

OFFICE OF THE GOVERNOR
STATE OF MONTANA

GREG GIANFORTE
GOVERNOR



KRISTEN JURAS
LT. GOVERNOR

May 16, 2025

The Honorable Brandon Ler
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Matt Regier
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Ler and President Regier:

Volunteer fire departments have historically played a critical role in the suppression of fires, protection of life and property, and provision of emergency services throughout Montana, especially in rural areas. Recognizing their importance, in 1979 the Montana Legislature enacted laws ensuring that the adoption of a consolidated city-county form of government would have no effect on the existence, rights, or duties of any volunteer fire department. No effect.

House Bill 547 removes these statutory protections that have long ensured the legal existence, rights, and responsibilities of rural fire districts within the boundaries of a consolidated government, and it creates legal uncertainty as to their status and responsibilities. House Bill 547 raises more questions than answers, and it introduces instability into the operations of rural fire districts, the backbone of Montana's emergency services network.

Ultimately, House Bill 547 erodes the reliability and strength of rural fire protection throughout our state, while appearing to provide a one-sided resolution to a dispute within one consolidated government.

Instead of having the State of Montana take a meat cleaver to rural fire protection in Montana with House Bill 547 and picking winners and losers in a local dispute, all impacted parties should sit down and work together to resolve their issues. A negotiated result that accounts for the needs of all stakeholders will build a better emergency services system for the benefit of both rural and urban residents within a consolidated government.

Therefore, in accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 547: "AN ACT REVISING LAWS

RELATED TO FIRE PROTECTION IN CONSOLIDATED CITY-COUNTY GOVERNMENTS; REMOVING LANGUAGE FOR EXISTING VOLUNTEER FIRE DEPARTMENTS UNDER THE JURISDICTION OF A CONSOLIDATED CITY-COUNTY GOVERNMENT; CLARIFYING THAT THERE MUST BE A FIRE CHIEF FROM THE MUNICIPALITY OF A CONSOLIDATED CITY-COUNTY GOVERNMENT THAT CONSOLIDATED UNDER OPTION 1; AND AMENDING SECTIONS 7-33-2110 AND 7-33-2316, MCA.”

Sincerely,



Greg Gianforte
Governor

Enclosure

cc: Legislative Services Division
Christi Jacobsen, Secretary of State

Montana State Volunteer Firefighters Association Kevin Moritz, President
Fire Chief, Conrad City and Pondera County Rural Fire Departments
Conrad Volunteer Fire Department
15 5th Avenue SW
Conrad, MT 59425
Email: colleen.moritz@yahoo.com
(406) 289-0289

Date: May 6, 2025

The Honorable Greg Gianforte
Governor of the State of Montana
State Capitol
Helena, MT 59620

RE: Formal Request to Veto House Bill 547

Dear Governor Gianforte,

On behalf of the **hundreds of volunteer firefighters and rural fire district trustees** across Montana, I respectfully urge you to **veto House Bill 547** upon its arrival to your desk.

Though presented as a statewide solution, HB 547 is rooted in a local dispute in Butte-Silver Bow County. Rather than resolving those tensions through local collaboration or charter revision, the bill proposes sweeping changes that threaten to destabilize rural fire protection across the state.

Key Concerns:

- **Local Problem, Statewide Damage:** HB 547 was designed to address governance friction between the paid fire department and volunteer districts in Butte-Silver Bow. But it strips critical protections from *all* fire districts in *any* consolidated city-county.
- **Volunteers Excluded:** Volunteer companies were given less than 24 hours' notice for the House hearing. Our repeated requests to collaborate with the paid chief were ignored.
- **No Local Mandate:** The Butte-Silver Bow County Commission did not request this legislation and has not voted to support it. Their local charter—currently open for revisions—already offers a process to address fire governance issues.
- **Creates Uncertainty:** HB 547 offers no plan for volunteer chiefs, stations, equipment, mutual aid, or funding in future consolidations. It introduces more questions than answers and will likely force levies to hire more paid firefighters if volunteers walk away.
- **Safety & Liability Concerns Unaddressed:** The bill contains **no language** that improves fire safety or clarifies liability. Fire districts are already distinct legal entities under Montana law—able to sue or be sued independently. The liability structure is unchanged.

The Broader Threat:

By undermining the authority and autonomy of rural volunteer fire districts, HB 547 sets a dangerous precedent. If passed, it will invite further erosion of rural protections in future sessions, weakening the very backbone of Montana's emergency response network.

Your Leadership Matters:

Governor, we know your commitment to rural Montana runs deep. This is a moment to affirm that local solutions—not top-down mandates—are the best way to address local problems. We ask you to stand with the rural departments and volunteer responders who protect our farms, towns, and highways.

Please veto HB 547.

Sincerely,

Kevin Moritz

President, Montana State Volunteer Firefighters Association

Fire Chief, Conrad City and Pondera County Rural Fire Departments

LAW OFFICE OF CATHERINE LOCKE DINWIDDIE, PLLC

◆ Kate Dinwiddie ◆
Attorney at Law

Mailing Address: P.O. Box 673
Belgrade, Montana 59714
Physical Address: 2050 Fairway Drive, Suite 205
Bozeman, Montana 59715

Telephone: (406)577-2353
kate@katelawoffice.com

April 17, 2025

Honorable Kristen Juras
Lieutenant Governor of Montana
State Capitol, Room 207
P.O. Box 201901
Helena, MT 59620-1901

Re: House Bill 547 – Legal Concerns and Request for Executive Action

Dear Lieutenant Governor Juras,

I am writing to express my strong concerns regarding House Bill 547 and its implications for fire districts in Butte-Silver Bow and across Montana. As legal counsel for several rural fire districts within Butte-Silver Bow, and as an attorney who has spent years advising fire service organizations on statutory compliance and governance, I can state with confidence that this bill does not address the underlying problems it purports to resolve. Rather, it creates new confusion, strips statutory protections, and introduces significant legal uncertainty.

Although the bill's sponsor has asserted that HB 547 will enhance training, operational authority, and public safety, there is nothing in the bill's text that addresses any of these issues. The bill is silent on matters of chain of command, interagency coordination, training standards, or public safety protocols. Instead, it removes language from §§ 7-33-2110 and 7-33-2316, MCA, that has served as a crucial protection for fire districts in consolidated governments, language that has been deliberately preserved through numerous legislative sessions.

Importantly, HB 547 is not retroactive. This raises an even more complex legal question: under what statutory scheme do the pre-consolidation fire districts in Butte-Silver Bow now operate? Do they retain their original authority under Title 7, Chapter 33, Part 21, or are they somehow subject to undefined local control without statutory guidance? This ambiguity will lead to conflict, potential litigation, and confusion for fire district boards of trustees, fire chiefs, volunteers, and the communities they serve.

The respected Senate Local Government Committee Chair summarized the issue well when he stated that this bill is “asking us to pick winners and losers in this local issue.”** That is exactly what HB 547 does. It removes protections without establishing a path forward. It mandates a centralized fire chief under the consolidated government, without stating what happens to existing rural fire district chiefs, Boards of Trustees, or their legally acquired assets and taxing authority. Will volunteers continue to serve if their chiefs are removed and their operations absorbed into a larger department? If not, communities may be forced to replace those services with full-time paid firefighters, resulting in significant tax increases.

This bill was introduced without adequate stakeholder input. The fire districts were given only 24 hours' notice before the bill's hearing, cutting short productive discussions with Butte-Silver Bow officials that had been ongoing for months. HB 547 destroyed the trust necessary for collaborative problem-solving. However, I want to emphasize that if this bill is vetoed, every Butte-Silver Bow fire district representative has committed to returning to the table. They are willing to work directly with Butte-Silver Bow's

government to resolve local governance challenges in good faith. If, after two years, legislative clarification is still needed, then both sides could return to the Legislature on equal footing, with a shared understanding of the issues and ample opportunity for public input.

I respectfully request that you raise these concerns with Governor Gianforte and urge him to carefully consider a veto of HB 547. Doing so would preserve long-standing statutory protections, allow for local resolution, and maintain public trust. A veto would not be a rejection of progress; it would be a reaffirmation of thoughtful, inclusive policymaking that engages the people most affected by these decisions.

Thank you for your attention to this matter. I would be happy to speak further with your office or provide additional legal analysis at your request.

Sincerely,

A handwritten signature in black ink, reading "C.L. Dinwiddie". The signature is written in a cursive, flowing style.

Catherine L. Dinwiddie,
Attorney at Law

******Transcript of comments made by Chair Forrest Mandeville, Local Government Senate Committee, during the Senate Floor Hearing:

Senator Forrest Mandeville: "Thank you Mr. Chair, members of the committee. So first I want to agree with my friend from Butte. This is a Butte issue, this is very much a Butte issue, this is only a Butte issue. This is not an issue anywhere else in the state. This is an issue that Butte got themselves into and they are asking us to pick sides, to bail Butte out of their issue. This is an issue with the Butte Charter that's where their concern is. We should not be involved in the Butte Charter. The Butte Charter issue is not something for the state legislature in Helena to be involved with. Not something for someone from Columbus to be involved with. I don't want anything to do with the Butte Charter. I'm not from Butte, sounds like a great place but I'm not from there. It is a great place. I've been there not taking anything away from Butte but more communication locally is what's going to solve this. It's going to help solve this. What we heard in committee and we had a great committee meeting. There were a lot of firefighters from Butte. I'm actually very glad that there was not an emergency or a fire in Butte that day because we had probably most of their firefighters in Helena but what I took out of it was there was not enough communication. Not enough people involved early on locally to come to an agreement on this and what was happening was there's one side that was coming up to Helena and asking us to pick winners and losers in this local issue and try to move it forward to solve their issue. We should not be in a position of mediating on these local issues. This has been going on you heard the carrier say for 46 years. We can wait another two. You can wait another two for the locals to get together, come to an agreement, work this out and then come back to us with a clean up if that's necessary. This does pick winners and losers. The carrier said that they need this bill to put Butte-Silver Bow Fire under single leadership. You know what that means, that is going to take away power from the Volunteer Fire districts that's what this bill will do. So I'm a no on the bill. I hope you will be also. Let's give Butte-Silver Bow the chance to come together and come up with a cleanup bill that they can all agree on before we're asked to pick sides."