

**HNRE Committee Bill Dr. 16-837: An Act Relating to
Forest Fire Suppression and Forest Fire Wardens
Section by Section Summary**

Generally: The bill amends how forest fire wardens are appointed, how towns are reimbursed by the State for the costs of forest fire suppression, and how permits are issued for open burning.

Section 1. 10 V.S.A. chapter 83, subchapter 4. Forest Fires and Fire Prevention

- 10 V.S.A. § 2641: Currently, town forest fire wardens are appointed by the Commissioner of Forests Parks and Recreation (Commissioner) for 5 years.
 - The bill authorizes the Commissioner to reappoint a forest fire warden for successive 5 year terms or until a successor is approved by a selectboard and appointed by the Commissioner.
 - The Commissioner may remove a warden at any time for cause.
- 10 V.S.A. § 2642: Increases the salary of town forest fire wardens from \$20 to \$30 annually and increases the per diem a fire warden receives for training from \$15 to \$30 per meeting.
 - § 2642 also provides that fire wardens annually shall receive an amount of \$10 for each report of a fire submitted to the Commissioner.
- 10 V.S.A. § 2643: Amends how towns are reimbursed for costs of forest fire suppression.
 - § 2643(a): Municipalities shall be responsible for the costs of forest fire suppression on land not owned by ANR.
 - The Commissioner shall not reimburse towns for costs of fire suppression on non-ANR lands.
 - § 2643(b): The State shall reimburse towns for the costs of suppressing a fire on ANR lands.
 - The State shall reimburse a town at a rate to be determined by the Commissioner based on the scope and severity of the fire and the level of municipal response.
 - § 2643(c): To be eligible for reimbursement of the costs of suppression on ANR lands, the warden must report the fire to the Commissioner within 14 days of extinguishment of the fire.
- 10 V.S.A. § 2644: Amends the duties of a fire warden to clarify the warden's authority to supervise suppression.
 - The section authorizes the warden to delegate his/her authority to a town fire department.
 - The section also repeals the requirements that a warden patrol dangerous areas during the fire season. Reimbursement for such patrols is also repealed.

- 10 V.S.A. § 2645: Amends the requirements for an open burning permit.
 - Provides that a permit is required from the town forest fire warden to burn natural wood and other materials that are not solid waste. (Solid waste is banned from burning under 24 V.S.A. § 2201.
 - The section clarifies that a burn permit is not required for:
 - fires on snow;
 - fires in fire rings or outdoor fireplaces on State lands or on private property that is not located in a woodland or dry grassland;
 - fires 200 feet or more from woodlands; and
 - fires in cities with fire departments.
- 10 V.S.A. § 2648: Strikes requirement that slash be removed from logging roads; slash can provide water quality benefits.

Section 2. 10 V.S.A. § 2215. Northeastern Fire Protection Compact; Mutual Aid Liability

- Adds a section to the Northeastern Fire Protection Compact
 - The purpose of the Compact is to promote effective forest fire suppression in the Northeast and adjacent areas in Canada by providing for, among other things, mutual aid between states.
 - The new section provides that states that are party to the Northeastern Fire Protection Compact may provide mutual aid to other states that are party to other regional fire suppression compacts, provided that the other states assented to the mutual aid provisions of the Northeastern Fire Protection Compact.

Section 3. Effective Date

- The Act takes effect on July 1, 2016.