

Chapter 146

SEARCH AND RESCUE OPERATIONS-COUNCIL

Original House Bill No. 320

AN ACT relating to search and rescue operations; establishing the Wyoming search and rescue council; delegating rulemaking authority; clarifying and modifying search and rescue account expenditures and administration as specified; and providing for an effective date.

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

Section 1. W.S. 19-13-303 is created to read:

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 of the Wyoming emergency management agency 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:

- (i) Three (3) county sheriffs;
- (ii) One (1) county commissioner;
- (iii) One (1) peace officer at large; and
- (iv) Five (5) other citizens.

(b) Council members appointed by virtue of their elected positions shall resign from the council immediately upon vacating their elected office. Individuals appointed to fill council vacancies shall be appointed for the full term and shall not be appointed to serve the remainder of the unexpired portion of the term. The governor may remove any appointed council member as provided under W.S. 9-1-202.

(c) Members shall serve without compensation but shall receive mileage and per diem as provided for state employees under W.S. 9-3-102 and 9-3-103.

(d) The council shall adopt rules and regulations as necessary to administer this article.

Section 2. W.S. 19-13-301(b) and by creating a new subsection (c) and 19-13-302(a) and (b) are amended to read:

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

(b) Revenues deposited within the search and rescue account shall be expended by the Wyoming emergency management agency 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 ~~emergency management agency 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 may expend revenues available within the search and rescue account for other search and rescue program purposes including:

- (i) Administration of the Wyoming search and rescue program;
- (ii) Search and rescue training programs for Wyoming search and rescue personnel;
- (iii) Acquisition and maintenance of search and rescue equipment used in Wyoming;
- (iv) Development and maintenance of statewide search and rescue overhead teams.

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

(a) ~~Upon written request through a board of county commissioners, 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. All claims Any claim made pursuant to this subsection shall be submitted to the Wyoming emergency management agency. Upon receipt, the Wyoming emergency management agency shall adopt rules and regulations for the procedure through which claims shall be approved or denied 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 emergency management agency search and rescue council shall review and act upon all claims submitted under subsection (a) of this section no later than May 1 June 30 following the year in which expenses were incurred for the claim submitted. Subject to the availability of funds, the Wyoming emergency management agency may authorize payment from the account to the county for an approved claim and may authorize payment for approved claims directly to an unpaid vendor who has supplied material or services to a county. The Wyoming emergency management agency shall only authorize payments under this subsection after it has received and acted upon all claims submitted for expenses incurred in the preceding year. If there are insufficient funds to pay all approved claims, the Wyoming emergency management agency shall prorate reimbursement among all approved claims. Payments authorized by through the governor's office Wyoming emergency management agency pursuant to this section shall be paid by the state treasurer by warrant issued by the state auditor upon vouchers signed by the Wyoming emergency management coordinator or his designee.~~

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Section 3. W.S. 19-13-302(c) is repealed.

Section 4. This act is effective July 1, 2001.

Approved March 1, 2001.