



General Assembly

Substitute Bill No. 5455

January Session, 2019



AN ACT CONCERNING QUALIFIED FOREST FIRE FIGHTERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 23-37 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2019*):

3 (a) State forest fire control personnel and district and deputy fire
4 wardens shall, under the supervision of the State Forest Fire Warden,
5 use all necessary means to prevent and extinguish forest fires.

6 (b) Such state forest fire control personnel shall assist the fire chief
7 or the fire officer-in-charge in the control and direction of all persons
8 and apparatus while engaged in extinguishing forest fires in their
9 respective districts, or in other districts under the instructions of the
10 State Forest Fire Warden.

11 (c) Such state forest fire control personnel and fire wardens may
12 destroy fences, plow land or, in an emergency, close roads, with or
13 without detours, and set backfires to hasten the control of any fire.

14 [(d) Such state forest fire control personnel may summon any
15 resident of the state between the ages of eighteen and fifty years to
16 assist in extinguishing fires, and may also require the use of
17 equipment, motor vehicles and other property needed for such
18 purposes. Any person so summoned, who is physically able, who
19 refuses or neglects to assist or to allow the use of equipment, motor

20 vehicles or other material or property, or wilfully interferes with or
21 hinders any warden or other person having authority under this
22 section, shall be fined not more than two hundred dollars.]

23 (d) If the state forest fire warden determines that additional state
24 forest fire control personnel are required to assist in extinguishing a
25 forest fire in this state, the state forest fire warden may temporarily
26 supplement state forest fire control personnel with temporary
27 emergency workers who meet the training and qualification
28 requirements of the National Incident Management System: Wildland
29 Fire Qualification System Guide published by the National Wildfire
30 Coordinating Group, as amended from time to time. The Department
31 of Administrative Services shall assist the state fire warden in
32 developing appropriate classifications for such temporary emergency
33 workers.

34 (e) No action for trespass shall lie against any person crossing or
35 working upon lands of another to extinguish fire or for investigation
36 thereof.

37 Sec. 2. Subsection (f) of section 7-314a of the general statutes is
38 repealed and the following is substituted in lieu thereof (*Effective July*
39 *1, 2019*):

40 (f) Any member of a volunteer fire company or department and any
41 [person summoned by the State Forest Fire Warden or by any state
42 forest fire personnel or district or deputy fire warden under the
43 supervision of the State Forest Fire Warden pursuant to] temporary
44 emergency worker utilized under subsection (d) of section 23-37, as
45 amended by this act, who performs fire duties under the direction of
46 [such] the State Forest Fire Warden, state forest fire personnel or
47 district or deputy fire warden under the supervision of the State Forest
48 Fire Warden pursuant to section 23-37, as amended by this act, shall be
49 construed to be an employee of the state for the purpose of receiving
50 compensation in accordance with the provisions of chapter 568 for
51 death, disability or injury incurred while performing such fire duties

52 under such direction.

53 Sec. 3. Section 23-40 of the general statutes is repealed and the
54 following is substituted in lieu thereof (*Effective July 1, 2019*):

55 The State Forest Fire Warden may appoint patrol personnel, who
56 shall receive compensation for the time actually employed, and may
57 establish and equip fire lookout stations and furnish necessary
58 equipment for such patrol personnel. Any patrol personnel so
59 appointed for such purpose shall have authority [to summon
60 assistance as provided in section 23-37 and] to render bills for such
61 expenses as provided in section 23-39.

62 Sec. 4. Subsection (b) of section 51-164n of the general statutes is
63 repealed and the following is substituted in lieu thereof (*Effective July*
64 *1, 2019*):

65 (b) Notwithstanding any provision of the general statutes, any
66 person who is alleged to have committed (1) a violation under the
67 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-
68 283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-
69 198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g,
70 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section
71 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-
72 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-
73 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-
74 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or
75 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,
76 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)
77 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,
78 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a or 14-
79 67a, subsection (g) of section 14-80, subsection (f) of section 14-80h,
80 section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152, 14-
81 153 or 14-163b, a first violation as specified in subsection (f) of section
82 14-164i, section 14-219 as specified in subsection (e) of said section,
83 subdivision (1) of section 14-223a, section 14-240, 14-250 or 14-253a,

84 subsection (a) of section 14-261a, section 14-262, 14-264, 14-267a, 14-
85 269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) or (h) of section
86 14-283, section 14-291, 14-293b, 14-296aa, 14-300, 14-300d, 14-319, 14-
87 320, 14-321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3)
88 of section 14-386a, section 15-25 or 15-33, subdivision (1) of section 15-
89 97, subsection (a) of section 15-115, section 16-44, 16-256e, 16a-15 or
90 16a-22, subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145,
91 17a-149, 17a-152, 17a-465, 17b-124, 17b-131, 17b-137, 19a-30, 19a-33,
92 19a-39 or 19a-87, subsection (b) of section 19a-87a, section 19a-91, 19a-
93 105, 19a-107, 19a-113, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-
94 287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-
95 340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-249, 20-257, 20-
96 265, 20-324e, 20-341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-38, 21-39,
97 21-43, 21-47, 21-48, 21-63 or 21-76a, subsection (c) of section 21a-2,
98 subdivision (1) of section 21a-19, section 21a-21, subdivision (1) of
99 subsection (b) of section 21a-25, section 21a-26 or 21a-30, subsection (a)
100 of section 21a-37, section 21a-46, 21a-61, 21a-63 or 21a-77, subsection
101 (b) of section 21a-79, section 21a-85 or 21a-154, subdivision (1) of
102 subsection (a) of section 21a-159, subsection (a) of section 21a-279a,
103 section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-29, 22-34, 22-35, 22-
104 36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49 or 22-54,
105 subsection (d) of section 22-84, section 22-89, 22-90, 22-98, 22-99, 22-
106 100, 22-111o, 22-167, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-326
107 or 22-342, subsection (b), (e) or (f) of section 22-344, section 22-359, 22-
108 366, 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246, subsection (a) of
109 section 22a-250, subsection (e) of section 22a-256h, section 22a-363 or
110 22a-381d, subsections (c) and (d) of section 22a-381e, section 22a-449,
111 22a-461, [23-37,] 23-38, 23-46 or 23-61b, subsection (a) or subdivision (1)
112 of subsection (c) of section 23-65, section 25-37 or 25-40, subsection (a)
113 of section 25-43, section 25-43d, 25-135, 26-18, 26-19, 26-21, 26-31, 26-40,
114 26-40a, 26-42, 26-49, 26-54, 26-55, 26-56, 26-58 or 26-59, subdivision (1)
115 of subsection (d) of section 26-61, section 26-64, subdivision (1) of
116 section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94, 26-97, 26-98, 26-
117 104, 26-105, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138 or 26-141,
118 subdivision (1) of section 26-186, section 26-207, 26-215, 26-217 or 26-

119 224a, subdivision (1) of section 26-226, section 26-227, 26-230, 26-232,
 120 26-244, 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286, 26-288, 26-294,
 121 28-13, 29-6a, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d), (e)
 122 or (g) of section 29-161q, section 29-161y or 29-161z, subdivision (1) of
 123 section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of section
 124 29-291c, section 29-316, 29-318, 29-381, 30-48a, 30-86a, 31-3, 31-10, 31-
 125 11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-
 126 36, 31-38, 31-40, 31-44, 31-47, 31-48, 31-51, 31-52, 31-52a or 31-54,
 127 subsection (a) or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76,
 128 31-76a, 31-89b or 31-134, subsection (i) of section 31-273, section 31-288,
 129 subdivision (1) of section 35-20, section 36a-787, 42-230, 45a-283, 45a-
 130 450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54,
 131 section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16, 53-
 132 133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-302a, 53-303e,
 133 53-311a, 53-321, 53-322, 53-323, 53-331 or 53-344, subsection (c) of
 134 section 53-344b, or section 53-450, or (2) a violation under the
 135 provisions of chapter 268, or (3) a violation of any regulation adopted
 136 in accordance with the provisions of section 12-484, 12-487 or 13b-410,
 137 or (4) a violation of any ordinance, regulation or bylaw of any town,
 138 city or borough, except violations of building codes and the health
 139 code, for which the penalty exceeds ninety dollars but does not exceed
 140 two hundred fifty dollars, unless such town, city or borough has
 141 established a payment and hearing procedure for such violation
 142 pursuant to section 7-152c, shall follow the procedures set forth in this
 143 section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2019	23-37
Sec. 2	July 1, 2019	7-314a(f)
Sec. 3	July 1, 2019	23-40
Sec. 4	July 1, 2019	51-164n(b)

PS *Joint Favorable Subst.*