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AN ACT
RELATING TO TIMBER; ENACTING THE INTERSTATE COMPACT FOR THE
PREVENTION AND CONTROL OF FOREST FIRES; DECLARING AN
EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. INTERSTATE COMPACT FOR THE PREVENTION AND
CONTROL OF FOREST FIRES.--The Interstate Compact for the
Prevention and Control of Forest Fires is enacted into law,
and New Mexico hereby enters into the compact as a member
state with all other jurisdictions legally joining therein in
the form substantially as follows:

INTERSTATE COMPACT FOR THE PREVENTION AND CONTROL
OF FOREST FIRES

ARTICLE I

Purpose

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

ARTICLE II

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Operative Date

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

ARTICLE III

State Compact Administrator; Forest Fire Plan

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

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

ARTICLE IV

Aid to Other Member States

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

1 ARTICLE V

2 Claims and Reimbursement

3 (a) Any member state rendering outside aid
4 pursuant to this compact shall be reimbursed by the member
5 state receiving the aid for any loss or damage to, or expense
6 incurred in the operation of, any equipment used in answering
7 a request for aid, and for the cost of all materials,
8 transportation, wages, salaries and maintenance of employees
9 and equipment incurred in connection with the request.

10 However, nothing in this compact prevents any assisting
11 member state from assuming the loss, damage, expense or other
12 cost, from loaning the equipment or from donating the
13 services to the receiving member state without charge or
14 cost.

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

20 (c) For the purposes of this compact, the term
21 "employee" includes any volunteer or auxiliary legally
22 included within the forest firefighting forces of the aiding
23 state under the laws of the aiding state.

24 (d) The compact administrators may formulate
25 procedures for claims and reimbursement under the provisions

1 of this article in accordance with the laws of the member
2 state.

3 ARTICLE VI

4 Effect of Compact on Existing Statutes; Duties

5 (a) Ratification of this compact does not affect
6 any existing statute so as to authorize or permit curtailment
7 or diminution of the forest firefighting forces, equipment,
8 services or facilities of any member state.

9 (b) Nothing in this compact authorizes or permits
10 any member state to curtail or diminish its firefighting
11 forces, equipment, services or facilities. Each member state
12 shall maintain adequate forest firefighting forces and
13 equipment to meet the demands for forest fire protection
14 within its borders in the same manner and to the same extent
15 as if the compact were not operative.

16 (c) Nothing in this compact limits or restricts
17 the powers of any state ratifying the compact to provide for
18 the prevention, control and extinguishment of forest fires,
19 or to prohibit the enactment or enforcement of state laws,
20 rules or regulations intended to aid in the prevention,
21 control and extinguishment of forest fires in the state.

22 (d) Nothing in this compact affects any existing
23 or future cooperative relationship or arrangement between the
24 United States forest service and a member state or states.

25 ARTICLE VII

1 Representatives of the United States Forest Service
2 Representatives of the United States forest service may
3 attend meetings of the compact administrators.

4 ARTICLE VIII

5 Operation of Articles IV and V

6 The provisions of Articles IV and V of this compact that
7 relate to reciprocal aid in combating, controlling or
8 preventing forest fires are operative as between any state
9 party to this compact and any other state which is party to
10 this compact in another region if the legislature of the
11 other state has given its assent to the mutual aid provisions
12 of this compact.

13 ARTICLE IX

14 Withdrawal from Compact

15 This compact shall continue in force and remain binding on
16 each state ratifying it until the legislature or the governor
17 of the state takes action to withdraw from the compact. Such
18 action is not effective until six months after notice of the
19 withdrawal has been sent by the chief executive of the state
20 desiring to withdraw to the chief executive of all states
21 then party to the compact.

22 SECTION 2. EMERGENCY.--It is necessary for the public
23 peace, health and safety that this act take effect
24 immediately. _____
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