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300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Chairman Barker
Members of the House Committee on Federal and State Affairs

From: Jason B. Long, Senior Assistant Revisor

Date: February 16, 2017

Subject: HB 2140 – Great Plains Interstate Fire Compact.

House Bill No. 2140 (HB 2140) would authorize Kansas to enter into an interstate compact with neighboring states for the purpose of promoting effective prevention and control of forest fires in the great plains region of the United States. The great plains region includes South Dakota, North Dakota, Wyoming, Colorado, and adjoining states.

Under the compact the member states would provide aid in controlling forest fires at the request of another member state. Such assistance would be coordinated among the compact administrators of the member states. Compact administrators would be the state forester, or other state officer holding an equivalent position who is responsible for forest fire control.

Article V under HB 2140 provides various protections for firefighters providing assistance in another member state under the compact. First, such personnel are granted the same powers, duties, rights, and privileges, except for arrest powers, that are afforded similar personnel in member state where aid is being provided. Second, all liability for the acts of any personnel providing assistance in a member state are assumed by such member state. Third, any member state providing assistance may be reimbursed for losses, damages, and expenses incurred in providing such assistance. However, the member state providing assistance may assume such loss, damage or expense and not see reimbursement. Finally, workers compensation benefits will extend to all personnel providing assistance in a member state.

The provisions of the compact with respect to providing assistance in controlling forest fires also extends to any state that is a part of another regional forest fire protection compact if such other state has agreed to the mutual aid provisions of the Great Plains Interstate Fire Compact.

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Section 2 of the bill provides that volunteer firefighters who are engaged by the State for the purposes of the compact will be deemed employees of the State for purposes of the workers compensation act.

If enacted the provisions of HB 2140 would be effective on July 1, 2017.