

REFERENCE TITLE: interstate compact; fire management; aid

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
Second Regular Session  
2024

# HB 2751

Introduced by  
Representatives Cook: Marshall, Payne, Sandoval

AN ACT

AMENDING TITLE 37, CHAPTER 9, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 3.1; RELATING TO THE STATE FORESTER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 37, chapter 9, Arizona Revised Statutes, is  
3 amended by adding article 3.1, to read:

4 ARTICLE 3.1. GREAT PLAINS WILDLAND FIRE PROTECTION

5 37-1371. Enactment of compact; authority to join

6 THE GOVERNOR MAY ENTER INTO A COMPACT ON BEHALF OF THIS STATE WITH  
7 ANY OTHER STATE OR STATES LEGALLY JOINING THEREIN IN THE FORM  
8 SUBSTANTIALLY AS FOLLOWS:

9 ARTICLE I

10 THE PURPOSE OF THIS COMPACT IS TO PROMOTE EFFECTIVE PREVENTION AND  
11 CONTROL OF FOREST FIRES IN THE GREAT PLAINS REGION OF THE UNITED STATES BY  
12 MAINTAINING ADEQUATE FOREST FIREFIGHTING SERVICES BY THE MEMBER STATES AND  
13 BY PROVIDING FOR RECIPROCAL AID IN FIGHTING FOREST FIRES AMONG THE  
14 COMPACTING STATES OF THE REGION, INCLUDING SOUTH DAKOTA, NORTH DAKOTA,  
15 WYOMING, COLORADO AND ANY ADJOINING STATE OF A CURRENT MEMBER STATE.

16 ARTICLE II

17 THIS COMPACT IS OPERATIVE IMMEDIATELY AS TO THOSE STATES RATIFYING  
18 IT IF ANY TWO OR MORE OF THE MEMBER STATES HAVE RATIFIED IT.

19 ARTICLE III

20 IN EACH STATE, THE STATE FORESTER OR OFFICER HOLDING THE EQUIVALENT  
21 POSITION WHO IS RESPONSIBLE FOR FOREST FIRE CONTROL MAY ACT AS COMPACT  
22 ADMINISTRATOR FOR THAT STATE, CONSULT WITH LIKE OFFICIALS OF THE OTHER  
23 MEMBER STATES AND IMPLEMENT COOPERATION BETWEEN THE STATES IN FOREST FIRE  
24 PREVENTION AND CONTROL. THE COMPACT ADMINISTRATORS OF THE MEMBER STATES  
25 MAY ORGANIZE TO COORDINATE THE SERVICES OF THE MEMBER STATES AND PROVIDE  
26 ADMINISTRATIVE INTEGRATION IN CARRYING OUT THE PURPOSES OF THIS COMPACT.  
27 EACH MEMBER STATE MAY FORMULATE AND PUT INTO EFFECT A FOREST FIRE PLAN FOR  
28 THAT STATE.

29 ARTICLE IV

30 IF THE STATE FOREST FIRE CONTROL AGENCY OF A MEMBER STATE REQUESTS  
31 AID FROM THE STATE FOREST FIRE CONTROL AGENCY OF ANY OTHER MEMBER STATE IN  
32 COMBATING, CONTROLLING OR PREVENTING FOREST FIRES, THE STATE FOREST FIRE  
33 CONTROL AGENCY OF THAT STATE MAY RENDER ALL POSSIBLE AID TO THE REQUESTING  
34 AGENCY, CONSONANT WITH MAINTAINING PROTECTION AT HOME.

35 ARTICLE V

36 IF THE FORCES OF ANY MEMBER STATE ARE RENDERING OUTSIDE AID PURSUANT  
37 TO THE REQUEST OF ANOTHER MEMBER STATE UNDER THIS COMPACT, THE EMPLOYEES  
38 OF THE STATE SHALL, UNDER THE DIRECTION OF THE OFFICERS OF THE STATE TO  
39 WHICH THEY ARE RENDERING AID, HAVE THE SAME POWERS (EXCEPT THE POWER OF  
40 ARREST), DUTIES, RIGHTS, PRIVILEGES AND IMMUNITIES AS COMPARABLE EMPLOYEES  
41 OF THE STATE TO WHICH THEY ARE RENDERING AID.

42 A MEMBER STATE AND ITS OFFICERS AND EMPLOYEES RENDERING OUTSIDE AID  
43 PURSUANT TO THIS COMPACT ARE NOT LIABLE ON ACCOUNT OF ANY ACT OR OMISSION  
44 ON THE PART OF SUCH FORCES WHILE SO ENGAGED OR ON ACCOUNT OF MAINTAINING

1 OR USING ANY EQUIPMENT OR SUPPLIES IN CONNECTION WITH RENDERING THE  
2 OUTSIDE AID.

3 ALL LIABILITY, EXCEPT AS OTHERWISE PROVIDED IN THIS COMPACT, THAT  
4 MAY ARISE EITHER UNDER THE LAWS OF THE REQUESTING STATE, UNDER THE LAWS OF  
5 THE AIDING STATE OR UNDER THE LAWS OF A THIRD STATE ON ACCOUNT OF OR IN  
6 CONNECTION WITH A REQUEST FOR AID SHALL BE ASSUMED AND BORNE BY THE  
7 REQUESTING STATE.

8 ANY MEMBER STATE RENDERING OUTSIDE AID PURSUANT TO THIS COMPACT  
9 SHALL BE REIMBURSED BY THE MEMBER STATE RECEIVING THE AID FOR ANY LOSS OR  
10 DAMAGE TO, OR EXPENSE INCURRED IN THE OPERATION OF, ANY EQUIPMENT USED IN  
11 ANSWERING A REQUEST FOR AID, AND FOR THE COST OF ALL MATERIALS,  
12 TRANSPORTATION, WAGES, SALARIES AND MAINTENANCE OF EMPLOYEES AND EQUIPMENT  
13 INCURRED IN CONNECTION WITH THE REQUEST. THIS COMPACT DOES NOT PREVENT  
14 ANY ASSISTING MEMBER STATE FROM ASSUMING THE LOSS, DAMAGE, EXPENSE OR  
15 OTHER COST FROM LOANING THE EQUIPMENT OR FROM DONATING THE SERVICES TO THE  
16 RECEIVING MEMBER STATE WITHOUT CHARGE OR COST.

17 EACH MEMBER STATE SHALL ENSURE THAT WORKERS' COMPENSATION BENEFITS  
18 IN CONFORMITY WITH THE MINIMUM LEGAL REQUIREMENTS OF THE STATE ARE  
19 AVAILABLE TO ALL EMPLOYEES AND CONTRACT FIREFIGHTERS SENT TO A REQUESTING  
20 STATE PURSUANT TO THIS COMPACT.

21 FOR THE PURPOSES OF THIS COMPACT, "EMPLOYEE" INCLUDES ANY VOLUNTEER  
22 OR AUXILIARY LEGALLY INCLUDED WITHIN THE FOREST FIREFIGHTING FORCES OF THE  
23 AIDING STATE UNDER THE LAWS OF THE AIDING STATE.

24 THE COMPACT ADMINISTRATORS MAY FORMULATE PROCEDURES FOR CLAIMS AND  
25 REIMBURSEMENT UNDER THIS ARTICLE IN ACCORDANCE WITH THE LAWS OF THE MEMBER  
26 STATES.

## 27 ARTICLE VI

28 RATIFICATION OF THIS COMPACT DOES NOT AFFECT ANY EXISTING STATUTE SO  
29 AS TO AUTHORIZE OR PERMIT CURTAILMENT OR DIMINUTION OF THE FOREST  
30 FIREFIGHTING FORCES, EQUIPMENT, SERVICES OR FACILITIES OF ANY MEMBER  
31 STATE.

32 THIS COMPACT DOES NOT AUTHORIZE OR PERMIT ANY MEMBER STATE TO  
33 CURTAIL OR DIMINISH ITS FOREST FIREFIGHTING FORCES, EQUIPMENT, SERVICES OR  
34 FACILITIES. EACH MEMBER STATE SHALL MAINTAIN ADEQUATE FOREST FIREFIGHTING  
35 FORCES AND EQUIPMENT TO MEET DEMANDS FOR FOREST FIRE PROTECTION WITHIN ITS  
36 BORDERS IN THE SAME MANNER AND TO THE SAME EXTENT AS IF THIS COMPACT WERE  
37 NOT OPERATIVE.

38 THIS COMPACT DOES NOT LIMIT OR RESTRICT THE POWERS OF ANY STATE  
39 RATIFYING THE COMPACT TO PROVIDE FOR THE PREVENTION, CONTROL AND  
40 EXTINGUISHMENT OF FOREST FIRES OR TO PROHIBIT THE ENACTMENT OR ENFORCEMENT  
41 OF STATE LAWS, RULES OR REGULATIONS INTENDED TO AID IN THE PREVENTION,  
42 CONTROL AND EXTINGUISHMENT IN THE STATE.

43 THIS COMPACT DOES NOT AFFECT ANY EXISTING OR FUTURE COOPERATIVE  
44 RELATIONSHIP OR ARRANGEMENT BETWEEN THE UNITED STATES FOREST SERVICE AND A  
45 MEMBER STATE OR STATES.

ARTICLE VII

REPRESENTATIVES OF THE UNITED STATES FOREST SERVICE MAY ATTEND MEETINGS OF THE COMPACT ADMINISTRATORS.

ARTICLE VIII

THE PROVISIONS OF ARTICLES IV AND V OF THIS COMPACT THAT RELATE TO RECIPROCAL AID IN COMBATING, CONTROLLING OR PREVENTING FOREST FIRES ARE OPERATIVE AS BETWEEN ANY STATE PARTY TO THIS COMPACT AND ANY OTHER STATE THAT IS PARTY TO THIS COMPACT AND ANY OTHER STATE THAT IS PARTY TO A REGIONAL FOREST FIRE PROTECTION COMPACT IN ANOTHER REGION IF THE LEGISLATURE OF THE OTHER STATE HAS GIVEN ITS ASSENT TO THE MUTUAL AID PROVISIONS OF THIS COMPACT.

ARTICLE IX

THIS COMPACT SHALL CONTINUE IN FORCE AND REMAIN BINDING ON EACH STATE RATIFYING IT UNTIL THE LEGISLATURE OR THE GOVERNOR OF THE STATE TAKES ACTION TO WITHDRAW FROM THE COMPACT. SUCH ACTION IS NOT EFFECTIVE UNTIL SIX MONTHS AFTER NOTICE OF THE WITHDRAWAL HAS BEEN SENT BY THE CHIEF EXECUTIVE OF THE STATE DESIRING TO WITHDRAW TO THE CHIEF EXECUTIVES OF ALL STATES THEN PARTIES TO THE COMPACT.