

DNRC Wildfire Suppression Funding Efforts

Year	Session	Action or Bill #	Primary Sponsor	Description	Documentation
1987	50 th	SB 348	?	It looks like SB 348 was drafted in response to the Legislative Fiscal Division's comparison of executive budget and LFA current level, specifically, Issue #3 on page c-58. SB 348 sought to amend MCA 76-13-201 by adding 3 cents per acre or \$3 to the minimum fee of the Fire Protection Assessment (FPA) with the increased revenue used to offset fire suppression expenditures.	<ol style="list-style-type: none"> 1. Legislative budget analysis 2. Agency response 3. Testimony for SB 348
1989	51 st	No Bill #	?	Department of State Lands (DSL) requested a bill providing a statutory appropriation to DSL for firefighting costs. Bill would have amended sections 17-7-502 and 76-11-101, MCA.	<ol style="list-style-type: none"> 1. DSL memo 2. Draft bill text
1991	52 nd	HJR 36	?	HJR 36 directed DSL & the State Fire Marshall to work together to develop and implement standards & guidelines for fire-safe development in areas that may be threatened by wildfire	<ol style="list-style-type: none"> 1. Partial bill text
1993	53 rd	EPP process		In response to HJR 36 from the previous legislature, DSL proposed several changes to current statutes. The most significant of these proposals would have changed the definition of "forest land" in section 76-13-102, MCA to include more of the lands that are at risk from wildfire (i.e. "wildland"). While this change by itself would not directly change how suppression expenditures are paid, the new definition would have increased the number of landowners in direct protection that are required to pay the Fire Protection Assessment and if the one-third limit imposed by MCA 76-13-207 were lifted, this new revenue could be used to fund fire suppression. The only proposal from this effort to make it through the EPP process was HB 150 sponsored by Sayles that amended MCA 76-13-204 to allow the annexation into or dissolution of an existing forest fire protection district.	<ol style="list-style-type: none"> 1. MCA Re-write document
1995	54 th	SB 128	Jergeson	This bill would have amended sections 76-13-102 and 76-13-201, MCA by adding a surcharge onto the owners and lessees of improved lots within a forest fire protection district. The bill specified that the revenue from the surcharge be deposited into a state special revenue account for paying <u>direct protection suppression costs</u> (not county co-op assistance suppression costs) and costs necessary to administer this provision.	<ol style="list-style-type: none"> 1. Bill text 2. Fiscal note 3. Testimony

1997	55 th	HB 178	?	Proposed creating a general fund budget stabilization and cash reserve fund that would be statutorily appropriated to the office of the governor, for certain designated purposes, one of which was fire suppression.	1. Bill text
1999	56 th	EPP process		The Department of Natural Resources & Conservation (DNRC) requested a language appropriation in HB 2 to spend up to \$7.1 million over the biennium for fire suppression. Request was denied.	1. EPP request 2. Decision package summary 3. Draft letter from DNRC to OBPP and LFD
“	“	HB 75	Ahner	An act combining the statutory appropriation for mitigating disasters and emergencies caused by fire with the statutory appropriation for mitigating disasters caused by all other causes.	1. Bill text
“	“	HB 124	Haines	This proposal would have allowed DNRC to use the first \$100,000 collected from persons liable for starting a fire, for fire prevention efforts. Although this would not have reduced general fund liability in the short run (general fund would actually lose revenue since successful collections are currently deposited back in the general fund), as the testimony states “The fire that costs least to suppress and causes the least damage is, of course, the fire that never starts”.	1. Bill text 2. Fiscal note 3. Testimony
2001	57 th	HB 648	Kaufmann	This bill would have levied a tax of 10 mills on the taxable value of all structures that are at risk from wildland fire destruction. It established new criteria for designating improvements that would be subject to the tax and stipulated that the proceeds be placed in a wildland fire suppression account to be used for the state’s wildland fire suppression costs and for county land use planning. The main differences between this bill and Jergeson’s SB 128 from 1995 are: SB 128 proposed a flat fee per improved lot collected only from those taxpayers who receive direct protection services and who pay the current Fire Protection Assessment (FPA), it would only be used for suppression costs associated with direct protection and it would continue to be administered by DNRC, much like the current FPA system. The tax proposed in HB 648, on the other hand, is based on taxable value, would assess structures in both direct protection and County Co-op protection, would be used to pay the state’s suppression costs in both direct protection and County Co-op protection and would be administered by Department of Revenue within the current taxing system.	1. Bill text 2. Fiscal note from DNRC 3. Testimony
“	“	HJR 42	Kaufmann	When HB 648 did not pass, this measure was introduced “requesting the	1. Bill text

				Legislative Counsel to designate an appropriate interim committee or direct sufficient staff resources to study alternatives for funding the DNRC's overall fire management program, including costs related to wildfire suppression". The measure was assigned to the Environmental Quality Council (EQC), who assigned .1 FTE of staff time to work on the subject. Since the subject dealt with funding matters, the EQC deferred action to Legislative Finance Committee, who declined to act on it during the interim.	
2003	58 th	HB 152	Fisher	This proposal sought to revise the statutory appropriation of funds received from the federal government for emergency or disaster services to include DNRC for fire suppression and to increase the amount of the statutory appropriation under the emergency powers of the governor from \$12 million to \$16 million.	<ol style="list-style-type: none"> 1. Bill text 2. Fiscal note
"	"	HB 287	Lindeen	This bill would amend section 7-33-2205, MCA to require a person who purposely ignites a fire without a permit to reimburse the entity responsible for any fire suppression activities resulting from the illegal fire. While this measure does not directly affect how suppression costs are funded by the state, it would give the state more "teeth" to pursue collecting suppression costs from persons responsible for starting the fire, which in turn would mean reduced reliance on general fund to cover those costs.	<ol style="list-style-type: none"> 1. Bill text
"	"	HB 405	Kaufmann	This is basically the same as HB 648 from 2001. HB 405 made it further in the process than HB 648 and therefore has a fiscal note from Department of Revenue that shows how much it would take to implement.	<ol style="list-style-type: none"> 1. Bill text 2. Fiscal note from DNRC and DOR