

1 **COUNTY COOPERATIVE AGREEMENTS WITH**
2 **STATE FOR FIRE PROTECTION**

3 2004 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Craig W. Buttars**

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies a provision relating to cooperative agreements between a county and
10 the Division of Forestry, Fire, and State Lands relating to fire protection.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ requires a county, in order to be eligible to enter into a cooperative agreement with
14 the Division of Forestry, Fire, and State Lands relating to fire protection, to:

- 15 • adopt a wildland fire ordinance;
16 • require the county fire department or private provider to meet certain minimum
17 standards; and

18 • file an annual budget; and
19 ▶ prevents counties that do not enter into a cooperative agreement with the division
20 from being eligible for financial assistance from the division.

21 **Monies Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 None

25 **Utah Code Sections Affected:**

26 AMENDS:

27 **65A-8-6**, as last amended by Chapter 319, Laws of Utah 1997



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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **65A-8-6** is amended to read:

65A-8-6. Cooperative fire protection agreements with counties.

(1) The county legislative body of any county may enter into a cooperative agreement with the division to receive financial and supervisory cooperation and assistance from the division.

(2) A county may not receive cooperation or assistance under Subsection (1) until a cooperative agreement is executed by the county legislative body and the division.

(3) In order to be eligible to enter into a cooperative agreement with the division, the county shall:

(a) adopt a wildland fire ordinance based upon minimum standards established by the division;

(b) require that the county fire department or equivalent private provider under contract with the county meet minimum standards for wildland fire training, certification, and wildland fire suppression equipment based upon nationally accepted standards as specified by the division; and

(c) file with the division a budget for fire suppression costs.

(4) A county that chooses not to enter into a cooperative agreement with the division may not be eligible to receive financial assistance from the division.

~~[(3)]~~ (5) The state forester may execute the agreements and may divide the state into fire protection districts.

~~[(4)]~~ (6) These districts shall provide efficient and economical fire protection within the area defined.

~~[(5)]~~ (7) The districts may comprise one or more counties, or portions of counties to be specified in the cooperative agreements.

~~[(6)]~~ (8) Under the terms of the cooperative agreements, the state forester shall file annual budgets for operation of the cooperative districts with each participating county.

~~[(7)]~~ (9) If the county approves a budget mutually acceptable to the county and the state forester, and budgets an amount for actual fire suppression costs determined to be normal by the state forester, the agreement shall commit the state to pay 1/2 the actual suppression costs

59 that exceed the stated normal costs.

Legislative Review Note
as of 2-2-04 9:32 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0146

County Cooperative Agreements with State for Fire Protection

11-Feb-04

10:59 AM

State Impact

Counties may see some cost increases if they wish to enter into cooperative agreements with the state but are not currently meeting minimum standards specified in the bill. Otherwise, no fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst