

HOUSE BILL NO. 84

INTRODUCED BY B. WILSON

BY REQUEST OF THE FIRE SUPPRESSION COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A STATE OF EMERGENCY DECLARED AS A RESULT OF WILDLAND FIRES TO EXTEND BEYOND THE TIME LIMIT IMPOSED FOR OTHER EMERGENCIES; AMENDING SECTION 10-3-302, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 10-3-302, MCA, is amended to read:

**"10-3-302. Declaration of emergency -- effect and termination.** (1) A state of emergency may be declared by the governor when ~~he~~ the governor determines that an emergency as defined in 10-3-103 exists.

(2) An executive order or proclamation of a state of emergency ~~shall activate~~ activates the emergency response and disaster preparation aspects of the state disaster and emergency plan and program applicable to the political subdivision or area and ~~be~~ is authority for the deployment and use of any forces to which the ~~plans~~ apply ~~plan or program applies~~ and for the distribution and use of any supplies, equipment, and materials and facilities assembled, stockpiled, or arranged to be made available pursuant to parts 1 through 4 of this chapter or any other provision of law pertaining to disasters and disaster-related emergencies.

(3) ~~A~~ Except as provided in subsection (4), a state of emergency may not continue for longer than 20 days unless continuing conditions of the state of emergency exist, which ~~shall~~ must be determined by a declaration of an emergency by the president of the United States or by a declaration of the legislature by joint resolution of continuing conditions of the state of emergency.

(4) A state of emergency that has been declared during the months of ~~July~~ JUNE through ~~October~~ SEPTEMBER and that relates to wildland fires is not subject to the 20-day time limitation contained in subsection (3) but may not extend beyond ~~November 20~~ OCTOBER 20 of the year in which the emergency is declared."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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