

FIRES

CHAPTER 161

H. B. No. 572
(Brown)

REPORTS OF FIRES AND LOSSES BY INSURANCE COMPANIES

AN ACT

To amend and reenact section 18-0105 of the North Dakota Revised Code of 1943, relating to reporting fires and losses by fire insurance companies to state fire marshal.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. Amendment.) Section 18-0105 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

18-0105. Fire Insurance Companies To Report Fires and Losses To State Fire Marshal.) Each fire insurance company authorized to transact business in this state is hereby required to report to the state fire marshal through the secretary or other officer of the company designated by the board of directors for that purpose, all fire losses on property insured in the company, giving the name of the insured and of the occupant of each property, the date of the fire, the amount of probable loss, the character of property destroyed or damaged, and the supposed cause of the fire together with the amount of insurance carried by the company. Provided, however, the commissioner may waive the reporting of such losses which are deemed unimportant because of the small amount involved to the end that a saving in time and expense will result. This report shall be mailed to the state fire marshal as soon as possible after notice of loss is received by the company. Each company is hereby required to report the amount of loss adjusted on each fire after the adjustment is made. This report shall be in addition to, and not in lieu of, any report the company may be required to make by any law of this state to the commissioner of insurance.

Approved February 23, 1955.

CHAPTER 162

H. B. No. 680

(Erickson of Bottineau, Power, Magnuson, Sommer and Vinje)

FOREST FIRE PREVENTION

AN ACT

Under which the state forester will provide for fire prevention, detection and suppression in the forested areas of North Dakota.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1.) The state forester of North Dakota is vested with the power, authority and jurisdiction in all matters relating to the prevention, detection and suppression of forest fires outside the limits of incorporated villages and cities in the forest protection districts as established.

§ 2.) The term "forest fires" as used in this chapter means uncontrolled, wild, or running fires occurring on forest, marsh, field or other lands or involving farm, city or village property and improvements incidental to the uncontrolled, wild or running fires occurring on forest, marsh, field or other lands.

§ 3.) The state forester may cooperate with departments of this or other states, with federal agencies or with counties, towns, corporations or individuals to the best interest of the people and the state, in forest surveys, research in forestry, forest protection and in assistance to landowners to secure adoption of better forestry practice.

§ 4.) a. Whenever it shall appear to the state forester from investigation, hearing or otherwise that areas in the state are in need of special protection from forest fires, the state forester shall be authorized to designate and establish a forest protection district on such areas. The limits of each such forest protection district shall be defined, and public notice of its establishment shall be published in the local press of the region affected for three successive times, and given such other publicity as the state forester deems necessary.

b. The state forester shall organize each forest protection district so as to most effectively prevent, detect and suppress forest fires, and to that end may employ experienced wardens or forest rangers to have charge of its efforts in each such district; may subdivide each district into patrol areas; may establish lookout towers, construct ranger stations, telephone lines or other communication systems, purchase tools for fire

fighting as well as other necessary supplies or equipment, and carry on all other activities considered necessary to effectively protect the district from such fires, including the promulgation of rules and regulations for the payment of fire fighters, the preparation of notices and forms for publication and the disposition and effective use of all fire fighting equipment or property. All property or equipment purchased by the state shall be owned by the state, but counties or towns may purchase and own equipment for fire suppression and the same shall be used for the improvement of the forest fire fighting organization.

c. The state forester may deputize additional fire wardens who shall be called emergency fire wardens and who shall serve during the fire season or for such temporary periods as may be determined by the state forester.

d. Each county included wholly or partially in a forest protection district may appoint a committee to cooperate with the state forester and to consider all matters relating to fire prevention, detection and suppression in such county, including the payment of fire fighters, the purchase of fire fighting equipment and all matters or details relating to or arising from the prevention, detection and suppression of such fires.

§ 5.) a. Forest rangers, fire wardens, emergency fire wardens and other duly appointed deputies shall take prompt action against the spread and illegal setting of forest fires. They shall have the power of sheriffs to arrest, without warrant, for violations of the statutes relating to such fires. They may execute and serve all warrants and processes issued by any justice of the peace or police magistrate, or by any court having jurisdiction in the same manner as any constable may serve and execute such processes, and to arrest any person detected in the actual violation, or whom such officer has reasonable cause to believe guilty of a violation of any of the provisions of the statutes relating to forest fires, and to take such person before any court in the county where the offense was committed and make proper complaint.

b. They shall have the authority to call upon any able-bodied citizen to assist in fighting such fires in such manner as they may direct.

c. All such forest rangers, fire wardens, emergency fire wardens and other duly appointed deputies may in the performance of their official duty go on the lands of any person or corporation to fight forest fires, and in doing so may set back fires, dig trenches, cut and plow fire lines or carry on all other activities customary in the fighting of forest fires, without incurring liability to anyone.

Approved March 12, 1955.