

1 HOUSE BILL NO. 127
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 7 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING THE FIRE SUPPRESSION ACCOUNT TO REMOVE
 8 DATE REFERENCES FOR STATUTORY APPROPRIATIONS; ESTABLISHING REPORTING
 9 REQUIREMENTS FOR THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION;
 10 AMENDING SECTION 76-13-150, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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

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

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

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

20 (4) Money in the account may be used only for:

- 21 (a) fire suppression costs;
- 22 (b) fuel reduction and mitigation;
- 23 (c) forest restoration;
- 24 (d) grants for the purchase of fire suppression equipment for county cooperatives;
- 25 (e) forest management projects on federal land;
- 26 (f) support for collaborative groups that include at least one representative of an affected county
 27 commission that is engaged with a federal forest project and for local governments engaged in litigation related
 28 to federal forest projects;

1 (g) road maintenance on federal lands; and

2 (h) fire preparedness.

3 (5) In an even-numbered calendar year, after the transfers made pursuant to 17-7-130, if the
4 preliminary general fund ending balance at fiscal yearend was greater than 8.3% of all general revenue
5 appropriations in the second year of the biennium, then the state treasurer shall transfer from the general fund
6 to the fire suppression account funds sufficient to bring the fire suppression account fund balance to 6% of the
7 general revenue appropriations in the second year of the biennium. The transfer may not cause the general
8 fund ending fund balance to have a balance of less than 8.3% of all general revenue appropriations in the
9 second year of the biennium.

10 (6) The provisions of subsection (5) do not apply in a fiscal year in which reductions required by
11 17-7-140 occur or if a transfer pursuant to subsection (5) would require reductions pursuant to 17-7-140.

12 (7) If the balance in the account at the end of the most recently completed odd-numbered fiscal
13 year exceeds 3% of all general revenue appropriations in the second year of the biennium, then up to 1% of all
14 general revenue appropriations in the second year of the biennium may be used and is statutorily appropriated
15 from the fire suppression account for the purposes in subsections (4)(b) through (4)(g). Of that amount, no
16 more than 5% may be used for the purposes of subsection (4)(f).

17 (8) ~~For the biennium beginning July 1, 2023, up~~ Up to 0.5% of all general revenue appropriations
18 in the second year of the biennium is statutorily appropriated from the fire suppression account each year and
19 may be used each year to the department for the item in subsection (4)(h).

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

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23 NEW SECTION. Section 2. Report by department of natural resources and conservation. By
24 November 1 of each fiscal year, the department of natural resources and conservation shall report in
25 accordance with 5-11-210 to the natural resources and transportation budget committee provided for in 5-12-
26 501 on the expenditures made pursuant to each subsection of 76-13-150(4) for that fiscal year.

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28 NEW SECTION. Section 3. Codification instruction. [Section 2] is intended to be codified as an

1 integral part of Title 76, chapter 13, part 1, and the provisions of Title 76, chapter 13, part 1, apply to [section 2].

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3 NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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