

HOUSE BILL NO. 460

INTRODUCED BY R. FITZGERALD

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING MONEY IN THE FIRE SUPPRESSION ACCOUNT TO  
5 BE USED FOR ASSISTING CERTAIN LOCAL FIRE ENTITIES WITH PURCHASING WORKERS'  
6 COMPENSATION COVERAGE FOR VOLUNTEERS; REQUIRING THE DEPARTMENT OF NATURAL  
7 RESOURCES AND CONSERVATION TO ADOPT RULES GOVERNING USE OF THE FUNDS; PROVIDING  
8 THAT UP TO \$100,000 EACH YEAR MAY BE USED TO PROVIDE THE ASSISTANCE; AMENDING SECTION  
9 76-13-150, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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13 **Section 1.** Section 76-13-150, MCA, is amended to read:

14 **"76-13-150. Fire suppression account -- fund transfer.** (1) There is a fire suppression account in the  
15 state special revenue fund to the credit of the department.

16 (2) The legislature may transfer money from other funds to the account, and the money in the account  
17 is subject to legislative fund transfers.

18 (3) Funds received for restitution by private parties must be deposited in the account.

19 (4) Money in the account may be used only for the ~~purpose of~~ purposes of:

20 (a) paying expenses for fire prevention, including fuel reduction and mitigation;

21 (b) forest restoration;

22 (c) grants for the purchase of fire suppression equipment for county cooperatives; and

23 (d) fire suppression costs; and

24 (e) subject to subsection (11), assisting a governing body of a local fire agency organized under Title  
25 7, chapter 33, with purchasing workers' compensation coverage for volunteer firefighters.

26 (5) Interest earned on the balance of the account is retained in the account.

27 (6) Except as provided in subsections (7) and (8), by August 15 following the end of each fiscal year, an  
28 amount equal to the balance of unexpended and unencumbered general fund money appropriated in excess of  
29 0.5% of the total general fund money appropriated for that fiscal year must be transferred by the state treasurer  
30 from the general fund to the fire suppression account. General fund appropriations that continue from a fiscal year

1 to the next fiscal year and any general fund appropriations made pursuant to 10-3-310 or 10-3-312 are excluded  
2 from the calculation.

3 (7) The provisions of subsection (6) do not apply in a fiscal year in which reductions required by 17-7-140  
4 occur or if a transfer pursuant to subsection (6) would require reductions pursuant to 17-7-140.

5 (8) The fund balance in the account may not exceed \$100 million.

6 (9) Up to \$5 million each biennium may be used for the purpose of fuel reduction and mitigation and  
7 forest restoration.

8 (10) Money in the account is statutorily appropriated, as provided in 17-7-502, to the department for the  
9 purposes described in subsection (4).

10 (11) (a) The department shall adopt rules governing use of the money under subsection (4)(e). The rules  
11 must provide a process for local fire agencies to request assistance and must establish eligibility criteria.

12 (b) Up to \$100,000 each year may be used for the purposes provided in subsection (4)(e).

13 (12) For the purposes of this section, a governing body of a local fire agency organized under Title 7,  
14 chapter 33, does not include a governing body of a city of the first class or second class, including a city to which  
15 7-33-4109 applies, that provides workers' compensation coverage to employees as defined in 39-71-118."

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

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