

# FIRE FUNDING

## LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting (5-4-105, MCA; [Chapter 309, Laws of 2017](#)). The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The legislation links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

**Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.**

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## Background Materials and Research

**Topic Summary:** Wildland fire funding sparks debate at the Legislature. The state pays in different ways for wildland fire protection and wildland fire suppression. Fire suppression costs incurred by the state are paid from the fire suppression account provided for in 76-13-150.

The fire suppression account receives revenue from two sources—an amount equal to the annual unspent General Fund above 0.5% of the total General Fund appropriation and the unused portion of the Governor’s \$16 million emergency appropriation at the end of each biennium. If the General Fund does not have a surplus, no money is transferred to the account. Restrictions on the account include a \$100 million cap and expenditure of not more than \$5 million for fuel reduction and forest restoration.

Wildland fire protection fees are the source of preparedness funding. Preparedness includes firefighter training and equipment readiness and placement. Section 76-13-201 establishes the landowner assessment fee amounts. An owner of land classified as forest land in a wildland fire protection district is required to pay a base fee of not more than \$50, plus not more than an additional \$0.30 per acre per year for each acre more than 20 acres owned by each landowner in each wildland fire protection district. Section 76-13-207 directs that the amount collected not exceed one-third of the total amount appropriated for fire protection.

## Legislative Services Division Materials:

[Summary](#) of University of Idaho report: state funding for wildfire suppression in the western U.S., 2017

[The Price of Flame](#), 2010

[HJR 10: Study of Wildland Fire Policy and Statutes](#), 2006

[Analysis of issues surrounding the reimbursement of firefighting costs by the federal government](#), legal opinion, 2002

## Other Materials:

FY19 Fire Expenditure [Summary](#), DNRC  
[Fire protection assessment FAQ](#), DNRC  
[Fire Suppression Funding Options](#), Legislative Fiscal Division, 2006  
[Wild land Fire Administration Follow-up](#), Performance Audit, 2007  
[Wild land Fire Administration](#), Performance Audit, 2007

## Introduced Legislation

\*Chapter number assigned means bill was passed and approved.

### 2017

[HB 460](#) (H) Died in Standing Committee. AN ACT ALLOWING MONEY IN THE FIRE SUPPRESSION ACCOUNT TO BE USED FOR ASSISTING CERTAIN LOCAL FIRE ENTITIES WITH PURCHASING WORKERS' COMPENSATION COVERAGE FOR VOLUNTEERS; REQUIRING THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO ADOPT RULES GOVERNING USE OF THE FUNDS; PROVIDING THAT UP TO \$100,000 EACH YEAR MAY BE USED TO PROVIDE THE ASSISTANCE; AMENDING SECTION 76-13-150, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[SB 18](#) (S) Died in Standing Committee. AN ACT ESTABLISHING A GRANT PROGRAM FOR FUEL REDUCTION ON PRIVATE LAND; REQUIRING THAT THE FUND BALANCE IN THE FIRE SUPPRESSION ACCOUNT BE A CERTAIN AMOUNT IN ORDER FOR GRANTS TO BE AWARDED; LIMITING GRANT AWARD AMOUNTS TO A CERTAIN PERCENTAGE OF THE COST OF A PROPOSED PROJECT; REQUIRING GRANT APPLICANTS TO SUBMIT COST ESTIMATES THAT ARE SUBJECT TO REVIEW AND APPROVAL BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR PROPOSED PROJECTS; AMENDING SECTION 76-13-150, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[SB 281](#) Chapter Number Assigned. AN ACT REVISING USE OF FIRE SUPPRESSION ACCOUNT FUNDS; REQUIRING EXPENDITURES FOR CERTAIN FIRE EXPENDITURES IF THE ACCOUNT BALANCE EXCEEDS \$40 MILLION; ADDING ALLOWABLE EXPENDITURES; AMENDING SECTION 76-13-150, MCA.

[HB 3](#) Chapter Number Assigned. AN ACT TRANSFERRING FUNDS FROM THE GENERAL FUND TO THE FIRE SUPPRESSION ACCOUNT; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[HB 4](#) (H) Died in Process. AN ACT REVISING LAWS RELATED TO FIRE ASSESSMENT FEES; ASSESSING FIRE ASSESSMENT FEES TO LAND OUTSIDE OF MUNICIPALITIES AND CERTAIN CONSOLIDATED GOVERNMENTS; DEFINING TERMS; PROVIDING RULEMAKING AUTHORITY; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 7-33-2202, 7-33-2210, 76-13-102, 76-13-103, 76-13-104, 76-13-105, 76-13-107, 76-13-108, 76-13-111, 76-13-115, 76-13-117, 76-13-121, 76-13-126, 76-13-140, 76-13-201, 76-13-202, 76-13-207, 76-13-209, 76-13-210, AND 76-13-212, MCA; REPEALING SECTIONS 76-13-203, 76-13-204, 76-13-205, 76-13-206, 76-13-208, AND 76-13-213, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

## 2015

[SB 47](#) Chapter Number Assigned. AN ACT INCREASING ASSESSMENTS FOR FIRE PROTECTION ON OWNERS OF CLASSIFIED FOREST LAND; AMENDING SECTION 76-13-201, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

## 2013

[HB 354](#) Chapter Number Assigned. AN ACT REVISING THE LAWS GOVERNING THE FIRE SUPPRESSION ACCOUNT; REQUIRING THE CONSIDERATION OF WILDLAND FIRE SUPPRESSION ACTIVITIES IN DETERMINING THE AMOUNT OF THE PROJECTED GENERAL FUND BUDGET DEFICIT; REQUIRING TRANSFER OF THE UNOBLIGATED BALANCE OF THE APPROPRIATION FOR GOVERNOR-DECLARED DISASTERS TO THE FIRE SUPPRESSION ACCOUNT; REQUIRING TRANSFER OF A CERTAIN PERCENTAGE OF UNEXPENDED GENERAL FUND MONEY TO THE FIRE SUPPRESSION ACCOUNT; PROVIDING THAT THE MONEY IN THE FIRE SUPPRESSION ACCOUNT MAY NOT EXCEED \$100 MILLION; REQUIRING TRANSFER OF AN EXCESS AMOUNT OF CORPORATION LICENSE TAX REVENUE INTO THE FIRE SUPPRESSION ACCOUNT; STATUTORILY APPROPRIATING THE MONEY TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION; AMENDING SECTIONS 10-3-312, 17-7-140, 17-7-502, AND 76-13-150, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

## 2011

[HB 48](#) (H) Died in Standing Committee. AN ACT TRANSFERRING GENERAL FUND AT THE END OF THE BIENNIUM IN AN AMOUNT EQUAL TO ANY UNEXPENDED BALANCE OF THE STATUTORY APPROPRIATIONS FOR GOVERNOR-DECLARED DISASTERS AND EMERGENCIES TO THE FIRE SUPPRESSION ACCOUNT; TRANSFERRING MONEY FROM THE FIRE SUPPRESSION ACCOUNT TO THE STATE GENERAL FUND; AMENDING SECTIONS 10-3-312 AND 76-13-150, MCA; AND PROVIDING AN EFFECTIVE DATE.

[HB 260](#) (H) Died in Standing Committee. AN ACT LIMITING STATE SPENDING FOR WILDLAND FIRE SUPPRESSION; REQUIRING THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO ADOPT RULES FOR PRIORITIZING WILDLAND FIRE RESPONSE; PROHIBITING USE OF DISASTER AND EMERGENCY SPENDING IF AN EXPENDITURE LIMIT HAS BEEN REACHED; AMENDING SECTIONS 10-3-312, 76-13-104, 76-13-115, AND 76-13-150, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

## 2009

[HB 154](#) Chapter Number Assigned. AN ACT REVISING LAWS RELATING TO THE FIRE SUPPRESSION ACCOUNT; REVISING THE PURPOSE OF THE ACCOUNT; REMOVING THE STATUTORY APPROPRIATION OF THE ACCOUNT; APPROPRIATING MONEY FOR FIRE PREVENTION AND SUPPRESSION FOR THE 2011 BIENNIUM; AUTHORIZING EXPENDITURES FROM THE ACCOUNT FOR UNPAID FIRE COSTS; AMENDING SECTIONS 17-7-502 AND 76-13-150, MCA; REPEALING SECTION 6, CHAPTER 2, SPECIAL LAWS OF SEPTEMBER 2007; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[HB 165](#) (H) Died in Standing Committee. AN ACT INCREASING FUNDING AND STATUTORY APPROPRIATION FOR EMERGENCIES INCLUDING FIRES; PROVIDING FOR ONGOING FUND TRANSFERS TO THE FIRE SUPPRESSION ACCOUNT; REMOVING THE TERMINATION DATE FOR THE FIRE SUPPRESSION ACCOUNT; EXPANDING THE USE OF THE FIRE SUPPRESSION ACCOUNT; AMENDING SECTIONS 10-3-312 AND 76-13-150, MCA; REPEALING SECTION 6, CHAPTER 2, SPECIAL LAWS OF SEPTEMBER 2007; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[SB 98](#) Chapter Number Assigned. AN ACT ADDING CERTAIN FOREST OR GRASSLAND HAZARDOUS FUELS REDUCTION PROJECTS AS AN ALLOWED PURPOSE FOR IMPOSING A PROPERTY TAX LEVY; AMENDING SECTION 7-6-2527, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[SB 112](#) (S) Died in Standing Committee. AN ACT ELIMINATING THE PROVISION THAT LANDOWNER ASSESSMENTS FOR FIRE PROTECTION RECEIVED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION MAY NOT EXCEED ONE-THIRD OF THE AMOUNT APPROPRIATED BY THE LEGISLATURE FOR FIRE PROTECTION COSTS; AMENDING SECTIONS 76-13-207 AND 76-13-213, MCA; AND PROVIDING AN EFFECTIVE DATE.

[SB 143](#) Chapter Number Assigned. AN ACT ESTABLISHING A MINIMUM AMOUNT OF ASSESSMENT FEES FOR FIRE PROTECTION FOR PEOPLE WHO OWN A SHARE OF PROPERTY AND AN INDIVIDUAL UNIT ON THE PROPERTY; AMENDING SECTION 76-13-213, MCA; AND PROVIDING AN EFFECTIVE DATE.

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