

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2012

(Reference to printed bill)

1 Page 1, between lines 1 and 2, insert:

2 "Section 1. Section 37-1302, Arizona Revised Statutes, is amended to
3 read:

4 37-1302. Powers and duties of state forester; rules;
5 legislative presentation; report; acceptance of
6 federal law

7 A. The state forester is designated as the agent of this state and
8 shall administer this chapter. The state forester shall:

9 1. Exercise and perform all powers and duties vested in or imposed
10 on the Arizona department of forestry and fire management.

11 2. Adopt rules necessary to discharge the powers and duties of the
12 Arizona department of forestry and fire management, including rules that
13 create efficiencies, protect the public health and safety and prescribe
14 budgetary obligations.

15 3. Subject to title 41, chapter 4, article 4, appoint an assistant
16 director to the office of the state fire marshal, a state fire training
17 officer and a state fire resource coordinator, all of whom serve at the
18 pleasure of the state forester.

19 4. Subject to title 41, chapter 4, article 4, employ, determine the
20 terms and conditions of employment of and prescribe the duties and powers
21 of administrative, professional, technical, secretarial, clerical and other
22 persons as may be necessary in the performance of the Arizona department of

1 forestry and fire management's duties. The compensation of department
2 employees shall be as determined pursuant to section 38-611.

3 5. Contract for the services of outside advisors, consultants and
4 aides as may be reasonably necessary.

5 6. Perform all management and administrative functions assigned or
6 delegated to this state by the United States relating to forestry and
7 financial assistance and grants relating to forestry and wildfire
8 prevention, mitigation and suppression activities. The state forester
9 shall obtain and maintain a copy of the initial and any revised delegation
10 of authority agreement entered into with the United States.

11 7. Identify sources of information relating to forest management,
12 including wildfire prevention, mitigation, suppression and recovery and
13 administrative and judicial appeals and litigation with respect to timber
14 sales and forest thinning projects in this state, and develop procedures
15 for compiling and distributing that information.

16 8. Take necessary action to maximize state fire assistance grants,
17 including establishing timelines for using grant monies and reallocating
18 lapsed grant monies to other projects.

19 9. Conduct education and outreach in forest communities by
20 explaining the wildfire threat to private property caused by the lack of
21 timber harvesting, forest thinning, land management and watershed
22 protection and enhancement.

23 10. Monitor and conduct forestry projects and wildfire prevention,
24 mitigation and suppression activities.

25 11. Assist in the development of the forestry products industry in
26 this state.

27 12. Intervene on behalf of this state and its citizens in
28 administrative and judicial appeals and litigation that challenge
29 governmental efforts supported by the state forester if the state forester
30 determines that intervention is in the best interests of this state.

31 13. Annually develop and implement a comprehensive statewide
32 wildfire response plan for the deployment of state, county, municipal, fire

1 district, volunteer fire association and private fire service provider
2 contract resources to wildfire suppression activities. The statewide
3 wildfire response plan shall take into account anticipated fire conditions
4 and fire severity and may include prepositioning resources as necessary.
5 The state forester shall consult with federal land management firefighting
6 agencies, state and county emergency agencies, municipal fire departments,
7 fire districts, statewide fire district and statewide fire chiefs
8 associations, volunteer fire departments and private fire contractors in
9 the development of the comprehensive statewide wildfire response plan, the
10 implementation of standards for training and certification for all classes
11 of wildland fire and hazard personnel and the implementation of standards
12 for wildland fire apparatus and equipment that are deployed under
13 cooperative agreements with the state forester.

14 14. Provide necessary oversight to ensure standardized training and
15 certification for all classifications of firefighters to be deployed to any
16 incident.

17 15. Develop recommendations for minimum standards for safeguarding
18 life and property from wildland fires and fire hazards, preventing wildland
19 fires and alleviating fire hazards.

20 16. Develop recommendations for minimum standards for the storage,
21 sale, distribution and use of dangerous chemicals, combustibles, flammable
22 liquids, explosives and radioactive materials in wildland-urban interface
23 areas.

24 17. Consult with the department of public safety, the department of
25 emergency and military affairs and local governments regarding the
26 establishment of fire evacuation routes and community alert systems.

27 18. Make recommendations for minimum standards for the creation of
28 defensible spaces in and around wildland-urban interface areas as
29 authorized by existing county and municipal laws and ordinances.

30 B. During the first regular session of each legislature, the state
31 forester shall present information to the legislative committees with
32 jurisdiction over forestry issues AND PROVIDE A WRITTEN REPORT TO EACH OF

1 THOSE LEGISLATIVE COMMITTEES, THE GOVERNOR AND THE SECRETARY OF STATE. The
2 state forester shall collaborate with, and invite the participation of,
3 relevant state, federal and local governmental officers and
4 agencies. ~~A written report is not required, but~~ The presentation AND
5 WRITTEN REPORT shall include information concerning:

6 1. Forestry management, including the current conditions of the
7 forests in this state on federal, state and private property as affected by
8 federal, state and local public policies, climatic conditions, wildfire
9 hazards, pest infestations, overgrowth and overgrowth control policies and
10 methods and the effects of current federal policy on forest management and
11 impacts on forest land management.

12 2. The wildland-urban interface, including the effects of county and
13 municipal zoning policies and wildfire hazards on public and private
14 property.

15 3. Wildfire emergency management and all hazard response issues,
16 including:

17 (a) Intergovernmental and interagency primacy, cooperation,
18 coordination, roles and training of federal, state and local forestry,
19 firefighting and law enforcement agencies.

20 (b) Channels and methods of communicating emergency information to
21 the public.

22 (c) The roles of governmental and nongovernmental disaster relief
23 agencies and organizations.

24 (d) The level of federal, state and local emergency funding.

25 4. CURRENT AND ONGOING WILDFIRE MITIGATION AND SUPPRESSION
26 ACTIVITIES.

27 5. THE ASSOCIATED BUDGET ALLOCATED FOR WILDFIRE MITIGATION AND
28 SUPPRESSION AND THE EXPECTED ACTUAL COSTS.

29 C. The state forester may:

30 1. Furnish technical advice to the people of this state on forestry
31 and land management matters.

1 2. Do all other acts necessary to take advantage of and carry out
2 the provisions of the act of Congress described in subsection D of this
3 section.

4 D. This state accepts the provisions of the cooperative forestry
5 assistance act of 1978 (P.L. 95-313; 92 Stat. 365; 16 United States Code
6 chapter 41) providing for federal forestry assistance programs to states."

7 Renumber to conform

8 Page 1, line 19, strike "1 and"; after "2" insert "and 3"

9 Amend title to conform

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