

HOUSE JOINT RESOLUTION NO. 25

INTRODUCED BY A. HERTZ, A. CURTIS

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF STATUTES GOVERNING MUNICIPAL FIRE DEPARTMENTS AND WHETHER ADDITIONAL LOCAL CONTROL AND FLEXIBILITY IN THE PROVISION OF FIRE PROTECTION SERVICES TO MUNICIPALITIES IS WARRANTED.

WHEREAS, Montana state law requires municipalities of the first and second classes to have fire departments, while municipalities of the third class may contract for fire protection services; and

WHEREAS, outside of the boundaries of municipalities of the first and second classes, local fire protection may be provided through rural fire districts, county fire departments, fire service areas, and fire companies; and

WHEREAS, statutes governing municipal fire departments may force communities with growing populations to make unnecessary, inefficient, inequitable, and costly changes to fire department organizational structures; and

WHEREAS, the city of Belgrade will face an increase in cost of providing fire protection from approximately \$600,000 a year to over \$1.6 million a year and be forced to dissolve an effective and efficient relationship with Central Valley Fire District for no reason other than the statutory requirements for municipal fire departments; and

WHEREAS, House Bill 534, introduced in the 2017 Legislature, would have modified statutes governing municipal fire protection to allow municipalities of the first and second classes to choose how to provide fire protection; and

WHEREAS, municipal governments and the residents of a municipality are in the best position to determine how fire protection in their areas should be provided; and

WHEREAS, increased local control over the organization of local fire departments would provide the flexibility necessary to maximize effectiveness and efficiency in fire protection services.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

1 That the Legislative Council be requested to designate an appropriate interim committee, pursuant to
2 section 5-5-217, MCA, or direct sufficient staff resources to examine the statutes governing municipal and rural
3 fire protection to determine whether additional flexibility and local control is warranted and, if so, how best to
4 provide for that flexibility to ensure effective and efficient fire protection services.

5 BE IT FURTHER RESOLVED, that the study examine:

6 (1) how growing populations and changes in classification of municipalities impact the ability of
7 municipalities and fire departments to determine the best and most cost-effective means of providing the services;

8 (2) how changes in fire department organization may affect the cost of fire protection for residents of a
9 municipality as well as those outside of municipal boundaries; and

10 (3) any other aspect of local fire protection services that the committee considers necessary.

11 BE IT FURTHER RESOLVED, that the committee seek information and input from representatives of
12 municipalities, counties, volunteer fire departments, professional fire departments, fire districts, organizations of
13 fire chiefs, THE MONTANA STATE COUNCIL OF PROFESSIONAL FIRE FIGHTERS, THE MONTANA STATE FIREMEN'S
14 ASSOCIATION, ASSOCIATIONS REPRESENTING VOLUNTEER FIREFIGHTERS, and any other entity or individual the
15 committee considers to be appropriate.

16 BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be
17 presented to and reviewed by an appropriate committee designated by the Legislative Council.

18 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review
19 requirements, be concluded prior to September 15, 2018.

20 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,
21 comments, or recommendations of the appropriate committee, be reported to the 66th Legislature.

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