110TH CONGRESS 1ST SESSION S. 975

AN ACT

Granting the consent and approval of Congress to an interstate forest fire protection compact.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,

1 SECTION 1. CONSENT OF CONGRESS.

- 2 (a) IN GENERAL.—The consent and approval of Con-
- 3 gress is given to an interstate forest fire protection com-
- 4 pact, as set out in subsection (b).
- 5 (b) Compact.—The compact reads substantially as
- 6 follows:

7 "THE GREAT PLAINS WILDLAND FIRE

8 PROTECTION AGREEMENT

- 9 "THIS AGREEMENT is entered into by and be-
- 10 tween the State, Provincial and Territorial wildland fire
- 11 protection agencies signatory hereto, hereinafter referred
- 12 to as 'Members'.
- 13 "FOR, AND IN CONSIDERATION OF the fol-
- 14 lowing terms and conditions, the Members agree:
- 15 "ARTICLE I
- 16 "The purpose of this compact is to promote effective
- 17 prevention and control of forest fires in the Great Plains
- 18 region of the United States by the maintenance of ade-
- 19 quate forest fire fighting services by the member states,
- 20 and by providing for reciprocal aid in fighting forest fires
- 21 among the compacting states of the region, including
- 22 South Dakota, North Dakota, Wyoming, Colorado, and
- 23 any adjoining sate of a current member state.

1	"ARTICLE II
2	"This compact is operative immediately as to those
3	states ratifying it if any two or more of the member states
4	have ratified it.
5	"ARTICLE III
6	"In each state, the state forester or officer holding
7	the equivalent position who is responsible for forest fire
8	control may act as compact administrator for that state
9	and may consult with like officials of the other member
10	states and may implement cooperation between the states
11	in forest fire prevention and control. The compact admin-
12	istrators of the member states may organize to coordinate
13	the services of the member states and provide administra-
14	tive integration in carrying out the purposes of this com-
15	pact. Each member state may formulate and put in effect
16	a forest fire plan for that state.
17	"ARTICLE IV
18	"If the state forest fire control agency of a member
19	state requests aid from the state forest fire control agency
20	of any other member state in combating, controlling, or
21	preventing forest fires, the state forest fire control agency
22	of that state may render all possible aid to the requesting
23	agency, consonant with the maintenance of protection at

24 home.

	4
1	"ARTICLE V
2	"If the forces of any member state are rendering out-
3	side aid pursuant to the request of another member state
4	under this compact, the employees of the state shall, under
5	the direction of the officers of the state to which they are
6	rendering aid, have the same powers (except the power
7	of arrest), duties, rights, privileges, and immunities as
8	comparable employees of the state to which they are ren-
9	dering aid.
10	"No member state or its officers or employees ren-
11	dering outside aid pursuant to this compact is liable on
12	account of any act or omission on the part of such forces
13	while so engaged, or on account of the maintenance or
14	use of any equipment or supplies in connection with ren-
15	dering the outside aid.
16	"All liability, except as otherwise provided in this
17	compact, that may arise either under the laws of the re-
18	questing state or under the laws of the aiding state or
19	under the laws of a third state on account of or in connec-
20	tion with a request for aid, shall be assumed and borne
21	by the requesting state.
22	"Any member state rendering outside and pursuant
23	to this compact shall be reimbursed by the member state

24 receiving the aid for any loss or damage to, or expense

25 incurred in the operation of any equipment answering a

- 1 request for aid, and for the cost of all materials, transpor-
- 2 tation, wages, salaries, and maintenance of employees and
- 3 equipment incurred in connection with such request. How-
- 4 ever, nothing in this compact prevents any assisting mem-
- 5 ber state from assuming such loss, damage, expense, or
- 6 other cost or from loaning such equipment or from donat-
- 7 ing such services to the receiving member state without
- 8 charge or cost.
- 9 "Each member state shall assure that workers com-
- 10 pensation benefits in conformity with the minimum legal
- 11 requirements of the state are available to all employees
- 12 and contract firefighters sent to a requesting state pursu-
- 13 ant to this compact.
- 14 "For the purposes of this compact the term, em-
- 15 ployee, includes any volunteer or auxiliary legally included
- 16 within the forest fire fighting forces of the aiding state
- 17 under the laws of the aiding state.
- 18 "The compact administrators may formulate proce-
- 19 dures for claims and reimbursement under the provisions
- 20 of this article, in accordance with the laws of the member
- 21 states.
- 22 "ARTICLE VI
- 23 "Ratification of this compact does not affect any ex-
- 24 isting statute so as to authorize or permit curtailment or

- 1 diminution of the forest fighting forces, equipment, serv-
- 2 ices, or facilities of any member state.
- 3 "Nothing in this compact authorizes or permits any
- 4 member state to curtail or diminish its forest fire fighting
- 5 forces, equipment, services, or facilities. Each member
- 6 state shall maintain adequate forest fighting forces and
- 7 equipment to meet demands for forest fire protection with-
- 8 in its borders in the same manner and to the same extent
- 9 as if this compact were not operative.
- 10 "Nothing in this compact limits or restricts the pow-
- 11 ers of any state ratifying the compact to provide for the
- 12 prevention, control, and extinguishment of forest fires, or
- 13 to prohibit the enactment or enforcement of state laws,
- 14 rules, or regulations intended to aid in the prevention, con-
- 15 trol, and extinguishment in the state.
- 16 "Nothing in this compact affects any existing or fu-
- 17 ture cooperative relationship or arrangement between the
- 18 United States Forest Service and a member state or
- 19 states.
- 20 "ARTICLE VII
- 21 "Representatives of the United States Forest Service
- 22 may attend meetings of the compact administrators.
- 23 "ARTICLE VIII
- 24 "The provisions of Articles IV and V of this compact
- 25 that relate to reciprocal aid in combating, controlling, or

- 1 preventing forest fires are operative as between any state
- 2 party to this compact and any other state which is party
- 3 to this compact and any other state that is party to a
- 4 regional forest fire protection compact in another region
- 5 if the Legislature of the other state has given its assent
- 6 to the mutual aid provisions of this compact.
- 7 "ARTICLE IX
- 8 "This compact shall continue in force and remain
- 9 binding on each state ratifying it until the Legislature or
- 10 the Governor of the state takes action to withdraw from
- 11 the compact. Such action in not effective until six 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 executives of all states then parties to the compact.".

Passed the Senate July 13, 2007.

Attest:

Secretary.

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