



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-0676/P4  
EHS:jld

DOA:.....Frederick, BB0072 - Reimbursement of a county for fire suppression expenses

**FOR 2017-2019 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**NATURAL RESOURCES**

**FORESTRY**

Under current law, the state and the county in which a forest fire occurs are required to pay in equal proportion certain fire suppression expenses, including hourly wages for fire wardens and their employees and equipment operators and other specialists as well as any meals, transportation, and disbursements for emergency equipment that DNR allows. This bill specifies that a person who sets a forest fire is liable to the state for all of the fire suppression expenses that are shared by the state and the county and that the county's share of expenses is reduced by the amount by which such damages, if paid, exceed the state's share of expenses.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 26.14 (3) of the statutes is renumbered 26.14 (3) (a) and amended to read:

26.14 (3) (a) Emergency fire wardens, and all persons employed by them or by any other duly appointed fire warden for the purpose of suppressing forest fires, shall receive such hourly pay as the department may determine, for the time actually employed. Equipment operators and other specialists shall be paid the prevailing wage rate for comparable skills in each locality. ~~And in addition thereto the~~ The department may also allow the cost of meals, transportation, and disbursements for emergency equipment. ~~One-half of such expense shall be paid by the state and one-half by~~

(b) Of the expenses incurred under par. (a) the state shall pay one-half and the county where such the service was performed shall pay one-half.

**SECTION 2.** 26.14 (3) (c) of the statutes is created to read:

26.14 (3) (c) If the state receives any payment of damages under sub. (9) (b), the county's share of expenses under par. (b) is reduced by the amount by which the damages received exceed the state's share of expenses under par. (b). If, at the time the damages are paid, the county has already paid its share of expenses to the state, the state shall reimburse the county the amount by which the damages received exceed the state's share of expenses.

**SECTION 3.** 26.14 (9) (b) of the statutes is amended to read:

26.14 (9) (b) Any person who sets a fire on any land and allows such fire to escape and become a forest fire shall be liable for all expenses incurred in the suppression of the fire by the state or town in which the fire occurred. For purposes of this paragraph, the state is considered to incur all expenses described under sub. (3). An action under this paragraph shall be commenced within the time provided by s. 893.91 or be barred.

(END)