

LEGISLATIVE BILL 634

Approved by the Governor June 3, 2013

Introduced by Davis, 43; Brasch, 16; Carlson, 38; Christensen, 44; Hansen, 42; Larson, 40; Mello, 5; Schilz, 47; Wallman, 30; Dubas, 34.

FOR AN ACT relating to wildfires; to adopt the Wildfire Control Act of 2013; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. Sections 1 to 4 of this act shall be known and may be cited as the Wildfire Control Act of 2013.

Sec. 2. The Legislature finds that the State of Nebraska's forests, pasture lands, and rangelands have been destroyed by catastrophic wildfires, primarily due to higher temperatures, intense and prolonged drought, increased forest fuel-loads, and the extensive spread of Eastern Red Cedar trees into forests, pasture lands, and rangelands. Because of these conditions, wildfires occur more frequently, spread and grow very rapidly upon ignition, and consume large tracts of productive land. These severe, fast-moving wildfires put the lives of citizens, emergency responders, and visitors at great risk, are difficult to control, quickly overwhelm local suppression capacity, and cost enormous amounts of money to suppress and control.

Sec. 3. (1) Pursuant to the Wildfire Control Act of 2013, the Nebraska Emergency Management Agency shall contract for all costs to place one single-engine air tanker in Nebraska for use in fighting wildfires.

(2) It is the intent of the Legislature that the Nebraska Emergency Management Agency deploy the single-engine air tanker quickly and without delay so as to prevent the rapid spread of wildfires upon ignition.

(3) The Nebraska Emergency Management Agency shall prepare a report on or before December 1 of each year describing (a) the date and time each request to deploy a single-engine air tanker is made to the agency, (b) the date and time a single-engine air tanker was deployed in response to a request for such a tanker, (c) an explanation of the reason for any delay of more than one hour from the time of a request for deployment of a single-engine air tanker and the time of the actual deployment of such a tanker, and (d) an explanation of the reason for the denial of a request to deploy a single-engine air tanker. The report shall be submitted electronically to the Governor and to the Clerk of the Legislature.

Sec. 4. Pursuant to the Wildfire Control Act of 2013, the Nebraska Forest Service shall (1) administer programs to thin forests to reduce forest fuel-loads in order to substantially reduce wildfire risk, intensity, and rate of spread and develop markets for woody biomass generated from forest thinning, (2) provide expanded training programs for volunteer firefighters, private landowners, and communities in Nebraska in fire suppression tactics of wildfires in order to increase suppression effectiveness and safety, (3) expand the federal excess property programs sponsored by the United States Department of Agriculture and the United States Department of Defense and managed by the Nebraska Forest Service in Nebraska, (4) oversee the rehabilitation of forest lands that have been destroyed by wildfires, (5) manage single-engine air tanker bases and operations in Nebraska, and (6) contract to construct at least two single-engine air tanker bases and develop one or more mobile single-engine air tanker bases in Nebraska.

Sec. 5. Since an emergency exists, this act takes effect when passed and approved according to law.