

SENATE BILL NO. 19—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE JOINT INTERIM STANDING
COMMITTEE ON NATURAL RESOURCES)

PREFILED NOVEMBER 5, 2024

Referred to Committee on Natural Resources

SUMMARY—Authorizes the Governor to enter into certain interstate fire compacts. (BDR 47-381)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to interstate fire compacts; ratifying the Great Plains Wildland Fire Protection Compact upon a declaration by the Governor; ratifying the Northwest Wildland Fire Protection Agreement upon a declaration by the Governor; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 In 2007, the United States Congress approved the Great Plains Wildland Fire
2 Protection Compact. The Compact: (1) authorizes the state forester or officer
3 holding the equivalent position who is responsible for forest fire control to consult
4 with like officials of other member states and implement cooperation between the
5 states in forest fire prevention and control; (2) authorizes member states to provide
6 reciprocal aid in fighting forest fires among the compacting states if the state forest
7 fire control agency of a member state requests aid; (3) provides that the fire fighting
8 forces of any member state that renders outside aid at the request of another
9 member state have, with certain exceptions, the same powers, duties, rights,
10 privileges and immunities as comparable employees of the state to which they are
11 rendering aid; (4) provides that a member state is not liable for any act or omission
12 of its fire fighting forces made in connection with rendering outside aid to a
13 member state; (5) provides that any liability that may arise is assumed by the
14 member state that requests aid; (6) requires a member state that receives aid from
15 another member state to reimburse the member state that provided the aid; (7)
16 requires each member state to maintain adequate forest fire fighting forces and
17 equipment to meet the demands for forest fire protection within its borders; and (8)
18 provides that the Compact is effective and binding on each state ratifying it until
19 the legislature or the governor of the state takes action to withdraw from the



20 Compact. (Pub. L. No. 110-79) **Section 2** of this bill ratifies the Compact. **Section**
21 **4** of this bill requires the Governor to notify the member states of the Compact that
22 Nevada has ratified the Compact. **Section 5** of this bill makes the ratification of the
23 Compact effective on the date on which the Governor of this State declares that this
24 State has ratified the Compact and the State's entry has been approved.

25 In 1998, the United States Congress approved the Northwest Wildland Fire
26 Protection Agreement. The Agreement: (1) provides that the role of the members is
27 to coordinate the plans and work of the appropriate agencies and to coordinate the
28 rendering of aid to members in fighting wildland fires; (2) provides that the
29 members agree to render aid when any other member requests aid in controlling or
30 preventing wildland fires; (3) requires the employees of any member providing aid
31 to operate under the direction of the officers of the member to whom the aid is
32 rendered; (4) provides that the employees of any members providing aid have the
33 same privileges and immunities as comparable employees of the member to whom
34 they are rendering aid; (5) provides that a member is not liable for any act or
35 omission of its fire fighting forces made in connection with rendering aid to a
36 member; (6) requires a member that receives aid from another member to
37 reimburse the member that provided the aid; (7) requires each member to keep
38 accurate books of account showing receipts and disbursements which are open to
39 inspection of representatives of a member; (8) requires the members to hold an
40 annual meeting to review the terms of the Agreement and any applicable operating
41 plans; and (9) provides that the Agreement is effective on each member until such
42 member takes action to withdraw from the Agreement. (Pub. L. No. 105-377)
43 **Section 3** of this bill ratifies the Agreement. **Section 4** requires the Governor to
44 notify the members of the Agreement that Nevada has ratified the Agreement.
45 **Section 5** makes the ratification of the Agreement effective on the date on which
46 the Governor of this State declares that this State has ratified the Agreement and the
47 State's entry has been approved.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 527 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3, inclusive, of this
3 act.

4 **Sec. 2.** *The Great Plains Wildland Fire Protection Compact*
5 *is hereby ratified, enacted into law and entered into with all*
6 *jurisdictions legally joining in the Compact, in substantially the*
7 *form set forth in this section:*

8
9 **THE GREAT PLAINS WILDLAND FIRE**
10 **PROTECTION AGREEMENT**

11
12 ***THIS AGREEMENT is entered into by and between the State,***
13 ***Provincial and Territorial wildland fire protection agencies***
14 ***signatory hereto, hereinafter referred to as 'Members'.***

15 ***FOR, AND IN CONSIDERATION OF the following terms and***
16 ***conditions, the Members agree:***



1 **ARTICLE I**

2
3 *The purpose of this compact is to promote effective prevention*
4 *and control of forest fires in the Great Plains region of the United*
5 *States by the maintenance of adequate forest fire fighting services*
6 *by the member states, and by providing for reciprocal aid in*
7 *fighting forest fires among the compacting states of the region,*
8 *including South Dakota, North Dakota, Wyoming, Colorado, and*
9 *any adjoining state of a current member state.*

10
11 **ARTICLE II**

12
13 *This compact is operative immediately as to those states*
14 *ratifying it if any two or more of the member states have ratified it.*

15
16 **ARTICLE III**

17
18 *In each state, the state forester or officer holding the equivalent*
19 *position who is responsible for forest fire control may act as*
20 *compact administrator for that state and may consult with like*
21 *officials of the other member states and may implement*
22 *cooperation between the states in forest fire prevention and*
23 *control. The compact administrators of the member states may*
24 *organize to coordinate the services of the member states and*
25 *provide administrative integration in carrying out the purposes of*
26 *this compact. Each member state may formulate and put in effect*
27 *a forest fire plan for that state.*

28
29 **ARTICLE IV**

30
31 *If the state forest fire control agency of a member state requests*
32 *aid from the state forest fire control agency of any other member*
33 *state in combating, controlling, or preventing forest fires, the state*
34 *forest fire control agency of that state may render all possible aid*
35 *to the requesting agency, consonant with the maintenance of*
36 *protection at home.*

37
38 **ARTICLE V**

39
40 *If the forces of any member state are rendering outside aid*
41 *pursuant to the request of another member state under this*
42 *compact, the employees of the state shall, under the direction of*
43 *the officers of the state to which they are rendering aid, have the*
44 *same powers (except the power of arrest), duties, rights, privileges,*



1 *and immunities as comparable employees of the state to which*
2 *they are rendering aid.*

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

8 *All liability, except as otherwise provided in this compact, that*
9 *may arise either under the laws of the requesting state or under*
10 *the laws of the aiding state or under the laws of a third state on*
11 *account of or in connection with a request for aid, shall be*
12 *assumed and borne by the requesting state.*

13 *Any member state rendering outside aid pursuant to this*
14 *compact shall be reimbursed by the member state receiving the aid*
15 *for any loss or damage to, or expense incurred in the operation of*
16 *any equipment answering a request for aid, and for the cost of all*
17 *materials, transportation, wages, salaries, and maintenance of*
18 *employees and equipment incurred in connection with such*
19 *request. However, nothing in this compact prevents any assisting*
20 *member state from assuming such loss, damage, expense or other*
21 *cost or from loaning such equipment or from donating such*
22 *services to the receiving member state without charge or cost.*

23 *Each member state shall assure that workers compensation*
24 *benefits in conformity with the minimum legal requirements of the*
25 *state are available to all employees and contract firefighters sent to*
26 *a requesting state pursuant to this compact.*

27 *For the purposes of this compact the term, employee, includes*
28 *any volunteer or auxiliary legally included within the forest fire*
29 *fighting forces of the aiding state under the laws of the aiding*
30 *state.*

31 *The compact administrators may formulate procedures for*
32 *claims and reimbursement under the provisions of this article, in*
33 *accordance with the laws of the member states.*

34
35 **ARTICLE VI**

36
37 *Ratification of this compact does not affect any existing statute*
38 *so as to authorize or permit curtailment or diminution of the forest*
39 *fighting forces, equipment, services, or facilities of any member*
40 *state.*

41 *Nothing in the compact authorizes or permits any member state*
42 *to curtail or diminish its forest fire fighting forces, equipment,*
43 *services, or facilities. Each member state shall maintain adequate*
44 *forest fire fighting forces and equipment to meet demands for*



1 *forest fire protection within its borders in the same manner and to*
2 *the same extent as if this compact were not operative.*

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

8 *Nothing in this compact affects any existing or future*
9 *cooperative relationship or arrangement between the United States*
10 *Forest Service and a member state or states.*

11
12 **ARTICLE VII**

13
14 *Representatives of the United States Forest Service may attend*
15 *meetings of the compact administrators.*

16
17 **ARTICLE VIII**

18
19 *The provisions of Articles IV and V of this compact that relate*
20 *to reciprocal aid in combating, controlling, or preventing forest*
21 *fires are operative as between any state party to this compact and*
22 *any other state which is party to this compact and any other state*
23 *that is party to a regional forest fire protection compact in another*
24 *region if the Legislature of the other state has given its assent to*
25 *the mutual aid provisions of this compact.*

26
27 **ARTICLE IX**

28
29 *This compact shall continue in force and remain binding on*
30 *each state ratifying it until the Legislature or the Governor of the*
31 *state takes action to withdraw from the compact. Such action is*
32 *not effective until six months after notice of the withdrawal has*
33 *been sent by the chief executive of the state desiring to withdraw to*
34 *the chief executives of all states then parties to the compact.*

35 **Sec. 3.** *The Northwest Wildland Fire Protection Agreement*
36 *is hereby ratified, enacted into law and entered into with all*
37 *jurisdictions legally joining in the Agreement, in substantially the*
38 *form set forth in this section:*

39
40 **THE NORTHWEST WILDLAND FIRE**
41 **PROTECTION AGREEMENT**

42
43 ***THIS AGREEMENT is entered into by and between the State,***
44 ***Provincial, and Territorial wildland fire protection agencies***
45 ***signatory hereto, hereinafter referred to as "Members".***



1 **FOR AND IN CONSIDERATION OF the following terms and**
2 **conditions, the Members agree:**

3
4 **Article I**

5
6 **1.1 The purpose of this Agreement is to promote effective**
7 **prevention, presuppression and control of forest fires in the**
8 **Northwest wildland region of the United States and adjacent areas**
9 **of Canada (by the Members) by providing mutual aid in**
10 **prevention, presuppression and control of wildland fires, and by**
11 **establishing procedures in operating plans that will facilitate such**
12 **aid.**

13
14 **Article II**

15
16 **2.1 The agreement shall become effective for those Members**
17 **ratifying it whenever any two or more Members, the States of**
18 **Oregon, Washington, Alaska, Idaho, Montana, or the Yukon**
19 **Territory, or the Province of British Columbia, or the Province of**
20 **Alberta have ratified it.**

21 **2.2 Any State, Province, or Territory not mentioned in this**
22 **Article which is contiguous to any Member may become a party to**
23 **this Agreement subject to unanimous approval of the Members.**

24
25 **Article III**

26
27 **3.1 The role of the Members is to determine from time to time**
28 **such methods, practices, circumstances and conditions as may be**
29 **found for enhancing the prevention, presuppression, and control**
30 **of forest fires in the area comprising the Member's territory; to**
31 **coordinate the plans and the work of the appropriate agencies of**
32 **the Members; and to coordinate the rendering of aid by the**
33 **Members to each other in fighting wildland fires.**

34 **3.2 The Members may develop cooperative operating plans**
35 **for the program covered by this Agreement. Operating plans shall**
36 **include definition of terms, fiscal procedures, personnel contacts,**
37 **resources available, and standards applicable to the program.**
38 **Other sections may be added as necessary.**

39
40 **Article IV**

41
42 **4.1 A majority of Members shall constitute a quorum for the**
43 **transaction of its general business. Motions of Members present**
44 **shall be carried by a simple majority except as stated in Article II.**
45 **Each Member will have one vote on motions brought before them.**



Article V

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3 *5.1 Whenever a Member requests aid from any other Member*
4 *in controlling or preventing wildland fires, the Members agree, to*
5 *the extent they possibly can, to render all possible aid.*
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Article VI

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9 *6.1 Whenever the forces of any Member are aiding another*
10 *Member under this Agreement, the employees of such Member*
11 *shall operate under the direction of the officers of the Member to*
12 *which they are rendering aid and be considered agents of the*
13 *Member they are rendering aid to and, therefore, have the same*
14 *privileges and immunities as comparable employees of the*
15 *Member to which they are rendering aid.*

16 *6.2 No Member or its officers or employees rendering aid*
17 *within another State, Territory, or Province, pursuant to this*
18 *Agreement shall be liable on account of any act or omission on the*
19 *part of such forces while so engaged, or on account of*
20 *maintenance or use of any equipment or supplies in connection*
21 *therewith to the extent authorized by the laws of the Member*
22 *receiving the assistance. The receiving Member, to the extent*
23 *authorized by the laws of the State, Territory, or Province, agrees*
24 *to indemnify and save-harmless the assisting Member from any*
25 *such liability.*

26 *6.3 Any Member rendering outside aid pursuant to this*
27 *Agreement shall be reimbursed by the Member receiving such aid*
28 *for any loss or damage to, or expense incurred in the operation of*
29 *any equipment and for the cost of all materials, transportation,*
30 *wages, salaries and maintenance of personnel and equipment*
31 *incurred in connection with such request in accordance with the*
32 *provisions of the previous section. Nothing contained herein shall*
33 *prevent any assisting Member from assuming such loss, damage,*
34 *expense or other cost or from loaning such equipment or from*
35 *donating such services to the receiving Member without charge or*
36 *cost.*

37 *6.4 For purposes of this Agreement, personnel shall be*
38 *considered employees of each sending Member for the payment of*
39 *compensation to injured employees and death benefits to the*
40 *representatives of deceased employees injured or killed while*
41 *rendering aid to another Member pursuant to this Agreement.*

42 *6.5 The Members shall formulate procedures for claims and*
43 *reimbursement under the provisions of this Article.*



Article VII

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3 *7.1 When appropriations for support of this agreement, or for*
4 *the support of common services in executing this agreement, are*
5 *needed, costs will be allocated equally among the Members.*

6 *7.2 As necessary, Members shall keep accurate books of*
7 *account, showing in full, its receipts and disbursements, and the*
8 *books of account shall be open at any reasonable time to the*
9 *inspection of representatives of the Members.*

10 *7.3 The Members may accept any and all donations, gifts,*
11 *and grants of money, equipment, supplies, materials and services*
12 *from the Federal or any local government, or any agency thereof*
13 *and from any person, firm or corporation, for any of its purposes*
14 *and functions under this Agreement, and may receive and use the*
15 *same subject to the terms, conditions, and regulations governing*
16 *such donations, gifts, and grants.*

17
18 Article VIII

19
20 *8.1 Nothing in this Agreement shall be construed to limit or*
21 *restrict the powers of any Member to provide for the prevention,*
22 *control, and extinguishment of wildland fires or to prohibit the*
23 *enactment or enforcement of State, Territorial, or Provincial laws,*
24 *rules or regulations intended to aid in such prevention, control*
25 *and extinguishment of wildland fires in such State, Territory, or*
26 *Province.*

27 *8.2 Nothing in this Agreement shall be construed to affect*
28 *any existing or future Cooperative Agreement between Members*
29 *and/or their respective Federal agencies.*

30
31 Article IX

32
33 *9.1 The Members may request the United States Forest*
34 *Service to act as the coordinating agency of the Northwest*
35 *Wildland Fire Protection Agreement in cooperation with the*
36 *appropriate agencies of each Member.*

37 *9.2 The Members will hold an annual meeting to review the*
38 *terms of this Agreement, any applicable Operating Plans, and*
39 *make necessary modifications.*

40 *9.3 Amendments to this Agreement can be made by simple*
41 *majority vote of the Members and will take effect immediately*
42 *upon passage.*



Article X

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10.1 This Agreement shall continue in force on each Member until such Member takes action to withdraw therefrom. Such action shall not be effective until 60 days after notice thereof has been sent to all other members.

Article XI

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11.1 Nothing in this Agreement shall obligate the funds of any Member beyond those approved by appropriate legislative action.

Sec. 4. The Governor shall give notice of the ratification of the Great Plains Wildland Fire Protection Compact and the Northwest Wildland Fire Protection Agreement by the Legislature of Nevada to the member states of the Great Plains Wildland Fire Protection Compact and the members of the Northwest Wildland Fire Protection Agreement.

Sec. 5. 1. This section and sections 1 and 4 of this act become effective upon passage and approval.

2. Section 2 of this act becomes effective on the date on which the Governor of this State declares that this State has ratified the Great Plains Wildland Fire Protection Compact and the State's entry has been approved.

3. Section 3 of this act becomes effective on the date on which the Governor of this State declares that this State has ratified the Northwest Wildland Fire Protection Agreement and the State's entry has been approved.



