

**HOUSE . . . . . No. 2268**

By Mr. Ross of Wrentham, a petition (accompanied by bill, House, No. 2268) of Richard J. Ross and others relative to the Bureau of Forest Fire Control within the Division of Forest and Parks, Public Safety and Homeland Security.

**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
Stephen R. Canessa	12th Bristol
Elizabeth Poirier	14th Bristol
Jennifer L. Flanagan	Worcester and Middlesex
Frank I. Smizik	15th Norfolk
Louis L. Kafka	8th Norfolk
James E. Timilty	Bristol and Norfolk
Viriato Manuel deMacedo	1st Plymouth
Bradley H. Jones, Jr.	20th Middlesex
F. Jay Barrows	1st Bristol
Brian A. Joyce	Norfolk, Bristol and Plymouth
Allen J. McCarthy	7th Plymouth
John H. Rogers	12th Norfolk

## 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"

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

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

9           SECTION 3. Chapter 132A of the General Laws, as so appearing, is hereby amended by striking out  
10 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 direction and  
12 control of the state fire warden, a bureau of forestry under the direction and control of the chief forester and a bureau  
13 of recreation under the direction and control of a chief of recreation. The director of the division of forest and parks  
14 shall, subject to the approval of the commissioner, appoint for a term of five years, outside the provisions of chapter  
15 thirty-one, the chief of recreation, who shall be qualified by training and experience to administer the duties of his  
16 office. With like approval he may remove the chiefs of several bureaus.

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

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

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

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

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