

HOUSE BILL NO. 342

INTRODUCED BY D. LOGE, D. FERN, R. FITZGERALD, N. DURAM

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING EMERGENCY SERVICES LAW; PROVIDING THAT AN INCIDENT COMMANDER SHALL PROVIDE COPIES OF REPORTS TO RESPONDING FIRE AGENCIES OR DISASTER OR EMERGENCY AGENCIES THAT REQUEST COPIES; AND AMENDING SECTION 10-3-202, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 10-3-202, MCA, is amended to read:

"10-3-202. Mutual aid -- cooperation. (1) Political subdivisions and governmental fire agencies organized under Title 7, chapter 33, must be encouraged and assisted by the division to conclude mutual aid arrangements with other public and private agencies within this state or any other state or the United States pursuant to Title 10, chapter 3, part 11, for reciprocal aid and assistance in coping with incidents, emergencies, and disasters.

(2) In reviewing disaster and emergency plans and programs of political subdivisions, the division shall consider whether they contain adequate provisions for the reciprocal mutual aid.

(3) Local and interjurisdictional disaster and emergency agencies may assist in negotiation of reciprocal mutual aid agreements between the governor and the adjoining states (including foreign states or provinces) or political subdivisions of adjoining states and shall carry out arrangements of any of the agreements relating to the local and political subdivision.

(4) In providing assistance under parts 1 through 4 of this chapter, state departments and agencies shall cooperate to the fullest extent possible with each other and with local governments and relief agencies such as the American red cross. Parts 1 through 4 of this chapter do not list or in any way affect the responsibilities of the American red cross under its congressional charter.

(5) An incident commander shall provide copies of reports generated in response to the incident to any responding governmental fire agency or disaster or emergency agency that requests copies."

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