

VOLUNTARY SEARCH AND RESCUE FUNDING

ACT

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ralph Okerlund

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Search and Rescue Financial Assistance Program by creating a voluntary Utah outdoor search and rescue card available for purchase by the public.

Highlighted Provisions:

This bill:

- ▶ provides additional funding for the Search and Rescue Financial Assistance Program from the sale of Utah outdoor search and rescue cards to backpackers, hikers, mountain and trail bikers, cross country skiers, and other persons who use the Utah back country for recreation;
- ▶ requires the Division of Homeland Security to provide for the printing and distribution of the cards for sale to the public;
- ▶ makes available to the public a one-year card for a fee of \$3, of which \$2 goes to a dedicated credit for the Search and Rescue Financial Assistance Program, and \$1 goes to the vendor of the card;
- ▶ makes available to the public a five-year card for a fee of \$12, of which \$9 goes to a dedicated credit for the Search and Rescue Financial Assistance Program, and \$3 goes to the vendor of the card;
- ▶ provides that the revenue from the sale of the card shall be deposited in the General Fund as a dedicated credit for the Search and Rescue Financial Assistance Program;



28 ▶ provides that monies remaining in the search and rescue fund and appropriated for
29 search and rescue expenses, after all approved claims and administrative costs have
30 been paid, may be allocated among those counties that have applied to the division
31 for reimbursements or grants from the search and rescue fund; and

32 ▶ establishes categories and other considerations the division may use in reimbursing
33 a county for uncompensated search and rescue efforts.

34 **Monies Appropriated in this Bill:**

35 None

36 **Other Special Clauses:**

37 None

38 **Utah Code Sections Affected:**

39 AMENDS:

40 **53-2-107**, as last amended by Laws of Utah 2008, Chapter 382



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

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

44 **53-2-107. Search and Rescue Financial Assistance Program -- Uses -- Outdoor**
45 **recreation search and rescue card -- Rulemaking -- Distribution.**

46 (1) (a) "Reimbursable expenses," as used in this section, means those reasonable costs
47 incidental to search and rescue activities[~~, not including any salary or overtime paid to any~~
48 ~~person on a regular or permanent payroll, including permanent part-time employees, of any~~
49 ~~agency or political subdivision of the state, including:].~~

50 (b) "Reimbursable expenses" include:

51 ~~[(a)]~~ (i) rental for fixed wing aircraft, helicopters, snowmobiles, boats, and generators;

52 ~~[(b)]~~ (ii) replacement and upgrade of search and rescue equipment;

53 ~~[(c)]~~ (iii) training of search and rescue volunteers; and

54 ~~[(d)]~~ (iv) any other equipment or expenses necessary or appropriate for conducting
55 search and rescue activities.

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

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

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

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

63 (ii) monies received by the state for Internet, direct, or indirect sales of the voluntary
64 Utah outdoor recreation search and rescue card as provided in Subsection (5);

65 [(ii)] (iii) monies received by the state under Section 23-19-42 [and], Section 41-22-34,
66 and Section 73-18-24; and

67 [(iii)] (iv) appropriations made to the program by the Legislature.

68 (b) All funding for the program shall be nonlapsing.

69 (4) The director shall use the monies to reimburse counties for all or a portion of each
70 county's reimbursable expenses for search and rescue operations, subject to:

71 (a) the approval of the Search and Rescue Advisory Board as provided in Section
72 53-2-109;

73 (b) monies available in the program; and

74 (c) rules made under Subsection ~~[(7)]~~ (9).

75 (5) At the close of any fiscal year, the monies remaining in the search and rescue fund
76 and appropriated for search and rescue expenses, after all approved claims and administrative
77 costs have been paid, may be allocated among those counties that have applied to the division
78 for year end grants or reimbursements from the search and rescue fund.

79 (6) (a) The division shall make a Utah outdoor recreation search and rescue card
80 available for purchase to the public, including backpackers, hikers, mountain and trail bikers,
81 cross country skiers, and other persons who use the Utah back country for recreation.

82 (b) The division shall establish procedures for:

83 (i) Internet and direct sales by the division of the Utah outdoor recreation search and
84 rescue card;

85 (ii) authorizing vendors to sell the Utah outdoor recreation search and rescue card; and

86 (iii) printing and distribution of the cards to vendors for sale to the public.

87 (c) The Utah outdoor recreation search and rescue card shall be available to the public
88 as:

89 (i) a card valid for one year from the date of purchase at a cost of \$3 for which the

90 division shall charge vendors \$2 per card, and the remaining \$1 shall be retained by the vendor
91 as the vendor's fee; and

92 (ii) a card valid for five years from the date of purchase at a cost of \$12, for which the
93 division shall charge vendors \$9 per card, and the remaining \$3 shall be retained by the vendor
94 as the vendor's fee.

95 (d) The revenue from the sale of the card shall be deposited in the General Fund as a
96 dedicated credit for the Search and Rescue Financial Assistance Program created under this
97 section.

98 ~~[(5)]~~ (7) Program monies may not be used to reimburse for any paid personnel costs or
99 paid man hours spent in emergency response and search and rescue related activities.

100 ~~[(6)]~~ (8) The Legislature finds that these funds are for a general and statewide public
101 purpose.

102 ~~[(7)]~~ (9) The division, with the approval of the Search and Rescue Advisory Board,
103 shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
104 Act, and consistent with this act~~[, establishing]:~~

105 (a) implementing the Utah outdoor recreation search and rescue card program created
106 in this section;

107 ~~[(a)]~~ (b) specifying the costs that qualify as reimbursable expenses;

108 ~~[(b)]~~ (c) defining the procedures of agencies to submit expenses and be reimbursed;
109 and

110 ~~[(c)]~~ (d) providing a formula to govern the distribution of available monies ~~[between~~
111 ~~counties based on]~~ among the counties for uncompensated search and rescue expenses in the
112 following categories:

113 ~~[(i) the total qualifying expenses submitted;]~~

114 ~~[(ii) the number of search and rescue incidents per county population;]~~

115 ~~[(iii) the number of victims that reside outside the county; and]~~

116 ~~[(iv) the number of volunteer hours spent in each county in emergency response and~~
117 ~~search and rescue related activities per county population.]~~

118 (i) first, persons holding a valid Utah hunting or fishing license, snowmobile or
119 off-highway vehicle registrations, or a Utah outdoor recreation search and rescue card;

120 (ii) second, persons who are parents, siblings, spouses, children, or grandchildren of

121 persons holding a valid Utah hunting or fishing license, a snowmobile or off-highway vehicle
122 registration, or a Utah outdoor recreation search and rescue card;

123 (iii) third, persons who do not have a valid Utah hunting or fishing license, a
124 snowmobile or off-highway vehicle registration, or a Utah outdoor recreation search and rescue
125 card;

126 (iv) fourth, search and rescue related training and equipment; and

127 (v) for other uncompensated expenses.

128 (10) The division, in determining reimbursements to a county, may consider:

129 (a) the total amount of qualifying expenses submitted;

130 (b) the number of search and rescue incidents per county population;

131 (c) the number of victims who reside outside the county; and

132 (d) the number of volunteer hours spent in each county in emergency response and

133 search and rescue related activities per county population.

Legislative Review Note
as of 2-3-10 11:01 AM

Office of Legislative Research and General Counsel

S.B. 60 - Voluntary Search and Rescue Funding Act

Fiscal Note

2010 General Session
State of Utah

State Impact

Enactment of this bill will require an ongoing appropriation of \$34,000 per year from the General Fund beginning FY 2011. The bill will generate dedicated credits of approximately \$30,000 annually beginning FY 2011, \$10,000 of which will cover card issuer costs and \$20,000 of which shall be used for Search and Rescue Financial Assistance.

	<u>FY 2010</u> <u>Approp.</u>	<u>FY 2011</u> <u>Approp.</u>	<u>FY 2012</u> <u>Approp.</u>	<u>FY 2010</u> <u>Revenue</u>	<u>FY 2011</u> <u>Revenue</u>	<u>FY 2012</u> <u>Revenue</u>
General Fund	\$0	\$34,000	\$34,000	\$0	\$0	\$0
Dedicated Credits	\$0	\$30,000	\$30,000	\$0	\$30,000	\$30,000
Total	\$0	\$64,000	\$64,000	\$0	\$30,000	\$30,000

Individual, Business and/or Local Impact

Individuals participating in the program will pay \$3 annually or \$12 for five years. Businesses and local governments will benefit from dedicated credits generated by the bill.
