

AN ACT

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

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

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

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

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

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

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

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I certify that the attached Act originated in the

SENATE as Bill No. 189

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 189
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State