

1 HOUSE JOINT RESOLUTION NO. 56

2 INTRODUCED BY B. MITCHELL, G. LAMMERS, S. FITZPATRICK, B. LER

3
4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
5 MONTANA REQUESTING AN INTERIM STUDY OF THE SEARCH AND RESCUE SERVICES AVAILABLE
6 AND FUNDED IN MONTANA; AND REQUESTING THAT THE FINAL RESULTS OF THE STUDY BE
7 REPORTED TO THE 70TH LEGISLATURE.
8

9 WHEREAS, the state of Montana is the fourth largest state in the United States in terms of overall
10 landmass with over 94 million acres; and

11 WHEREAS, Montana's unique landscape provides countless opportunities for outdoor recreation; and

12 WHEREAS, in 2023, Montana law enforcement agencies entered 2,263 missing persons into the
13 Montana Missing Persons Clearinghouse; and

14 WHEREAS, Montana is one of the only states in the United States without a statewide search and
15 rescue program or coordinator; and

16 WHEREAS, pursuant to section 7-32-2121, MCA, each county sheriff has statutory authority to conduct
17 search and rescue operations; and

18 WHEREAS, tribal authorities are responsible for search and rescue within their respective jurisdictions;
19 and

20 WHEREAS, the resources needed for search and rescue operations often exceed those readily
21 available to local jurisdictions; and

22 WHEREAS, much of Montana is made up of extremely remote areas that necessitate the use of
23 specialized equipment not readily available to local jurisdictions, often requiring the use of privately owned
24 equipment, such as boats or aircraft; and

25 WHEREAS, search and rescue personnel often need to be trained to operate in extreme or dangerous
26 terrain in remote areas or in dangerous conditions, such as partially collapsed structures or areas with
27 hazardous materials, both of which require specialized skills that may not be available in a local jurisdiction; and

28 WHEREAS, despite being only 6.5% of Montana's overall population, indigenous persons made up

1 30.6% of all persons reported missing in the state in 2023; and

2 WHEREAS, the seven Indian reservations in Montana make up almost 10% of the overall landmass of
3 the state; and

4 WHEREAS, 19 of the 56 counties in Montana border or contain Indian reservations, presenting unique
5 challenges to search and rescue operations when extraordinary situations necessitate interjurisdictional
6 assistance or reimbursement; and

7 WHEREAS, operational challenges for search and rescue missions posed by Montana's unique
8 environment and varying landscape are likely to result in costs exceeding the amount that may be reimbursed
9 by the state as provided in section 10-3-801, MCA; and

10 WHEREAS, operational reimbursement and grant funding for search and rescue teams are
11 administered by multiple state agencies; and

12 WHEREAS, the Montana Department of Fish, Wildlife, and Parks' 2020 fiscal year report on
13 department funding sources indicated yearly revenue distributed to the search and rescue fund totaling
14 \$132,261 and a balance of \$1,393,316; and

15 WHEREAS, pursuant to section 15-1-122, MCA, the search and rescue account provided for in section
16 10-3-801, MCA, is to be funded by 0.04% of the motor vehicle revenue deposited in the state general fund each
17 fiscal year; and

18 WHEREAS, pursuant to sections 87-1-601 and 87-2-202, MCA, the search and rescue account
19 provided for in section 10-3-801, MCA, is to be funded by voluntary donations made when purchasing a
20 conservation license; and

21 WHEREAS, pursuant to section 10-3-801, MCA, local search and rescue operations conducted through
22 a county sheriff's office are subject to a maximum reimbursement of \$12,000 for each rescue operation,
23 regardless of the number of counties or search and rescue operations that are involved; and

24 WHEREAS, pursuant to section 10-3-801, MCA, search and rescue operation reimbursement is
25 administered by the Disaster and Emergency Services Division of the Montana Department of Military Affairs
26 but can be obtained by request from the Montana Sheriffs and Peace Officers Association search and rescue
27 subcommittee; and

28 WHEREAS, pursuant to section 10-3-801, MCA, only local search and rescue operations conducted

1 through a county sheriff's office are eligible for reimbursement, leaving tribal search and rescue teams and
2 operations disparately impacted.

3
4 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
5 THE STATE OF MONTANA:

6 That the Legislative Council be requested to designate an appropriate interim committee or statutory
7 committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to:

8 (1) review and consider proposing legislation to:

9 (a) update reimbursement amounts based on inflationary and other analyses for local search and
10 rescue operations if the current amount provided in section 10-3-801, MCA, is not commensurate with actual
11 agency costs incurred, no matter how many agencies or jurisdictions are involved;

12 (b) clarify and streamline the process by which agencies make requests for reimbursement for
13 search and rescue operations;

14 (c) address the disparate rate of missing persons in Indian country and determine whether state
15 reimbursement is currently aiding search and rescue operations within those jurisdictions;

16 (d) enhance recognition of the difference between disaster-level events requiring intervention by
17 the Disaster and Emergency Services Division of the Department of Military Affairs and more typical events that
18 may be handled entirely at the local level through reimbursement, as provided in section 10-3-801, MCA, or
19 with minimal interjurisdictional assistance;

20 (e) update the search and rescue fund provided for in section 10-3-801, MCA, and update
21 allocations from the fund pursuant to section 15-1-122, MCA, from the Motor Vehicle Division of the Department
22 of Justice's fiscal year revenue deposited in the general fund and voluntary donations from conservation
23 licenses pursuant to section 87-1-601, MCA, administered by the Department of Fish, Wildlife, and Parks,
24 respectively, as appropriate; and

25 (f) centralize the administration of search and rescue funding; and

26 (2) review:

27 (a) all sources of funding for search and rescue available to jurisdictions and teams in the state;

28 and

1 (b) any provisions of the Administrative Rules of Montana that may inhibit or otherwise affect funds
2 allocated for the provision of funds to jurisdictions requesting reimbursement.

3 BE IT FURTHER RESOLVED, that the committee include input from county sheriffs, municipal police,
4 tribal police, county fire departments, tribal fire departments, volunteer fire departments, emergency medical
5 services, volunteer search and rescue personnel, the director or designee of the Disaster and Emergency
6 Services Division of the Department of Military Affairs, the director or designee of the Department of Fish,
7 Wildlife, and Parks, the director or designee of the Department of Justice, and the director or designee of the
8 Montana Sheriffs and Peace Officers Association.

9 BE IT FURTHER RESOLVED, that the committee recognize the unique challenges search and rescue
10 operations may face in Indian country and include input from the Missing and Murdered Indigenous Persons
11 Task Force and tribal governments.

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

14 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review
15 requirements, be concluded prior to September 15, 2026.

16 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,
17 comments, or recommendations of the appropriate committee, be reported to the 70th Legislature.

18 - END -