





## A Legislative Proposal

# **Intra-State Mutual Aid For Montana**

# Overview

- In response to requests from emergency services and public safety agencies around the county, the National Emergency Management Association (NEMA) developed “model” legislation promoting intrastate mutual aid.
- MT-DES is in the process of modifying that model to reflect the needs of Montana.

# Overview (continued)

- **The National Model Intrastate Mutual Aid Legislation** is available at:  
<http://www.emacweb.org?76>
- A current “draft” of the proposed **Montana Intrastate Mutual Aid Legislation** is available at:  
<http://www.discoveringmontana.com/dma/des/library/intrastate.doc>

# Overview (continued)

- Montana Disaster and Emergency Services Division is supporting efforts to introduce legislation to facilitate the intrastate sharing of local resources during all-hazard incidents, emergencies or disasters.
- The proposed intrastate mutual aid legislation is structured after the highly effective Emergency Management Assistance Compact (EMAC), a “national” interstate mutual aid program.

# Features & Benefits

- Adoption of this “model” by any state is entirely voluntary.
- States considering this type of legislation are expected to modify the “model” to conform with existing state laws and authorities, and to address any unique needs or special circumstances.
- Proposed legislation is intended to augment (not to supercede) existing mutual aid agreements.

# Features & Benefits (continued)

- Designed to facilitate the seamless escalation of local emergency response.
- Existing Montana statutes encourage development of mutual aid agreements, but many current agreements are limited in scope. This legislation would emphasize an “all-hazards” approach.
- The proposed legislation automatically includes all political subdivisions in the state, with a provision by which they may opt out through local resolution.

# Features & Benefits (continued)

- Encourages participation by a wide range of emergency responders, examples:
  - Public Works
  - Law Enforcement
  - Fire
  - Social Services
  - Medical Personnel
  - Transportation
  - Public Health
- Includes specific language addressing:
  - Responsibilities
  - Limitations
  - Reimbursement
  - Immunity
  - Implementation
  - Licensing/Permits
  - Workers Compensation
  - Severability

# Features & Benefits (continued)

- Allows local jurisdictions to maintain control over local resources (no centralized dispatching authority or agency).
- Meets the eligibility requirements (i.e., a pre-existing, written mutual aid agreement) for FEMA reimbursement.
- Complies with Homeland Security Presidential Directive # 5 (regarding “interoperability” and compatibility among local, state, regional and national partners).

# How does any of this affect you ??

- If you think that a comprehensive intrastate mutual aid program would be beneficial to Montana, please share your views with local response agencies and your local elected officials.
- If you have any comments or concerns regarding this legislation, please address them to:
  - **Dan McGowan**  
MT-DES Administrator  
(406) 841-3911 or via e-mail @:  
[dmcgowan@state.mt.us](mailto:dmcgowan@state.mt.us)

