

HOUSE No. 2268

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

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
2 Official Edition, is hereby amended by striking out, in line 311, the word “chief” and inserting in
3 place thereof the following words: - “state”

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

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

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

11 There shall be in the division of forest and parks a bureau of forest fire control under the
12 direction and control of the state fire warden, a bureau of forestry under the direction and control
13 of the chief forester and a bureau of recreation under the direction and control of a chief of

recreation. The director of the division of forest and parks shall, subject to the approval of the commissioner, appoint for a term of five years, outside the provisions of chapter thirty-one, the chief of recreation, who shall be qualified by training and experience to administer the duties of his office. With like approval he may remove the chiefs of several bureaus.

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

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

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

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

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