

## ALEC EXPOSED

"ALEC" has long been a secretive collaboration between Big Business and "conservative" politicians. Behind closed doors, they ghostwrite "model" bills to be introduced in state capitols across the country. This agenda—underwritten by global corporations—includes major tax loopholes for big industries and the super rich, proposals to offshore U.S. jobs and gut minimum wage, and efforts to weaken public health, safety, and environmental protections. Although many of these bills have become law, until now, their origin has been largely unknown. With **ALEC EXPOSED**, the Center for Media and Democracy hopes more Americans will study the bills to understand the depth and breadth of how big corporations are changing the legal rules and undermining democracy across the nation.

## ALEC's Corporate Board --in recent past or present

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  - State Farm Insurance
- For more on these corporations, search at [www.SourceWatch.org](http://www.SourceWatch.org).

**DID YOU KNOW?** Corporations VOTED to adopt this. Through ALEC, global companies work as "equals" in "unison" with politicians to write laws to govern your life. Big Business has "a VOICE and a VOTE," according to newly exposed documents. **DO YOU?**

[Home](#) → [Model Legislation](#) → Energy, Environment, and Agriculture

### State-Based Healthy Forest Plan

Did you know the trade group for the gas industry was a corporate co-chair in 2011?

#### Summary

The purpose of this act is to create healthier forests and reduce the risk of catastrophic forest fires for communities by: creating a state urban-wildland fire safety committees; authorizing municipalities and counties to using zoning based on wildfire risks; create an office of the state forester to improve forest management; and create healthy forest pilot projects.

#### Model Legislation

#### Section 1: {State Urban-Widland Fire Safety Committee}

(A) The state urban-wildland fire safety committee is established consisting of twelve members appointed for three year terms as follows:

(1) Four members who are appointed by the governor as follows:

- (a) a fire chief or fire marshal of a paid municipal fire department of a city with a population of fifty thousand persons or more.
- (b) the state forester or the state forester's designee.
- (c) a member of the state fire chiefs' association.
- (d) a city or town planning and zoning official from a municipality with a high risk urban-wildland interface area with a population of fifty thousand persons or more.

(2) Four members who are appointed by the president of the senate as follows:

- (a) a resident of, and property owner in, a city, town or county with a high risk urban-wildland interface area.
- (b) a person who owns property and serves as a firefighter for a fire district in an area at high risk from wildland fire.

(c) a watershed management expert.

(d) a member in a liaison capacity with this state's congressional delegation. This member may be appointed from nominees solicited by the president of the senate from one or more members of congress.

(3) Four members who are appointed by the speaker of the house of representatives as follows:

(a) a wildland fire science expert from region {insert region number} of the United States forest service who resides in this state.

(b) a person who holds a professional position in forest ecology and who is knowledgeable about the effects of forest thinning on the biological diversity of forests.

(c) a property owner from a county with a population of less than five hundred thousand persons who has knowledge and expertise in property development in wildland areas.

(d) a registered architect with expertise in designing residential dwellings.

(B) The committee shall annually select a chairperson from its membership. The committee shall meet at the call of the chairperson or on the request of at least four members of the committee.

(C) The committee shall develop recommendations for minimum standards for:

(1) Safeguarding life and property from wildland fire and fire hazards.

(2) Preventing wildland fires and alleviation of fire hazards.

(3) Storage, sale, distribution and use of dangerous chemicals, combustibles, flammable liquids, explosives and radioactive materials in urban-wildland interface areas.

(4) Fire evacuation routes and community alert systems.

(5) The creation of defensible spaces in and around urban-wildland interface areas as authorized by existing county and municipal laws and ordinances.

(6) The application of adaptive management practices to use in monitoring data from treatment programs to assess the effectiveness of those programs in meeting forest health objectives.

(7) Other matters relating to urban-wildland fire prevention and control that the committee considers to be necessary.

(D) The committee shall issue an annual report with recommendations to the governor and the legislature by December 31 of each year. The committee shall provide a copy of the report to the secretary of state and the state archives and public records.

(E) For the purposes of this section, "urban-wildland interface" means a geographical area where residential or commercial structures meet or intermingle with federal, state, tribal or other public land that is undeveloped, other than transportation or utility infrastructure.

## **Section 2: {Local Urban-Wildland Interface Code}**

(A) Definitions: In this section the following terms are defined as:

(1) "Code" means a published compilation of rules or regulations prepared by a technical trade association and includes any building code, electrical wiring code, health or sanitation code, fire prevention code, urban-wildland interface code, inflammable liquids code, code for slaughtering, processing and selling meat and meat products or for production, pasteurizing and sale of milk and milk products, or other code which embraces rules and regulations pertinent to a subject which is a proper subject of municipal legislation.

(2) "Municipality" means a city or town organized in accordance with law, including a home rule or charter city.

(3) "Public record" includes a statute, rule or regulation of the United States, this state or the municipality which is desired to be adopted by reference.

(4) "Urban-wildland interface" means a geographical area where residential or commercial structures meet or intermingle with federal, state, tribal or other public land that is undeveloped, other than transportation or utility infrastructure.

(B) The Urban-Wildland Interface Code may be adopted as following:

(1) A municipality or county may adopt a current urban-wildland interface code. The code may be adapted from a model code adopted by a national or international organization or association for mitigating the hazard to life and property.

(2) A municipality or county must follow written public procedures in the development and adoption of the code and any revisions to the code to provide effective, early and continuous public participation through:

(a) The broad dissemination and publicity of the proposed code and any revisions to the code.

(b) The opportunity for submission and consideration of written public comments.

(c) Open discussions, communications programs and information services.

(d) Consultation with federal agencies and state and local officials.

## **Section 3: {Office of the State Forester}**

(A) The governor shall appoint a state forester pursuant to *[insert state appointment statute]*. The state forester serves at the pleasure of the governor.

(B) The qualifications of the state forester shall be either of the following:

(1) Graduation from a full four-year college course with a master's degree or higher, with a major in forestry or environmental sciences including five years of technical experience in the forestry-land management field; or

(2) Ten years of successful and progressive technical experience in forestry and land management activities of such a nature as to enable the applicant to perform his duties successfully at the professional level.

(C) The state forester is designated as the agent of the state *[insert state]* and shall administer the provisions of this law. In addition, the state forester shall:

(1) Perform all management and administrative functions assigned or delegated to this state by the federal government relating to forestry and financial assistance and grants relating to forestry.

(2) Identify sources of information relating to forest management, including wildfire suppression and recovery and administrative and judicial appeals and litigation with respect to timber sales and forest thinning projects in this state and develop procedures for compiling and transferring that information to the state forester.

(3) Take necessary action to maximize state fire assistance grants, including establishing timelines for using grant monies and reallocating lapsed grant monies to other projects.

(4) Conduct education and outreach in forest communities explaining the wildfire threat to private property caused by lack of timber harvesting and thinning.

(5) Monitor forestry projects and wildfire activities.

(6) Intervene on behalf of this state and its citizens in administrative and judicial appeals and litigation that challenge governmental efforts supported by the state forester if the state forester determines that intervention is in the best interests of this state.

(D) During the first regular session of each legislature, the state forester shall present information to the legislative committees with jurisdiction over forestry issues. The state forester shall collaborate with, and invite the participation of, relevant state, federal and local governmental officers and agencies. A written report is not required, but the presentation shall include information concerning:

(1) Forestry management, including the current conditions of the forests in this state on federal, state and private property as affected by federal, state and local public policies, climatic conditions, wildfire hazards, pest infestations, overgrowth and overgrowth control policies and methods and the effects of current federal policy on forest management and impacts on forest land management.

(2) The wildland-urban interface, including the effects of county and municipal zoning policies and wildfire hazards on public and private property.

(3) Wildfire emergency management issues, including:

(a) Intergovernmental and interagency primacy, cooperation, coordination, roles and training of federal,

state and local forestry, firefighting and law enforcement agencies.

(b) Channels and methods of communicating emergency information to the public.

(c) The roles of governmental and nongovernmental disaster relief agencies and organizations.

(d) The level of federal, state and local emergency funding.

(E) The state forester may:

(1) Furnish technical advice to the people of the state on forestry matters.

(2) Do all other acts necessary to take advantage of and carry out the provisions of the act of Congress described in subsection F.

(F) This state accepts the provisions of the cooperative forestry assistance act of 1978 (P.L. 95-313; 92 Stat. 365; 16 United States Code chapter 41) providing for federal forestry assistance programs to states.

#### **Section 4: {Healthy Forest Pilot Program}**

(A) The state forester shall:

(1) Identify potential pilot programs to promote forest health, including large land areas for treatment operations and fuel hazard reduction efforts. The identified land areas must include substantial areas of deep forest as well as the urban interface. The programs must harvest and use the forest products in a manner that is science based and environmentally sensitive and include measures to restore healthy water cycles to forest lands.

(2) Identify specific public-private partnerships that may be useful in promoting forest health and maximizing local efforts, which may include joint projects with other governments, including Indian tribes.

(3) Work in partnership with federal agencies to set a pilot program in place.

(4) Identify necessary steps, including specific regulatory relief, that may be needed in conjunction with the provisions of the federal Healthy Forests Restoration Act (P.L. 108-148).

(5) Take necessary steps to maximize state fire assistance grants, including the establishment of timelines for the use of grant monies and the reallocation of lapsed grant monies to other projects.

(6) Submit an interim report to the president of the senate, the speaker of the house of representatives and the governor by *[insert date]* on the progress accomplished to date under federal forest restoration legislation, the status of the state fire assistance grant program, any other federal and state programs that may be used to assist with overall healthy forest management, any necessary federal regulatory relief needed to expedite and optimize performance under the state and federal programs, the costs of these programs and any recommended statutory changes.

(7) Submit a final report on progress, findings and recommendations to the president of the senate, the speaker of the house of representatives and the governor by *[insert date]* and shall provide a copy of this report to the secretary of state and the state archives and public records.

(B) Section 4 of this act, relating to the healthy forest pilot efforts, shall be repealed on *[insert date]*.

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Were your laws repealed?

*Adopted by the Natural Resources Task Force at the States and Nation Policy Summit, December 11, 2004. Approved by the full ALEC Board of Directors January, 2005.*

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