

H.B. 55

VOLUNTEER SEARCH AND RESCUE WORKERS' COMPENSATION CLAIMS

Representative **Kraig Powell** proposes the following amendments:

1. *Page 1, Lines 16 through 17:*

16 rescue team member under specified circumstances; ~~{and}~~

▶ allowing use of money in the Search and Rescue Financial Assistance Program for volunteer search and rescue workers' compensation costs; and

17 ▶ makes technical and conforming amendments.

2. *Page 1, Lines 23 through 24:*

23 AMENDS:

= **53-2-107, as last amended by Laws of Utah 2010, Chapter 208**

24 67-20-2, as last amended by Laws of Utah 2010, Chapter 300

3. *Page 2, Lines 29 through 30:*

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

= **Section 1. Section 53-2-107 is amended to read:**

53-2-107. Search and Rescue Financial Assistance Program -- Uses -- Rulemaking -- Distribution.

(1) (a) "Reimbursable expenses," as used in this section, means those reasonable costs incidental to search and rescue activities.

(b) "Reimbursable expenses" include:

(i) rental for fixed wing aircraft, helicopters, snowmobiles, boats, and generators;

(ii) replacement and upgrade of search and rescue equipment;

(iii) training of search and rescue volunteers; ~~{and}~~

= **(iv) costs of providing workers' compensation benefits for volunteer search and rescue team members under Section 67-20-7.5; and**

(iv) any other equipment or expenses necessary or appropriate for conducting search and rescue activities.

(c) "Reimbursable expenses" do not include any salary or overtime paid to any person on a regular or permanent payroll, including permanent part-time employees of any agency or political subdivision of the state.

(2) There is created the Search and Rescue Financial Assistance Program within the division.

(3) (a) The program shall be funded from the following revenue sources:

(i) any voluntary contributions to the state received for search and rescue operations;

(ii) money received by the state under Section 23-19-42, Section 41-22-34, and Section 73-18-24; and

(iii) appropriations made to the program by the Legislature.

- (b) All funding for the program shall be nonlapsing.
- (4) The director shall use the money to reimburse counties for all or a portion of each county's reimbursable expenses for search and rescue operations, subject to:
 - (a) the approval of the Search and Rescue Advisory Board as provided in Section 53-2-109;
 - (b) money available in the program; and
 - (c) rules made under Subsection (7).
- (5) Program money may not be used to reimburse for any paid personnel costs or paid man hours spent in emergency response and search and rescue related activities.
- (6) The Legislature finds that these funds are for a general and statewide public purpose.
- (7) The division, with the approval of the Search and Rescue Advisory Board, shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and consistent with this act:
 - (a) specifying the costs that qualify as reimbursable expenses;
 - (b) defining the procedures of agencies to submit expenses and be reimbursed; and
 - (c) providing a formula to govern the distribution of available money among the counties for uncompensated search and rescue expenses based on:
 - (i) the total qualifying expenses submitted;
 - (ii) the number of search and rescue incidents per county population;
 - (iii) the number of victims that reside outside the county; and
 - (iv) the number of volunteer hours spent in each county in emergency response and search and rescue related activities per county population.

30 Section {~~1~~} 2 . Section **67-20-2** is amended to read:

Renumber remaining sections accordingly.