

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Richard J. Ross

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Relative to the Bureau of Forest Fire Control.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Richard J. Ross	9th Norfolk
Scott P. Brown	Norfolk, Bristol and Middlesex
Barbara A. L'Italien	18th Essex
William C. Galvin	6th Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2370 OF 2007-2008.]

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
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AN ACT RELATIVE TO THE BUREAU OF FOREST FIRE CONTROL.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 3 of Chapter 32 of the General Laws, as appearing in the 2004 Official Edition, is
2 hereby amended by striking out, in line 311, the word “chief” and inserting in place thereof the following words: -
3 “state”

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5 SECTION 2. Section 30 of Chapter 132 General Laws, as so appearing, is hereby further amended by
6 adding the following sentence: -

7 The forest fire observation towers operated by the department shall be manned in accordance with the
8 National Fire Danger Rating System when the weather so warrants and shall be at the discretion of the state fire
9 warden.

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11 SECTION 3. Chapter 132A of the General Laws, as so appearing, is hereby amended by striking out section
12 1C, and inserting in place thereof the following section -

13 There shall be in the division of forest and parks a bureau of forest fire control under the direction and
14 control of the state fire warden, a bureau of forestry under the direction and control of the chief forester and a
15 bureau of recreation under the direction and control of a chief of recreation. The director of the division of forest
16 and parks shall, subject to the approval of the commissioner, appoint for a term of five years, outside the
17 provisions of chapter thirty-one, the chief of recreation, who shall be qualified by training and experience to
18 administer the duties of his office. With like approval he may remove the chiefs of several bureaus.

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20 SECTION 4. Chapter 132A of the General Laws, as so appearing, is hereby amended by striking out section
21 1D, and inserting in place thereof the following section:-

22 The bureau of forest fire control shall perform such duties as the state fire warden, with the approval of
23 the commissioner, may require, in addition to such other duties as required by any general or special law. The
24 state fire warden shall report directly to the commissioner and shall have direct oversight and control over such
25 bureau.

26 SECTION 5. Notwithstanding any general or special law to the contrary, a special commission is hereby
27 established to investigate and study the transfer of the bureau of forest fire control under the department of
28 conservation and recreation to the department of fire services. Said commission shall also consider the transfer of
29 all personnel, to include seasonal hires, equipment, funding for salaries and benefits of personnel, and all other
30 assets, including federal grant funding, high ground sites and programs of said bureau to the department of fire
31 services and all other matters that may come before said commission.

32 Said commission shall report the findings to both the House and Senate Committees on Ways and Means
33 and to the Joint Committee on Public Safety and Homeland Security no later than June 30, 2009.

34 The sum of \$35,000 shall be appropriated to allow an independent consultant to effectuate said
35 investigation and study.

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