

MAINE STATE LEGISLATURE

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CHAPTER 63
INTERSTATE CIVIL DEFENSE AND
DISASTER COMPACT

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SUBCHAPTER I

COMPACT

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§ 361. Purpose—Article I

The purpose of this compact is to provide mutual aid among the states in meeting any emergency or disaster from enemy attack or other cause, natural or otherwise, including sabotage and subversive acts and direct attacks by bombs, shellfire, and atomic, radiological, chemical, bacteriological means, and other weapons. The prompt, full and effective utilization of the resources of the respective states, including such resources as may be available from the United States Government or any other source, are essential to the safety, care and welfare of the people thereof in the event of enemy action or other emergency, and any other resources, including personnel, equipment or supplies, shall be incorporated into a plan or plans of mutual aid to be developed among the civil defense agencies or similar bodies of the states that are parties hereto. The directors of civil defense of all party

states shall constitute a committee to formulate plans and take all necessary steps for the implementation of this compact

R.S.1954, c. 13, § 2.

§ 362. Standards; rules and regulations—Article II

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

1. Insignia. Insignia, arm bands and any other distinctive articles to designate and distinguish the different civil defense services;

2. Blackouts. Blackouts and practice blackouts, air raid drills, mobilization of civil defense forces and other tests and exercises;

3. Warnings. Warnings and signals for drills or attacks and the mechanical devices to be used in connection therewith;

4. Screening of lights. The effective screening or extinguishing of all lights and lighting devices and appliances;

5. Suspension of utilities. Shutting off water mains, gas mains, electric power connections and the suspension of all other utility services;

6. Materials and equipment. All materials or equipment used or to be used for civil defense purposes in order to assure that such materials and equipment will be easily and freely interchangeable when used in or by any other party state;

7. Traffic. The conduct of civilians and the movement and cessation of movement of pedestrians and vehicular traffic, prior, during and subsequent to drills or attacks;

8. Public meetings. The safety of public meetings or gatherings; and

9. Support units. Mobile support units.

R.S.1954, c. 13, § 2.

§ 363. Request for mutual aid—Article III

Any party state requested to render mutual aid shall take such action as is necessary to provide and make available the resources covered by this compact in accordance with the terms hereof. It is understood that the state rendering aid may withhold resources to the extent necessary to provide reasonable protection for such state. Each party state shall extend to the civil defense forces of any other party state, while operating within its state limits under the terms and conditions of this compact, the same powers, except that of arrest unless specifically authorized by the receiving state, duties, rights, privileges and immunities as if they were performing their duties in the state in which normally employed or rendering services, civil defense forces will continue under the command and control of their regular leaders but the organizational units will come under the operational control of the civil defense authorities of the state receiving assistance.

R.S.1954, c. 13, § 2.

§ 364. Special skills—Article IV

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

R.S.1954, c. 13, § 2.

§ 365. Liability—Article V

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

R.S.1954, c. 13, § 2.

§ 366. Supplementary agreements—Article VI

Inasmuch as it is probable that the pattern and detail of the machinery for mutual aid among 2 or more states may differ from that appropriate among other states party hereto, this in-

strument contains elements of a broad base common to all states, and nothing herein contained shall preclude any state from entering into supplementary agreements with another state or states. Such supplementary agreements may comprehend, but shall not be limited to, provisions for evacuation and reception of injured and other persons, and the exchange of medical, fire, police, public utility, reconnaissance, welfare, transportation and communications personnel, equipment and supplies.

R.S.1954, c. 13, § 2.

§ 367. Compensation and death benefits—Article VII

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

R.S.1954, c. 13, § 2.

§ 368. Reimbursement—Article VIII

Any party state rendering aid in another state pursuant to this compact shall be reimbursed by the party state receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost incurred in connection with such requests. Any aiding party state may assume in whole or in part such loss, damage, expense, or other cost, or may loan such equipment or donate such services to the receiving party state without charge or cost. Any 2 or more party states may enter into supplementary agreements establishing a different allocation of costs as among those states. The United States Government may relieve the party state receiving aid from any liability and reimburse the party state supplying civil defense forces for the compensation paid to and the transportation, subsistence and maintenance expenses of such forces during the time of the rendition of such aid or assistance outside the state and may pay fair and reasonable compensation for the use or utilization of the supplies, materials, equipment or facilities so utilized or consumed.

R.S.1954, c. 13, § 2.

§ 369. Evacuation—Article IX

Plans for the orderly evacuation and reception of the civilian population as the result of an emergency or disaster shall be

worked out from time to time between representatives of the party states and the various local civil defense areas thereof. Such plans shall include the manner of transporting such evacuees, the number of evacuees to be received in different areas, the manner in which food, clothing, housing and medical care will be provided, the registration of the evacuees, the providing of facilities for the notification of relatives or friends and the forwarding of such evacuees to other areas or the bringing in of additional materials, supplies, and all other relevant factors. Such plans shall provide that the party state receiving evacuees shall be reimbursed generally for the out-of-pocket expenses incurred in receiving and caring for such evacuees, for expenditures for transportation, food, clothing, medicines and medical care and like items. Such expenditures shall be reimbursed by the party state of which the evacuees are residents, or by the United States Government under plans approved by it. After the termination of the emergency or disaster the party state of which the evacuees are resident shall assume the responsibility for the ultimate support or repatriation of such evacuees.

R.S.1954, c. 13, § 2.

§ 370. Availability of compact—Article X

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

R.S.1954, c. 13, § 2.

§ 371. Participation of federal agency—Article XI

The committee established pursuant to Article I of this compact may request the civil defense agency of the United States Government to act as an informational and coordinating body under this compact, and representatives of such agency of the United States Government may attend meetings of such committee.

R.S.1954, c. 13, § 2.

§ 372. Entry into force—Article XII

This compact shall become operative immediately upon its ratification by any state as between it and any other state or states so ratifying and shall be subject to approval by Congress unless prior congressional approval has been given. Duly authen-

ticated copies of this compact and of such supplementary agreements as may be entered into shall, at the time of their approval, be deposited with each of the party states and with the civil defense agency and other appropriate agencies of the United States Government.

R.S.1954, c. 13, § 2.

§ 373. Withdrawal—Article XIII

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

R.S.1954, c. 13, § 2.

§ 374. Construction and separability of provisions—Article XIV

This compact shall be construed to effectuate the purposes stated in Article I. If any provision of this compact is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to other persons and circumstances shall not be affected thereby.

R.S.1954, c. 13, § 2.

SUBCHAPTER II

PROVISIONS CONCERNING COMPACT

Sec.

411. Approval of compact.

§ 411. Approval of compact

The Governor is authorized to approve the Interstate Civil Defense and Disaster Compact and after approving the same shall cause it to be filed with the Secretary of State. The Secretary of State shall cause certified or exemplified copies thereof to be forwarded and deposited with all interested governmental agencies as required by Public Law 920, 81st Congress, or with other states, governments or political subdivisions thereof as may be necessary or desirable under statutes of this State.

R.S.1954, c. 13, § 1.