of the department of insurance or the director's
15 designee.

16 4. The director of environmental quality or the director's designee.

17 5. The state forester or the state forester's designee.

18 6. The state land commissioner or the commissioner's designee.

19 7. The chairperson of a statewide council on prescribed fires or the
20 chairperson's designee.

21 8. One member who has experience with the insurance industry and who
22 is appointed by the speaker of the house of representatives.

23 9. One member who has experience with the livestock grazing industry
24 and who is appointed by the president of the senate.

25 10. Three members, one each from Arizona state university, the
26 university of Arizona and northern Arizona university, who specialize in
27 natural resource management or natural sciences and who are appointed by the
28 president of each member's respective university.

29 11. One member of the public who is appointed by the governor.

30 B. The cochairpersons shall be members of different political
31 parties. The committee shall meet at the call of the cochairpersons.

32 C. The committee shall:

33 1. Collect information on the effectiveness of prescribed burns for
34 fire fuels management, habitat improvement and watershed protection.

35 2. Examine existing liability requirements for the use of prescribed
36 burns in this state.

37 3. Review insurance mechanisms and liability provisions in other
38 states that allow for the use of prescribed burns on private land.

39 4. Determine what statutory changes are necessary in this state to
40 allow prescribed burns to occur on private land.

41 D. The committee may:

42 1. Request information data and reports from any county or state
43 agency or political subdivision of this state. If possible, information
44 shall be provided electronically.

1 2. Hold hearings, conduct fact-finding tours and take testimony from
2 witnesses who may assist the committee in fulfilling its responsibilities.

3 E. On request of the committee, an agency of this state shall provide
4 to the committee its services, equipment, documents, personnel and facilities
5 to the extent possible without cost to the committee.

6 F. The legislature shall provide staff and support services to the
7 committee.

8 G. The committee shall meet at the state capitol or at other locations
9 as the cochairpersons deem necessary or convenient, and all meetings shall be
10 open to the public.

11 H. The members of the committee are not eligible to receive
12 compensation but are eligible for reimbursement of expenses pursuant to title
13 38, chapter 4, article 2, Arizona Revised Statutes.

14 I. On or before December 31, 2015, the committee shall submit a report
15 regarding its findings and recommendations to the governor, the speaker of
16 the house of representatives and the president of the senate and provide a
17 copy of this report to the secretary of state.

18 J. This section is repealed from and after September 30, 2016.