

HOUSE JOINT RESOLUTION NO. 38

INTRODUCED BY K. HANSEN

BY REQUEST OF THE HOUSE LOCAL GOVERNMENT STANDING COMMITTEE

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF LOCAL FIRE PROTECTION AND EMERGENCY SERVICE ENTITIES AND FIREFIGHTER AND EMERGENCY MEDICAL TECHNICIAN BENEFITS.

WHEREAS, the Montana Legislature recognizes the invaluable public service provided by Montana's paid and volunteer firefighters and emergency medical technicians; and

WHEREAS, numerous bills have been introduced during the 62nd Legislature that would affect qualifications, duties, and benefits for paid and volunteer firefighters and emergency medical technicians; and

WHEREAS, legislation has also been introduced that would affect the powers and duties of fire departments, fire districts, fire service areas, and fire companies;

WHEREAS, the Department of Natural Resources and Conservation requires that counties provide workers' compensation insurance coverage for operators of firefighting apparatus provided to counties and assigned to fire agencies in the counties pursuant to agreements entered into as part of the State-County Cooperative Fire Protection Program; and

WHEREAS, many fire districts, fire service areas, and fire companies do not have the financial resources to comply with this requirement; and

WHEREAS, the powers, duties, and jurisdictions of local government fire agencies are varied and complex and warrant thorough analysis and understanding by the Legislature; and

WHEREAS, the House Local Government committee recognizes that a comprehensive review of local fire protection, emergency services, and firefighter and emergency medical technician benefits is necessary to identify problems and consider potential solutions for providing adequate, consistent, and coordinated local fire protection and emergency services and adequate, consistent, and coordinated benefits to paid and volunteer firefighters and emergency medical technicians who serve local governments and their citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE



1 STATE OF MONTANA:

2 That the Legislative Council be requested to designate an appropriate interim or statutory committee,  
3 pursuant to section 5-5-217, MCA, to conduct a comprehensive study of local fire protection and emergency  
4 services, how those services are paid for, and benefits provided to paid and volunteer firefighters and emergency  
5 medical technicians, including workers' compensation, disability, and retirement.

6 BE IT FURTHER RESOLVED, that the committee conducting the study:

7 (1) review the current structure and function of local fire protection agencies and emergency services,  
8 including municipal fire departments, rural fire districts, fire service areas, fire companies, and emergency medical  
9 technician services;

10 (2) examine how local governments pay for the various fire protection and emergency services in their  
11 jurisdictions;

12 (3) review the current benefits provided to paid and volunteer firefighters and emergency medical  
13 technicians by local governments and the financial capacity of the local governments to provide those benefits;

14 (4) review legislation introduced during the 62nd Legislature intended to modify local fire protection and  
15 emergency services and firefighter and emergency medical technician duties, qualifications, and benefits, the  
16 reasons for the legislation, and the outcome of the legislation;

17 (5) examine the Department of Natural Resources and Conservation's State-County Cooperative Fire  
18 Protection Program, the agreements entered into between the state and counties, and the coordination between  
19 the state and local governments for wildland fire protection;

20 (6) examine the services that local government firefighters and emergency medical technicians provide  
21 and how those services are reimbursed by citizens, insurance companies, and state and federal agencies;

22 (7) examine the viability, necessity, and jurisdiction of the various local government fire protection entities  
23 provided for in state statute; and

24 (8) determine whether modifications to statutes or state or local policies are warranted to achieve  
25 adequacy, consistency, and coordination in local government fire protection and emergency services and in the  
26 benefits provided to paid and volunteer firefighters and emergency medical technicians.

27 BE IT FURTHER RESOLVED, that the committee solicit participation and input from local governments,  
28 paid firefighters, volunteer firefighters, representatives of firefighter organizations, representatives of the Montana  
29 Public Employees' Retirement Administration, the Department of Natural Resources and Conservation, the  
30 Department of Labor and Industry, and any other entity that the committee considers to be appropriate.

1 BE IT FURTHER RESOLVED, that all aspects of the study be concluded prior to September 15, 2012.

2 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, or  
3 recommendations, be reported to the 63rd Legislature.

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