

HOUSE BILL NO. 883

INTRODUCED BY L. JONES, T. MOORE

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A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING STATE FINANCE; MODIFYING CALCULATIONS FOR TRANSFER AND TERMS OF USE OF THE FIRE SUPPRESSION ACCOUNT; AMENDING SECTION 76-13-150, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

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

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

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

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

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

- (a) fire suppression costs;
- (b) fuel reduction and mitigation;
- (c) forest restoration;
- (d) grants for the purchase of fire suppression equipment for county cooperatives;
- (e) forest management projects on federal land;
- (f) support for collaborative groups that include at least one representative of an affected county commission that is engaged with a federal forest project and for local governments engaged in litigation related to federal forest projects; ~~and~~
- (g) road maintenance on federal lands; and
- (h) fire preparedness.

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

~~(6)~~(5) Except as provided in subsections (7) and (8), by August 15 following the end of each fiscal

1 year, an amount equal to the balance of unexpended and unencumbered general fund money appropriated in
 2 excess of 0.5% of the total general fund money appropriated for that fiscal year must be transferred by the state
 3 treasurer from the general fund to the fire suppression account. General fund appropriations that continue from
 4 a fiscal year to the next fiscal year and any general fund appropriations made pursuant to 10-3-310 or 10-3-312
 5 are excluded from the calculation.

6 (6) In an even-numbered calendar year, after the transfers made pursuant to 17-7-130 and
 7 subsection (5) of this section, if the preliminary general fund ending fund balance at fiscal yearend was greater
 8 than 15% of all general fund appropriations in the second year of the biennium and the fire fund balance is less
 9 than 4% of all general fund appropriations in the second year of the biennium, then the state treasurer shall
 10 transfer from the general fund to the fire suppression account funds sufficient to bring the fire suppression fund
 11 balance to 5% of all general fund appropriations in the second year of the biennium.

12 (7) The provisions of subsection ~~(6)~~ (5) do not apply in a fiscal year in which reductions required by
 13 17-7-140 occur or if a transfer pursuant to subsection ~~(6)~~ (5) would require reductions pursuant to 17-7-140.

14 (8) The fund balance in the account may not exceed 4% of all general fund appropriations in the
 15 second year of the biennium.

16 (9) ~~By August 15 of each even-numbered fiscal year, After the transfers made pursuant to 17-7-~~
 17 ~~130 and subsections (5) and (6) of this section, if the balance in the account at the end of the most recently~~
 18 ~~completed odd-numbered fiscal year exceeds \$40 million, the excess, up to \$5 million, exceeds 3% of all~~
 19 ~~general fund appropriations in the second year of the biennium, then up to 0.5% must be used in the biennium~~
 20 ~~for the purposes in subsections (4)(b) through (4)(g) each year. Of that amount, no more than 5% may be used~~
 21 ~~for the purposes of subsection (4)(f).~~

22 (10) The maximum annual expenditure for the item in subsection (4)(h) is 0.5% of all general fund
 23 appropriations in the second year of the biennium.

24 ~~(10)(11)~~ Money in the account is statutorily appropriated, as provided in 17-7-502, to the department
 25 for the purposes described in subsection (4)."

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27 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2023.

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