

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

609M0649

SENATE TAXATION COMMITTEE ENGROSSED NO.

SB 189 - 02/01/2006

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Senators Bogue, Abdallah, Duniphan, Koetzle, McNenny, Moore, and Napoli
and Representatives Klaudt, Hennies, Hunhoff, Putnam, and Rave

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning fire suppression
2 agreements and payment of certain costs incurred in suppressing forest fires.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 41-20-4 be amended to read as follows:

5 41-20-4. The state wildland fire coordinator, under the direction of the Department of
6 Agriculture, shall take authorized action to prevent, suppress, and extinguish forest fires on all
7 state and privately owned lands and on other lands while acting pursuant to a cooperative fire
8 suppression agreement. The coordinator shall direct and aid the efforts of all fire suppression
9 forces involved in the fires. The coordinator may bring an action in circuit court against the
10 responsible person to obtain reimbursement for reasonable fire suppression and extinguishment
11 costs.

12 Section 2. That § 41-20-5 be amended to read as follows:

13 41-20-5. There is hereby established a fund in the state treasury to be known as the state fire
14 suppression special revenue fund which is hereby appropriated for the payment of costs incurred



1 by the state wildland fire coordinator in suppressing forest fires as authorized by § 41-20-4 and
2 for the payment of costs incurred by the secretary of agriculture in hiring a fire suppression force
3 to assist any other fire suppression agency, regardless of whether the fire being suppressed is
4 within the territorial jurisdiction of the State of South Dakota. The fire suppression agency shall
5 either execute or have an existing cooperative fire suppression agreement with the South Dakota
6 Department of Agriculture. There has been appropriated fifty thousand dollars for the fund.

7 Any damages paid from judgments or settlements in civil actions taken under § 41-20-4 and
8 reimbursements or contributions from other sources for suppressing forest fires may be
9 deposited into the fund.