

HOUSE BILL NO. HB0067

Interstate fire compact.

Sponsored by: Representative(s) Lubnau and Samuelson and
Senator(s) Aullman, Cooper, Johnson and
Vasey

A BILL

for

1 AN ACT relating to the interstate compact for the
2 prevention and control of forest fires; adopting the
3 compact; and providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 36-2-110 is created to read:

8

9 **36-2-110. Interstate compact for the prevention and**
10 **control of forest fires.**

11

12 The interstate compact for the prevention and control of
13 forest fires as contained herein is hereby enacted into law
14 and entered into on behalf of this state with any and all
15 other states legally joining therein in a form
16 substantially as follows:

1

2

INTERSTATE COMPACT FOR THE PREVENTION AND CONTROL

3

OF FOREST FIRES

4

ARTICLE I

5

Purpose

6

7 The purpose of this compact is to promote effective
8 prevention and control of forest fires in the great plains
9 region of the United States by the maintenance of adequate
10 forest firefighting services by the member states, and
11 providing for reciprocal aid in fighting forest fires among
12 the compacting states of the region, including South
13 Dakota, North Dakota, Wyoming, Colorado and any adjoining
14 state of a current member.

15

16

ARTICLE II

17

Operative Date

18

19 This compact is operative immediately as to those states
20 ratifying it if any two (2) or more of the member states
21 have ratified it.

22

23

ARTICLE III

24

State Compact Administrator; Forest Fire Plan

1

2 (a) In each state, the state forester or officer
3 holding the equivalent position who is responsible for
4 forest fire control may act as compact administrator for
5 that state, consult with like officials of the other member
6 states, and implement cooperation between the states in
7 forest fire prevention and control. The compact
8 administrators of the member states may organize to
9 coordinate the services of the member states and provide
10 administrative integration in carrying out the purposes of
11 this compact.

12

13 (b) Each member state may formulate and put in effect
14 a forest fire plan for that state.

15

16 ARTICLE IV

17 Aid to Other Member States

18

19 If the state forest fire control agency of a member state
20 requests aid from the state forest fire control agency of
21 another state in combating, controlling, or preventing
22 forest fires, the state forest fire control agency of that
23 state may render all possible aid to the requesting agency,
24 consonant with the maintenance of protection at home.

1

2

ARTICLE V

3

Privileges; Liability; Claims and Reimbursement

4

5

(a) If the forces of any member state are rendering outside aid pursuant to the request of another member state under this compact, the employees of the state shall, under the directions of the officers of the state to which they are rendering aid, have the same powers (except the power of arrest), duties, rights, privileges and immunities as comparable employees of the state to which they are rendering aid.

13

14

(b) No member state or its officers or employees rendering outside aid pursuant to this compact is liable on account of any act or omission on the part of such forces while so engaged, or on account of the maintenance or use of any equipment or supplies in connection with rendering outside aid.

20

21

(c) All liability, except as otherwise provided in this compact, that may arise either under the laws of the requesting state or under the laws of the aiding state or under the laws of a third state on account of or in

24

1 connection with a request for aid, shall be assumed and
2 borne by the requesting state.

3

4 (d) Any member state rendering outside aid pursuant
5 to this compact shall be reimbursed by the member state
6 receiving the aid for any loss or damage to, or expense
7 incurred in the operation of, any equipment used in
8 answering a request for aid, and for the cost of all
9 materials, transportation, wages, salaries and maintenance
10 of employees and equipment incurred in connection with the
11 request. However, nothing in this compact prevents any
12 assisting member state from assuming the loss, damage,
13 expense, or other cost, from loaning the equipment, or from
14 donating the services to the receiving member state without
15 charge or cost.

16

17 (e) Each member state shall assure that workers
18 compensation benefits in conformity with the minimum legal
19 requirements of the state are available to all employees
20 and contract firefighters sent to a requesting state
21 pursuant to this compact.

22

23 (f) For the purposes of this compact, the term
24 "employee" includes any volunteer or auxiliary legally

1 included within the forest firefighting forces of the
2 aiding state under the laws of the aiding state.

3
4 (g) The compact administrators may formulate
5 procedures for claims and reimbursement under the
6 provisions of this article in accordance with the laws of
7 the member state.

8
9 ARTICLE VI

10 Effect of Compact on Existing Statutes; Duties

11
12 (a) Ratification of this compact does not affect any
13 existing statute so as to authorize or permit curtailment
14 or diminution of the forest firefighting forces, equipment,
15 services or facilities of any member state.

16
17 (b) Nothing in this compact authorizes or permits any
18 member state to curtail or diminish its firefighting
19 forces, equipment, services or facilities. Each member
20 state shall maintain adequate forest firefighting forces
21 and equipment to meet the demands for forest fire
22 protection within its borders in the same manner and to the
23 same extent as if the compact were not operative.

1 (c) Nothing in this compact limits or restricts the
2 powers of any state ratifying the compact to provide for
3 the prevention, control and extinguishment of forest fires,
4 or to prohibit the enactment or enforcement of state laws,
5 rules or regulations intended to aid in the prevention,
6 control and extinguishment of forest fires in the state.

7
8 (d) Nothing in this compact affects any existing or
9 future cooperative relationship or arrangement between the
10 United States forest service and a member state or states.

11
12 ARTICLE VII

13 Representatives of the United States Forest Service

14
15 Representatives of the United States forest service may
16 attend meetings of the compact administrators.

17
18 ARTICLE VIII

19 Operation of Articles IV and V

20
21 The provisions of Articles IV and V of this compact that
22 relate to reciprocal aid in combating, controlling or
23 preventing forest fires are operative as between any state
24 party to this compact and any other state which is party to

1 this compact in another region if the legislature of the
2 other state has given its assent to the mutual aid
3 provisions of this compact.

4

5

ARTICLE IX

6

Withdrawal from Compact

7

8 This compact shall continue in force and remain binding on
9 each state ratifying it until the legislature or the
10 governor of the state takes action to withdraw from the
11 compact. Such action is not effective until six (6) months
12 after notice of the withdrawal has been sent by the chief
13 executive of the state desiring to withdraw to the chief
14 executive of all states then party to the compact.

15

16 **Section 2.** This act is effective immediately upon
17 completion of all acts necessary for a bill to become law
18 as provided by Article 4, Section 8 of the Wyoming
19 Constitution.

20

21

(END)