



Rep. Michael K. Smith

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LRB094 06069 RXD 44553 a

1 AMENDMENT TO HOUSE BILL 3687

2 AMENDMENT NO. _____. Amend House Bill 3687 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Technical Rescue Team Response Reimbursement Act.

6 Section 5. Intent. The General Assembly finds that the cost
7 to fire departments and fire protection districts for training,
8 equipping, and using technical rescue teams is high and beyond
9 a basic level of service.

10 Section 10. Definitions. In this Act:

11 "Emergency action" means any action taken at or near the
12 scene of an emergency incident to prevent or minimize harm to
13 human health, to property, or to the environment.

14 "Emergency response agency" means a fire department or
15 volunteer fire protection organization that provides
16 firefighting services, emergency rescue services, or emergency
17 medical services.

18 "Person" means an individual, a corporation, a
19 partnership, an unincorporated association, or any unit of
20 federal, State, or local government.

21 "Responsible party" means any person who is responsible for
22 causing the need for technical rescue team services from an
23 emergency response agency.

1 "Technical rescue team" means any State or Mutual Aid Box
2 Alarm System (MABAS) technical rescue team providing
3 specialized rescue services.

4 Section 15. Reimbursement to agencies. It shall be the duty
5 of the responsible party to reimburse, within 90 days after the
6 receipt of a bill for the Tactical Rescue emergency incident,
7 the emergency response agencies responding to a Tactical Rescue
8 incident, and any private contractor responding to a Tactical
9 Rescue incident at the request of an emergency response agency,
10 the costs incurred in the course of providing emergency action.
11 All responsible parties shall be jointly and severally liable
12 for the costs incurred in using technical response teams to
13 provide emergency action.

14 Section 20. Violation.

15 (a) Reimbursement directly to an emergency response agency
16 does not constitute an admission of responsibility relative to
17 this Act or to any other State or federal laws, rules, or
18 regulations.

19 (b) If no party to the incident provides reimbursement to
20 the emergency response agency, the Attorney General may, at the
21 request of the State Fire Marshal, institute a civil action to
22 recover costs."