

ENROLLED ACT NO. 97, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2005 GENERAL SESSION

AN ACT relating to homeland security; conforming provisions to reflect the agency name "emergency management" has been changed to "homeland security"; conforming provisions as specified; repealing the advisory board; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 19-13-101, 19-13-102(a)(i), (ii), (iii), (v) and (vi), 19-13-103(a)(i), (ii), (iv) and (b), 19-13-104(a), (b), (c)(ii), (iii), (iv), (vi), (d)(intro), (i) and (iii), 19-13-105(a), (b), (c)(intro), (i) through (v) and by creating a new subsection (d), 19-13-107(a), 19-13-108 through 19-13-112, 19-13-113(a), (b) and (c), 19-13-114(a)(intro) and (b), 19-13-115, 19-13-116, 19-13-202(a)(intro), (iv) and (v), 19-13-203(a) and (c), 19-13-205(b), 19-13-207 through 19-13-210, 19-13-301(b) and (c)(intro), 19-13-302(a) and (b), 19-13-303(a)(intro), 19-13-403(c), 19-13-404(a)(ii) and (c), 19-13-412(c), 35-9-152(a)(i), (viii), (x) and (xii), 35-9-153(a)(intro), (c) and (e), 35-9-154(a)(intro), 35-9-155(d)(intro), 35-9-156(a) and 35-9-157(c)(iii) are amended to read:

CHAPTER 13
WYOMING OFFICE OF HOMELAND SECURITY

19-13-101. Citation.

This act may be cited as the "Wyoming ~~Emergency Management~~ Homeland Security Act".

19-13-102. Definitions.

(a) As used in this act:

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(i) "County or county-city program" means a program created in accordance with the provisions of this act by the state or a political subdivision to perform local ~~emergency management~~ homeland security functions;

(ii) "~~Emergency management~~ Homeland security" means the preparation for and the carrying out of all emergency functions essential to the recovery and restoration of the economy by supply and resupply of resources to meet urgent survival and military needs, other than functions for which military forces are primarily responsible, necessary to deal with disasters caused by enemy attack, sabotage, terrorism, civil disorder or other hostile action, or by fire, flood, earthquake, other natural causes and other technological, industrial, civil and political events. These functions include without limitation the coordination of fire-fighting services, police services, medical and health services, rescue, engineering, attack warning services, communications, radiological events, evacuation of persons from stricken areas, emergency welfare services (civilian war aid), emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services, mitigation activities in areas threatened by natural or technological hazards, and other functions related to civilian protection, together with all other activities necessary or incidental to the preparation for any carrying out of the foregoing functions;

(iii) "Emergency support task force" means ~~an emergency management~~ a homeland security organization created in accordance with the provisions of this act by the state or a political subdivision to supplement ~~emergency management~~ homeland security programs in a stricken area;

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(v) "Director" means the ~~homeland security~~ director, office of homeland security appointed pursuant to W.S. 19-13-104;

(vi) "Public safety agencies" means any federal, state or political subdivision entity that provides emergency and public safety services, including state agencies employing peace officers enumerated in W.S. 6-1-104(a)(vi)(C) through (F) and approved for participation by the commission, fire management services, correctional services, ~~emergency management~~ homeland security, emergency and disaster relief services and if desired by county, municipal and federal law enforcement agencies.

19-13-103. Legislative determination; coordination with federal government and other states.

(a) Because of the possibility of the occurrence of disasters of unprecedented size and destructiveness resulting from enemy attack, sabotage, terrorism, civil disorder or other hostile action, or from fire, flood, earthquake, other natural causes and other technological disasters, and to insure that preparations of Wyoming will be adequate to deal with such disasters, and generally to provide for the common defense and to protect the public peace, health and safety, and to preserve the lives and property of the people of Wyoming, it is hereby found and declared to be necessary:

(i) To create a Wyoming ~~emergency management agency~~ office of homeland security within the governor's office, and to authorize the creation of local ~~emergency management~~ homeland security programs in the political subdivisions of the state;

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(ii) To confer upon the governor and upon the executive heads or governing bodies of the political subdivisions of the state the emergency powers provided herein, and to provide for state assistance in the organization and maintenance of the ~~emergency management~~ homeland security programs of such political subdivisions;

(iv) To provide for the rendering of mutual aid among the political subdivisions of the state and with other states with respect to the carrying out of ~~emergency management~~ homeland security functions.

(b) It is further declared to be the purpose of this act and the policy of Wyoming that all ~~emergency management~~ homeland security functions of this state be coordinated to the maximum extent with the comparable functions of its political subdivisions, of the federal government including its various departments and agencies, of other states and localities, and of private agencies of every type, to the end that the most effective preparation and use may be made of the manpower, resources and facilities for dealing with any disaster that may occur.

19-13-104. Powers of governor generally; director, office of homeland security.

(a) The governor has general direction and control of the ~~emergency management agency~~ office of homeland security, and is responsible for the carrying out of the provisions of this act, and in the event of disaster beyond local control, may assume direct operational control over all or any part of the ~~emergency management~~ homeland security functions within Wyoming. The governor may delegate such powers to the director established under subsection (d) of this section, or through the director to

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the ~~coordinator of emergency management~~ deputy director to carry out this act.

(b) In performing his duties under this act, the governor may cooperate with the federal government, with other states and with private agencies in all matters pertaining to the disaster relief and ~~emergency management~~ homeland security of this state and of the nation.

(c) In performing his duties under this act, the governor may:

(ii) Prepare a comprehensive ~~emergency management~~ homeland security plan and program for this state to be integrated into and coordinated with the ~~emergency management~~ homeland security plans of the federal government and of other states to the fullest possible extent, and coordinate the preparation of plans and programs for ~~emergency management~~ homeland security by the political subdivisions of this state to be integrated into and coordinated with the ~~emergency management~~ homeland security plan and program of this state to the fullest possible extent;

(iii) In accordance with the ~~emergency management~~ homeland security plan and program for this state, procure supplies and equipment, institute training programs and public information programs and take all other preparatory steps including the partial or full mobilization of ~~emergency management~~ homeland security organizations in advance of actual disaster, to insure the furnishing of adequately trained and equipped forces of ~~emergency management~~ homeland security personnel in time of need;

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(iv) Make such studies and surveys of the industries, resources and facilities in this state as necessary to ascertain the capabilities of the state and its political subdivisions for meeting ~~emergency management~~ homeland security requirements, and to plan for the most efficient emergency use therefor;

(vi) Delegate any administrative authority vested in him under this act, provide for the subdelegation of any such authority and appoint, in cooperation with local authorities, political subdivision ~~emergency management~~ coordinators.

(d) The position of the ~~state director, office of~~ homeland security director is created in the governor's office and shall be appointed by the governor. He shall be responsible to the governor and may be removed by the governor as provided in W.S. 9-1-202. The director shall:

(i) Supervise the Wyoming ~~emergency management agency~~ office of homeland security;

(iii) Coordinate with the federal ~~office~~ department of homeland security; and

19-13-105. Homeland security program.

(a) The ~~emergency management agency~~ office of homeland security within the governor's office is created. The governor shall appoint a ~~coordinator of emergency management who~~ deputy director of the office of homeland security. The director may appoint such assistants as may be necessary. The ~~coordinator~~ director and his assistants shall be compensated in an amount to be determined and fixed by the Wyoming human resources division. The ~~coordinator~~ deputy director shall serve at the pleasure of

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the governor and may be removed as provided in W.S. 9-1-202.

(b) The ~~coordinator, with the approval of the director,~~ may employ technical, clerical, stenographic and other personnel and make such expenditures within the appropriations or from other funds made available to him for purposes of ~~emergency management~~ homeland security as necessary to carry out this act. He shall be provided with necessary and appropriate office space, furniture, equipment, stationery and printing in the same manner as for personnel of other state agencies.

(c) The director is the administrative head of the Wyoming ~~emergency management agency and~~ office of homeland security. In addition to the duties described in W.S. 19-13-104(d) the director:

(i) Shall be responsible to the governor for the implementation of the state program for ~~emergency management~~ homeland security for Wyoming;

(ii) Shall assist the local authorities and organizations in the planning and development of local ~~emergency management~~ homeland security plans and programs;

(iii) Shall coordinate the activities of all organizations for ~~emergency management~~ homeland security within the state, including all state departments;

(iv) Shall maintain liaison with and cooperate with ~~emergency management~~ homeland security agencies and programs of other states and of the federal government;

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(v) Shall have additional authority, duties and responsibilities authorized by this act as may be prescribed by the governor or the director; and

(d) The deputy director shall perform duties as assigned by the director and in the absence of the director he is the administrative head of the Wyoming office of homeland security.

19-13-107. Emergency support task forces.

(a) The governor or his duly authorized representative and the governing bodies of political subdivisions may create and establish such number of emergency support task forces as necessary to reinforce ~~emergency management~~ homeland security programs in stricken areas with due consideration of the plans of the federal government and of other states. The governor or governing body of the political subdivision shall appoint for each unit a coordinator who has primary responsibility for the organization, administration and operation of the unit. Emergency support task forces shall be activated upon orders of the governor or governing body of the political subdivisions and shall perform their functions in any part of the state, or upon conditions specified in this section, in other states. The governor may remove any emergency support task force member he appoints as provided in W.S. 9-1-202.

19-13-108. Local programs; authorized; local homeland security plan; coordinators; appointment and removal.

Each political subdivision of this state shall establish a local ~~emergency management~~ homeland security program in accordance with the state ~~emergency management~~ homeland security plan and program. Each political subdivision

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through the ~~emergency management~~ homeland security program will cause to be prepared a local ~~emergency operating~~ homeland security plan which will include actions essential to the recovery and restoration of the economy by supply and resupply of resources to meet urgent survival and military needs and to provide for the ongoing management of resources available to meet continuing survival and recovery needs. Each local ~~emergency management~~ homeland security program shall have a coordinator appointed by the governor upon the recommendation of the local jurisdiction. The coordinator has direct responsibility for the organization, administration and operation of the local ~~emergency management~~ homeland security program subject to the direction and control of the local jurisdiction under the general direction of the governor. The governor may remove any coordinator as provided in W.S. 9-1-202.

19-13-109. Local programs; reciprocal and mutual aid.

(a) The local ~~emergency management~~ coordinators in collaboration with other public and private agencies within this state will develop or cause to be developed mutual aid arrangements for reciprocal ~~emergency management~~ homeland security aid and assistance in case of disaster of extreme nature which affects two (2) or more political subdivisions or is too great to be dealt with unassisted. The arrangements shall be consistent with the state ~~emergency management~~ homeland security plan and program, and in time of emergency each local ~~emergency management~~ homeland security program shall render assistance in accordance with the provisions of the mutual aid arrangements.

(b) The coordinator of each local ~~emergency management~~ homeland security program with the approval of the governor, may enter into mutual aid arrangements with ~~emergency management~~ homeland security agencies or

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organizations in other states for reciprocal emergency ~~management~~ aid and assistance in case of disaster too great to be dealt with unassisted.

19-13-110. Funds, supplies and equipment; generally.

(a) Each political subdivision may make appropriations for the payment of expenses of its local ~~emergency management~~ homeland security programs.

(b) Whenever the federal government or any agency or officer thereof or any person, firm or corporation shall offer to the state or to any political subdivision thereof services, equipment, supplies, materials or funds by way of gift, grant or loan for purposes of disaster relief or ~~emergency management~~ homeland security, the state acting through the governor, or the political subdivision acting with the consent of the governor and through its executive officer or governing body, may accept the offer. Upon acceptance the governor of the state or executive officer or governing body of the political subdivision may authorize any officer of the state or of the political subdivision to receive the services, equipment, supplies, materials or funds on behalf of the state or the political subdivisions. This authority will include participation in the federal surplus property program. All funds received from the federal government or any agency thereof shall be deposited in an appropriate separate account together with funds appropriated by a political subdivision, and expenditures from the account shall be made only upon authority of the local governing body and only for the purposes specified in this act.

(c) The board of county commissioners in any county may levy a tax for the support and maintenance of county,

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city, town, county-city or county-town ~~emergency management~~
homeland security programs.

19-13-111. Funds, supplies and equipment; authority to make use of existing facilities.

In carrying out the provisions of this act, the governor and the executive officers or governing bodies of the political subdivisions of the state are directed to utilize the services, equipment, supplies and facilities of existing departments, offices and agencies of the state and of the political subdivisions thereof to the maximum extent practicable, and the officers and personnel of all departments, offices and agencies are directed to cooperate with and extend such services and facilities to the governor, the ~~coordinator~~director and the ~~emergency management~~homeland security programs throughout the state upon request.

19-13-112. Programs barred from political activity.

No ~~emergency management~~homeland security program established under the authority of this act shall participate in any form of political activity or be employed directly or indirectly for political purposes.

19-13-113. State and political subdivisions exempt from liability; exceptions; license to practice not required; homeland security worker defined; recognized educational programs; real estate owners exempt from liability.

(a) All activities relating to ~~emergency management~~homeland security are governmental functions. The state, any political subdivision, state agencies, and, except in cases of willful misconduct, gross negligence or bad faith,

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any ~~emergency management~~ homeland security worker complying with or reasonably attempting to comply with W.S. 19-13-101 through 19-13-116, any order, rule or regulation promulgated thereunder, or pursuant to any ordinance relating to blackout or other precautionary measures enacted by any political subdivision of the state, or in training for such activity, is not liable for the death of or injury to persons or for damage to property as a result of the activity or training. This section shall not affect the right of any person to receive benefits to which he would otherwise be entitled under W.S. 19-13-101 through 19-13-116, under the Wyoming Worker's Compensation Act, or under any pension law, nor affect the right of any person to receive benefits or compensation under any act of congress.

(b) Any requirement for a license to practice any professional, mechanical or other skill does not apply to any authorized ~~emergency management~~ homeland security worker who, in the course of performing ~~emergency management~~ homeland security duties, practices a professional, teaching, training, mechanical or other skill during an ~~emergency management~~ homeland security emergency, in training for an emergency or during ~~emergency management~~ homeland security exercises.

(c) As used in this section "~~emergency management~~ homeland security worker" includes any full or part-time paid, volunteer or auxiliary employee of any state, territories or possessions of the United States, the District of Columbia, any neighboring country, any political subdivision thereof, or any agency or program performing ~~emergency management~~ homeland security services at any place in this state subject to the order or control of or pursuant to a request of the state government or any political subdivision thereof and includes instructors and

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students in recognized educational programs where ~~emergency management~~ homeland security services are taught. A recognized educational program includes programs in educational institutions duly existing under the laws of this state and such other educational programs as are established by the ~~emergency management agency~~ office of homeland security or otherwise under this act.

19-13-114. Persons advocating change by force or violence in form of government prohibited from employment or association; oath.

(a) No person shall be employed or associated in any capacity in any ~~emergency management~~ homeland security program established under this act:

(b) Each person appointed to serve in an ~~emergency management~~ homeland security program, before entering upon his duties, shall take an oath in writing before a person authorized to administer oaths in this state, substantially as follows:

"I do solemnly swear (or affirm) that I will support and defend the constitution of the United States and the constitution of the state of Wyoming against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties on which I am about to enter."

"And I do further swear (or affirm) that I do not advocate, nor am I a member or an affiliate of any organization, group or combination of persons that advocates the overthrow of the government of the United States or of this state by force or violence; and that

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during such time as I am a member of the (name of ~~emergency management~~homeland security program) I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence."

19-13-115. Admission of professional personnel of other states in emergency.

In the event disaster conditions in Wyoming require visitation to this state by ~~emergency management~~homeland security personnel from other states, including physicians, dentists, veterinarians, nurses or other professional personnel, reciprocity by way of allowing those professional persons to practice their professional talents without the normal admissions to practice in this state during the period of the emergency, is allowed.

19-13-116. Enforcement of orders, rules and regulations.

Every ~~emergency management~~homeland security program established pursuant to this act and the officers thereof shall execute and enforce orders, rules and regulations made by the governor under authority of this act. Each organization shall have available for inspection at its office all orders, rules and regulations made by the governor or under his authority.

19-13-202. Definitions.

(a) As used in this act: ~~, unless the context requires otherwise, the following definitions apply:~~

(iv) "Mutual aid agreement" or "agreement" means an agreement, consistent with the purposes of this act, by

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one (1) or more fire protection services, emergency medical care providers or local government subdivisions of this state with one (1) or more fire protection services, emergency medical care providers, ~~emergency management~~ homeland security programs or local government subdivisions of any other state or the United States;

(v) "Party emergency service" means a fire protection service, emergency medical care provider, ~~emergency management~~ homeland security program, local government subdivision or agency of the United States that is a party to a mutual aid agreement as set forth in this act;

19-13-203. Authorization to enter agreement; general content; authority.

(a) Any one (1) or more fire protection services, emergency medical care providers, ~~emergency management~~ homeland security programs or local government subdivision of this state may enter into a mutual aid agreement with any one (1) or more fire protection services, emergency medical care providers, ~~emergency management~~ homeland security programs or local government subdivisions of any other state or the United States to provide emergency services to the area covered by the agreement. The agreement shall be authorized and approved by the governing body of each party to the agreement that is not an agency of the United States government.

(c) A mutual aid agreement shall grant a fire protection service, ~~emergency management~~ homeland security program or emergency medical care provider of this state authority to operate outside of the state and shall grant authority for a fire protection service, ~~emergency management~~ homeland security program or emergency medical

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care provider of another state or the United States to operate within this state as if the fire service, ~~emergency management~~ homeland security program or emergency medical care provider were organized and operated under the laws of this state.

19-13-205. Submission of agreement to attorney general.

(b) The attorney general shall approve an agreement submitted to him under this act unless he finds that it is not in proper form, does not meet the requirements set forth in this act, or otherwise does not conform to the laws of this state. If he disapproves an agreement, he shall provide a detailed written statement to the appropriate governing bodies of the fire protection services, emergency medical care providers, ~~emergency management~~ homeland security programs and local government subdivisions.

19-13-207. Agreement not to relieve agency of duties.

No agreement made under this act may relieve any fire protection service, emergency medical care provider, ~~emergency management~~ homeland security program or local government subdivision of this state of a duty imposed upon it by law. Timely performance of a duty created by a mutual aid agreement may be offered in satisfaction of the duty.

19-13-208. Limitation of powers.

Except for the right granted by this act to jointly exercise powers, this act does not authorize any fire protection service, emergency medical care provider, ~~emergency management~~ homeland security program or local

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government subdivision of this state to exercise a power that it is not otherwise authorized to exercise.

19-13-209. Right of state in actions involving agreements.

In any case or controversy involving performance or interpretation of or liability under a mutual aid agreement entered into between one (1) or more fire protection services, emergency medical care providers, ~~emergency management~~ homeland security programs or local government subdivisions of this state and one (1) or more fire protection services, emergency medical care providers, ~~emergency management~~ homeland security programs or local government subdivisions of another state or of the United States, the parties to the agreement are the real parties in interest. This state may maintain an action against any fire protection service, emergency medical care provider, ~~emergency management~~ homeland security program or local government subdivision whose default, failure, performance or other conduct caused or contributed to a loss or liability incurred by the state.

19-13-210. Authorization to appropriate funds for purpose of agreement.

A fire protection service, emergency medical care provider, ~~emergency management~~ homeland security program or local government subdivision of this state may appropriate funds for and may sell, lease or otherwise supply material to any entity created for the purpose of performance of an agreement and may provide such personnel or services therefor as are within its authority to furnish.

19-13-301. Search and rescue account; created; expenditures.

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(b) Revenues deposited within the search and rescue account shall be expended by the Wyoming ~~emergency management agency~~ office of homeland security to reimburse counties for costs directly incurred in a specific search and rescue operation, subject to W.S. 19-13-302 and rules and regulations adopted by the Wyoming search and rescue council. Expenditures for reimbursement pursuant to this subsection shall receive priority over all other authorized account expenditures. No revenues deposited within the account shall be used to reimburse counties for any salary or benefits normally paid to its employees.

(c) Subject to subsection (b) of this section, the Wyoming ~~emergency management agency~~ office of homeland security may expend revenues available within the search and rescue account for other search and rescue program purposes including:

19-13-302. Search and rescue account administration.

(a) Any county sheriff's office in this state may make a claim on the search and rescue account for reimbursement of costs directly incurred in the performance of search and rescue activities. Any claim made pursuant to this subsection shall be submitted to the Wyoming ~~emergency management agency~~ office of homeland security. Upon receipt, the Wyoming ~~emergency management agency~~ office of homeland security shall transmit the claim to the Wyoming search and rescue council for review and action in accordance with subsection (b) of this section.

(b) The Wyoming search and rescue council shall review and act upon all claims submitted under subsection (a) of this section no later than June 30 following the year in which expenses were incurred for the claim

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submitted. If there are insufficient funds to pay all approved claims, the Wyoming ~~emergency management agency~~ office of homeland security shall prorate reimbursement among all approved claims. Payments authorized through the Wyoming ~~emergency management agency~~ office of homeland security pursuant to this section shall be paid by the state treasurer by warrant issued by the state auditor upon vouchers signed by the director, Wyoming ~~emergency management coordinator~~ office of homeland security or his designee.

19-13-303. Search and rescue council; appointment; vacancies; compensation; duties.

(a) The Wyoming search and rescue council is established and shall consist of eleven (11) voting members. The ~~coordinator~~ director of the Wyoming ~~emergency management agency~~ office of homeland security or his designee shall serve as a voting member and the permanent executive secretary to the council. The governor shall appoint the remaining ten (10) members to serve four (4) year terms as follows:

19-13-403. General implementation.

(c) On behalf of the governor of each state participating in the compact, the legally designated state official who is assigned responsibility for ~~emergency management~~ homeland security will be responsible for formulation of the appropriate interstate mutual aid plans and procedures necessary to implement this compact.

19-13-404. Party state responsibilities.

(a) It shall be the responsibility of each party state to formulate procedural plans and programs for interstate

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cooperation in the performance of the responsibilities listed in this section. In formulating the plans, and in carrying them out, the party states, insofar as practical, shall:

(ii) Review party states' individual ~~emergency~~ homeland security plans and develop a plan, which will determine the mechanism for the interstate management and provision of assistance concerning any potential emergency;

(c) There shall be frequent consultation between state officials who have assigned ~~emergency management~~ homeland security responsibilities and other appropriate representatives of the party states with affected jurisdictions and the United States government, with free exchange of information, plans and resource records relating to emergency capabilities.

19-13-412. Implementation.

(c) Duly authenticated copies of this compact and of supplementary agreements entered into shall, at the time of their approval, be deposited with each of the party states and with the federal ~~emergency management agency~~ department of homeland security and other appropriate agencies of the United States government.

35-9-152. Definitions.

(a) As used in this act:

(i) "Emergency responders" means public, state or federal fire services, law enforcement, emergency medical services, public health, public works, ~~emergency management~~ homeland security and other public response services or agencies that would be involved in direct

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actions to contain or control a hazardous material release or weapons of mass destruction incident. The term "emergency responders" does not include private on-site facilities with immediate emergency response capabilities unless formally requested to assist off the private facility site by the state or a political subdivision of the state;

(viii) "Regional emergency response team" means any group of local government emergency responders brought together and supported by the state and confirmed by the director, office of homeland security ~~director~~ to assist an affected jurisdiction within the different regions of the state with the intent to protect life and property against the dangers of incidents and emergencies involving hazardous materials or weapons of mass destruction;

(x) "Director, office of homeland security" ~~director~~ means as defined in W.S. 19-13-102(a)(v);

(xii) "Weapons of mass destruction" means as defined in 18 U.S.C. 2332(a) as of April 1, 2004, or as subsequently defined by rules and regulations of the director, office of homeland security; ~~director;~~

35-9-153. State emergency response commission; creation; duties.

(a) There is created a state emergency response commission that shall consist of members appointed by the governor to advise the director, office of homeland security ~~director~~ with respect to activities under this act. The commission shall consist of not less than four (4) members representing the mining, trucking, manufacturing and railroad industries, one (1) member each from the legislature, local government, local law enforcement, fire

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ENROLLED ACT NO. 97, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2005 GENERAL SESSION

services, the Joint Tribal Council, ~~emergency management services~~ homeland security, the media, the medical field, emergency medical services and the general public, and one (1) representative from each of the following state agencies:

(c) The commission shall appoint a chairman and other officers deemed necessary from among its members. The commission may meet as often as deemed necessary by a majority of the commission or at the request of the director, office of homeland security. ~~director.~~ Commission members who are not state employees may be reimbursed for per diem and mileage for attending commission meetings in the same manner and amount as state employees.

(e) The commission shall review collection and disbursement of funds and advise the director, office of homeland security ~~director~~ on activities and responsibilities under this act.

35-9-154. Emergency response training, planning and reporting.

(a) After consultation with the commission and the state fire marshal, the director, office of homeland security ~~director~~ shall:

35-9-155. Regional response teams; rulemaking.

(d) The director, office of homeland security, ~~director,~~ in consultation with the state fire marshal and subject to approval by the state emergency response commission, shall:

35-9-156. Local response authority.

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(a) Every political subdivision of the state shall designate a local emergency response authority for responding to and reporting of hazardous material or weapons of mass destruction incidents that occur within its jurisdiction. The designation of a local emergency response authority and copies of any accompanying agreements and other pertinent documentation created pursuant to this section shall be filed with the director, office of homeland security ~~director~~ within seven (7) days of the agreement being reduced to writing and signed by all appropriate persons.

35-9-157. Right to claim reimbursement.

(c) Local emergency response authorities and regional emergency response teams shall be entitled to recover their reasonable and necessary costs incurred as a result of their response to a hazardous material or weapons of mass destruction incident. Costs subject to recovery under this act include, but are not limited to, the following:

(iii) A reasonable fee, as established through rules and regulations of the director, office of homeland security, ~~director~~, for the use of equipment, including rolling stock, in responding to a hazardous materials or weapons of mass destruction incident outside the responders' normal jurisdiction;

Section 2. W.S. 19-13-106 is repealed.

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Section 3. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____
DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk