

Wyoming Search and Rescue Council
Wyoming Search and Rescue Council and Fund Rules

Chapter 1

Section 1. GENERAL PROVISIONS

(a) **Authority.**

- (i) These rules are written in accordance with the authority provided in Wyo. Stat. Ann. § 19-13-303(d) and pursuant to the requirements of the Wyoming Administrative Procedure Act, Wyo. Stat. Ann. § 16-3-101 through 16-3-115

(b) **Definitions.**

- (i) These rules shall be known and cited as the “Wyoming Search and Rescue Council and Fund Rules.”
- (ii) “Search and rescue” means the employment, coordination and utilization of available resources and personnel in relieving distress, preserving life and removing survivors from the site of a disaster, emergency or hazard to safety in case of lost, stranded, entrapped or injured persons.
- (iii) “Wyoming Search and Rescue Account” means voluntary donations collected in accordance with Wyo. Stat. Ann. § 23-2-101, § 23-2-201, § 31-2-404, § 41-13-109 and § 41-13-110 and transferred to the Wyoming Office of Homeland Security (WOHS); also referred to as the “Wyoming Search and Rescue Fund”.
- (iv) “Wyoming Search and Rescue Council” means the eleven (11) member board appointed by the Governor in accordance with Wyo. Stat. Ann. § 19-13-303 and responsible for the oversight of the Wyoming Search and Rescue account.
- (v) “Wyoming Office of Homeland Security” or “WOHS” means the state agency responsible for the administration of the search and rescue account and the activities of the Search and Rescue Council.
- (vi) “Executive secretary” means the director of the Wyoming Office of Homeland Security or his designee.
- (vii) “Meeting chairman” means member of Council acting as presiding officer of the meeting.
- (viii) “Search and rescue training programs” means training to enhance the abilities of search and rescue personnel throughout Wyoming.
- (ix) “Statewide search and rescue overhead teams” means teams trained in

incident command systems, command post operations, search management and direct searches in the field.

- (x) “Search and rescue equipment” means equipment available for use statewide for the purpose of supporting search and rescue operations in Wyoming.

(c) Effective date.

- (i) These rules are effective when all required approvals have been granted as required by Wyo. Stat. Ann. § 16-3-101 through 16-3-115.

Section 2. SEARCH AND RESCUE COUNCIL

(a) Council Membership.

- (i) The goal of the Wyoming Search and Rescue Council is to assist Wyoming sheriffs, who are mandated by Wyo. Stat. Ann. § 18-3-609(iii) to conduct search and rescue operations, by fostering quality search and rescue resources throughout the state and providing reimbursement for eligible expenses from the Wyoming Search and Rescue account.
- (ii) The Wyoming Search and Rescue Council consists of eleven members, as defined by Wyo. Stat. Ann. § 19-13-303(a) and (b).

(b) Council Votes and Official Actions.

- (i) A simple majority of the membership shall constitute a quorum and shall be required for any official vote on Council action.
- (ii) Council member shall not make an official decision or vote on an official decision if the member has a personal or private interest in the matter. Council member shall abstain from voting on the decision and from making any official decision in the matter. The member’s abstention from voting must be recorded in the Council’s official records.
- (iii) The Council Executive Secretary or his WOHS designee shall maintain official council documentation and records.
- (iv) The Council may establish and abolish ad hoc and/or standing committees to oversee special projects or charters as deemed necessary. Any action taken by the Council, based on a committee recommendation, must first receive majority endorsement of the full membership of the Council.

- (v) Policies and procedures to define the responsibilities of the Wyoming Search and Rescue Council and procedures for fund administration may be established by WOHS and approved by the Council.

Section 3. ACCOUNT USES

(a) **Search and rescue account uses.**

- (i) WOHS serves as the account manager and operates using the guidance from the Wyoming Search and Rescue Council and Wyo. Stat. Ann. § 19-13-301. WOHS may establish accounting and purchasing procedures for fund administration.
- (ii) The Council shall use the account for the purposes as defined by Wyo. Stat. Ann. § 19-13-301(b), (c)(i) through (iv).
- (iii) Expenditures for non-operational expenses as defined by Wyo. Stat. Ann. § 19-13-301(c)(i) through (iv) may be given consideration in any order and amount based on the budget and priorities established by the Council each year, provided sufficient funds are in the account.
- (iv) In compliance with Wyo. Stat. Ann. §19-13-301(b), the Wyoming Search and Rescue Council shall give funding priority to approved search and rescue operations. To this end, the Council may establish an account minimum balance. When the fund falls below the minimum balance funds may only be expended on a cost-by-cost basis as approved by the Council. The Council must provide justification for the dollar amount established.
- (v) The account shall not be used to reimburse counties for any salary or benefits normally paid to its employees.

(b) **Operational claims reimbursement.**

- (i) Operational claims may include direct costs incurred in the conduct of search and rescue missions statewide.
- (ii) Participation in the fund is voluntary. Any sheriff's office in Wyoming may make a claim for reimbursement for costs directly incurred from search and rescue operational activities.
- (iii) The claim period for operational claims is established by the Council.
- (iv) Only one claim package per county shall be submitted annually from the sheriff's office.

1. Donations, insurance proceeds, credits, reimbursements received from

other sources, etc., shall be deducted from claims.

2. Claims for personal property damage directly related to specific search and rescue operation will be considered on a case-by-case basis. No reimbursement will be made for normal wear and tear, routine maintenance, negligence, etc.
- (v) There shall be no prepayment for budget shortfalls. Responsibilities for the search and rescue program in Wyoming rest with sheriffs and remain a county issue.
- (vi) Payment of search and rescue costs by the county does not guarantee reimbursement by the Council. Fiscal jurisprudence must be evident for each expense claimed.
- (vii) The fund is not intended to reimburse all search and rescue mission expenses incurred by a county.
- (viii) Reimbursement claims approved by the Council shall bear the signatures of the meeting Chairman and the Executive Secretary prior to payment.
- (ix) The Council reserves the right to prorate approved claims when there are insufficient funds or when full reimbursement would cause undue depletion of the fund.

(c) Unallowable operational costs.

- (i) Operational costs not reimbursable by the fund include:
 1. Costs not directly incurred in the performance of search and rescue mission activities.
 2. Costs incurred before or after missions and not directly related to the mission activities.
 3. Missions to provide assistance to a jurisdiction outside of the State of Wyoming.
 4. A mission for body recovery is not eligible under the Wyoming Search and Rescue Fund; however, when a search and rescue results in the recovery of a body and goes beyond the technical expertise and the duty of the coroner's office, the body recovery may then be considered for reimbursement. Each such instance will be considered on a case-by-case basis and must be documented to the satisfaction of the Council.
 5. Costs of missions to recover property.

6. Costs of missions specifically for law enforcement purposes, such as searches for escaped prisoners, fleeing suspects, evidence gathering, etc.

- (ii) The above listing is not exhaustive. The Council reserves the right to refuse any expense it determines does not meet the spirit and/or intent of the legislation.

(d) Non-operational claims reimbursement.

- (i) Non-operational claims are costs incurred for search and rescue program purposes to include fund administration; council meeting expenses such as travel, meals, and lodging; public education and fund marketing; statewide training programs; equipment acquisition for statewide use; development of search and rescue overhead teams.
- (ii) The claim period for non-operational claims is established by the Council.
- (iii) Only one claim package per county shall be submitted annually from the sheriff's office.
- (iv) Council-sponsored and county requests for reimbursement of training and equipment for search and rescue, if paid by the fund, will be considered as statewide- use assets.
- (v) The Council reserves the right to refuse any non-operational expenses it determines does not meet the spirit and/or intent of the legislation.

(e) Search and rescue training.

- (i) The Wyoming Office of Homeland Security and the Wyoming Search and Rescue Council do not guarantee the expertise of any search and rescue personnel utilized in the conduct of search and rescue operations in Wyoming. However, the training of search and rescue personnel throughout Wyoming to enhance their abilities as search and rescue responders is encouraged and supported.
- (ii) In accordance with Section 3 (a)iii the Council does not guarantee the reimbursement of training costs incurred by a county.
- (iii) Wyoming sheriffs may be reimbursed for search and rescue training sponsored by their organization if the training is provided to search and rescue personnel statewide.
- (iv) The Council may enter into contractual agreements for the provision of search and rescue training programs for Wyoming search and rescue personnel.
- (v) Direct and administrative costs incurred in the performance of the

training and approved by the Council will be eligible for reimbursement.

(f) Reimbursement claims reconsideration.

- (i) Sheriffs may make request for reconsideration on any expense denied by the Council. The request for reconsideration must be submitted, in writing, to the Council through the Wyoming Office of Homeland Security within thirty (30) days of notification of their claim status. Written request for reconsideration must include the reason for the resubmission and any supplemental documentation required to properly evaluate the request for reconsideration. Insufficient documentation will not be considered.
- (ii) After council members vote on the reconsideration, WOHS will document the decision and send notification to the applicant within thirty (30) days of receipt of the date of the written reconsideration request.
- (iii) Council decisions on reconsiderations are final. No further reconsiderations shall be made.