

February 16, 1951.
Passed on File.

Senate File 355
By SENATE COMMITTEE OF THE WHOLE.

Passed Senate, Date.....
Vote: Ayes..... Nays.....
Passed House, Date
Vote: Ayes..... Nays.....
Approved

A BILL FOR

An Act providing that the state of Iowa may enter into a compact with any other state for mutual helpfulness in meeting any civil defense emergency or disaster arising from enemy action.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Whereas the Congress of the United States of
2 America has granted its consent to civil defense compacts by
3 an Act entitled "Federal Civil Defense Act of 1950", Public Law
4 920, Eighty-first Congress, Second Session, approved January 12,
5 1951, the fifty-fourth general assembly of this state hereby
6 ratifies a compact on behalf of the state of Iowa with any other
7 state legally joining therein in the form substantially as
8 follows:

9 The contracting states solemnly agree:

10 Article 1. The purpose of this compact is to provide mutual
11 aid among the states in meeting any emergency or disaster from
12 enemy attack, including sabotage and subversive acts and direct
13 attacks by bombs, shellfire, and atomic, radiological, chemical,
14 bacteriological means, and other weapons. The prompt, full and
15 effective utilization of the resources of the respective states,

16 including such resources as may be available from the United
17 States Government or any other source, are essential to the
18 safety, care and welfare of the people thereof in the event of
19 enemy action or other emergency, and any other resources, including
20 personnel, equipment or supplies, shall be incorporated into a
21 plan or plans of mutual aid to be developed among the civil defense
22 agencies or similar bodies of the states that are parties hereto.
23 The directors of civil defense of all party states shall constitute
24 a committee to formulate plans and take all necessary steps for
25 the implementation of this compact.

26 Article 2. It shall be the duty of each party state to
27 formulate civil defense plans and programs for application within
28 such state. There shall be frequent consultation between the
29 representatives of the states and with the United States Government
30 and the free exchange of information and plans, including inventories
31 of any materials and equipment available for civil defense. In
32 carrying out such civil defense plans and programs the party states
33 shall so far as possible provide and follow uniform standards,
34 practices and rules and regulations including:

- 35 (a) Insignia, arm bands and any other distinctive articles
36 to designate and distinguish the different civil defense services;
- 37 (b) Blackouts and practice blackouts, air raid drills,
38 mobilization of civil defense forces and other tests and exercises;
- 39 (c) Warnings and signals for drills or attacks and the
40 mechanical devices to be used in connection therewith;
- 41 (d) The effective screening or extinguishing of all lights

42 and lighting devices and appliances ;

43 (e) Shutting off water mains, gas mains, electric power
44 connections and the suspension of all other utility services ;

45 (f) All materials or equipment used or to be used for civil
46 defense purposes in order to assure that such materials and
47 equipment will be easily and freely interchangeable when used
48 in or by any other party state ;

49 (g) The conduct of civilians and the movement and cessation
50 of movement of pedestrians and vehicular traffic, prior, during
51 and subsequent to drills or attacks ;

52 (h) The safety of public meetings or gatherings ; and

53 (i) Mobile support units.

54 Article 3. Any party state requested to render mutual aid
55 shall take such action as is necessary to provide and make available
56 the resources covered by this compact in accordance with the terms
57 hereof ; provided that it is understood that the state rendering
58 aid may withhold resources to the extent necessary to provide
59 reasonable protection for such state. Each party state shall
60 extend to the civil defense forces of any other party state, while
61 operating within its state limits under the terms and conditions
62 of this compact, the same powers (except that of arrest unless
63 specifically authorized by the receiving state), duties, rights,
64 privileges and immunities as if they were performing their duties
65 in the state in which normally employed or rendering services.
66 Civil defense forces will continue under the command and control
67 of their regular leaders but the organizational units will come

68 under the operational control of the civil defense authorities
69 of the state receiving assistance.

70 Article 4. Whenever any person holds a license, certificate
71 or other permit issued by any state evidencing the meeting of
72 qualifications for professional, mechanical or other skills,
73 such person may render aid involving such skill in any party
74 state to meet an emergency or disaster and such state shall give
75 due recognition to such license, certificate or other permit as
76 if issued in the state in which aid is rendered.

77 Article 5. No party state or its officers or employees
78 rendering aid in another state pursuant to this compact shall
79 be liable on account of any act or omission in good faith on
80 the part of such forces while so engaged, or on account of the
81 maintenance or use of any equipment or supplies in connection
82 therewith.

83 Article 6. Inasmuch as it is probable that the pattern
84 and detail of the machinery for mutual aid among two or more
85 states may differ from that appropriate among other states party
86 hereto, this instrument contains elements of a broad base common
87 to all states, and nothing herein contained shall preclude any
88 state from entering into supplementary agreements with another
89 state or states. Such supplementary agreements may comprehend,
90 but shall not be limited to, provisions for evacuation and reception
91 of injured and other persons, and the exchange of medical, fire,
92 police, public utility, reconnaissance, welfare, transportation and
93 communications personnel, equipment and supplies.

94 Article 7. Each party state shall provide for the payment
95 of compensation and death benefits to injured members of the civil
96 defense forces of that state and the representatives of deceased
97 members of such forces in case such members sustain injuries or
98 are killed while rendering aid pursuant to this compact, in the
99 same manner and on the same terms as if the injury or death were
100 sustained within such state.

101 Article 8. Any party state rendering aid in another state
102 pursuant to this compact shall be reimbursed by the party state
103 receiving such aid for any loss or damage to, or expense incurred
104 in the operation of any equipment answering a request for aid,
105 and for the cost incurred in connection with such requests ;
106 provided, that any aiding party state may assume in whole or
107 in part such loss, damage, expense, or other cost, or may loan
108 such equipment or donate such services to the receiving party
109 state without charge or cost ; and provided further that any two
110 or more party states may enter into supplementary agreements
111 establishing a different allocation of costs as among those
112 states. The United States Government may relieve the party
113 state receiving aid from any liability and reimburse the party
114 state supplying civil defense forces for the compensation paid
115 to and the transportation, subsistence and maintenance expenses
116 of such forces during the time of the rendition of such aid or
117 assistance outside the state and may also pay fair and reasonable
118 compensation for the use or utilization of the supplies, materials,
119 equipment or facilities so utilized or consumed.

120 Article 9. Plans for the orderly evacuation and reception
121 of the civilian population as the result of an emergency or
122 disaster shall be worked out from time to time between
123 representatives of the party states and the various local
124 civil defense areas thereof. Such plans shall include the
125 manner of transporting such evacuees, the number of evacuees
126 to be received in different areas, the manner in which food,
127 clothing, housing, and medical care will be provided, the
128 registration of the evacuees, the providing of facilities for
129 the notification of relatives or friends and the forwarding
130 of such evacuees to other areas or the bringing in of additional
131 materials, supplies, and all other relevant factors. Such plans
132 shall provide that the party state receiving evacuees shall be
133 reimbursed generally for the out-of-pocket expenses incurred
134 in receiving and caring for such evacuees, for expenditures
135 for transportation, food, clothing, medicines and medical care
136 and like items. Such expenditures shall be reimbursed by the
137 party state of which the evacuees are residents, or by the United
138 States Government under plans approved by it. After the termination
139 of the emergency or disaster the party state of which the evacuees
140 are resident shall assume the responsibility for the ultimate
141 support or repatriation of such evacuees.

142 Article 10. This compact shall be available to any state,
143 territory or possession of the United States, and the District
144 of Columbia. The term "state" may also include any neighboring
145 foreign country or province or state thereof.

146 Article 11. The committee established pursuant to Article 1
147 of this compact may request the Civil Defense Agency of the United
148 States Government to act as an informational or coordinating
149 body under this compact, and representatives of such agency of
150 the United States Government may attend meetings of such com-
151 mittee.

151 Article 12. This compact shall become operative immediately
152 upon its ratification by any state as between it and any other
153 state or states so ratifying and shall be subject to approval by
154 Congress unless prior Congressional approval has been given.
155 Duly authenticated copies of this compact and of such supplementary
156 agreements as may be entered into shall, at the time of their
157 approval, be deposited with each of the party states and with
158 the Civil Defense Agency and other appropriate agencies of the
159 United States Government.

160 Article 13. This compact shall continue in force and remain
161 binding on each party state until the legislature or the governor
162 of such party state takes action to withdraw therefrom. Such
163 action shall not be effective until 30 days after notice thereof
164 has been sent by the governor of the party state desiring to
165 withdraw to the governors of all other party states.

166 Article 14. This compact shall be construed to effectuate
167 the purposes stated in Article 1 hereof. If any provision of
168 this compact is declared unconstitutional, or the applicability
169 thereof to any person or circumstance is held invalid, the
170 constitutionality of the remainder of this compact and the
171 applicability thereof to other persons and circumstances shall

172 not be affected thereby.

1 Sec. 2. Duly authenticated copies of this Act shall, upon
2 its passage, and approval by the governor, be transmitted by the
3 secretary of state to the governor of each state, the president
4 of the Senate of the United States, the speaker of the House of
5 Representatives of the United States, the Federal Civil Defense
6 Administrator, the secretary of state of the United States and
7 the council of state governments.

1 Sec. 3. This Act being deemed of immediate importance
2 shall be in full force and effect from and after its passage
3 and publication in the Clinton Herald, a newspaper published
4 at Clinton, Iowa, and The Sibley Gazette-Tribune, a newspaper
5 published at Sibley, Iowa, and this Act shall remain in full
6 force and effect until June 30, 1953.