

SENATE BILL NO. 276

INTRODUCED BY FRITZ, CLARK, J. RICE, WHALEN, SQUIRES,
DAVIS, PETERSON, KIMBERLEY, VAN VALKENBURG, STRIZICH, HAGER

IN THE SENATE

FEBRUARY 5, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON LOCAL GOVERNMENT.

FEBRUARY 6, 1991 FIRST READING.

FEBRUARY 15, 1991 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 16, 1991 PRINTING REPORT.

 SECOND READING, DO PASS.

FEBRUARY 18, 1991 ENGROSSING REPORT.

 THIRD READING, PASSED.
AYES, 48; NOES, 1.

 TRANSMITTED TO HOUSE.

IN THE HOUSE

MARCH 4, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON LOCAL GOVERNMENT.

 FIRST READING.

MARCH 14, 1991 COMMITTEE RECOMMEND BILL BE
CONCURRED IN AS AMENDED. REPORT
ADOPTED.

MARCH 16, 1991 SECOND READING, CONCURRED IN.

MARCH 18, 1991 THIRD READING, CONCURRED IN.
AYES, 92; NOES, 6.

 RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

MARCH 18, 1991 RECEIVED FROM HOUSE.

MARCH 23, 1991 ON MOTION, CONSIDERATION PASSED
UNTIL THE 64TH LEGISLATIVE DAY

MARCH 28, 1991

SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 1, 1991

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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Senate BILL NO. *276*

INTRODUCED BY *Sen. John Whalen*

Rep. Hager *Rep. Peter Hembrey* *Rep. V. Veltberg*

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PAYMENT OF A PARTIAL SALARY TO A FIREFIGHTER INJURED IN THE PERFORMANCE OF DUTY."

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

NEW SECTION. **Section 1.** Payment of partial salary to firefighter injured in performance of duty. (1) A member of a fire department of a first- or second-class municipality who is injured in the performance of duty must be paid by the municipality the difference between his full salary and the amount received from workers' compensation until the disability has ceased, as determined by workers' compensation, or for a period not to exceed 1 year, whichever occurs first.

(2) To qualify for the partial salary payment provided for in subsection (1), the firefighter must require medical or other remedial treatment and must be incapable of performing his duties as a result of the injury.

NEW SECTION. **Section 2.** Codification instruction. [Section 1] is intended to be codified as an integral part of Title 7, chapter 33, part 41, and the provisions of Title 7, chapter 33, part 41, apply to [section 1].

-End-



INTRODUCED BILL
SB 276

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0276, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act requiring payment of partial salary to a firefighter injured in the performance of duty.

ASSUMPTIONS:


1. A member of a fire department of a first or second class municipality injured in the performance of duty must be paid by the municipality the difference between his full salary and the amount received from workers' compensation until the disability has ceased.
2. The proposed legislation will not change the amount of workers' compensation currently paid to an eligible firefighter.

FISCAL IMPACT:


None

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

Personal service costs in first and second class municipalities would increase above the amount currently paid when a firefighter is injured while performing his/her duties and subsequently becomes eligible for workers' compensation.

 2-9-91

ROD SUNDSTED, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

 2/11/91

HARRY FRITZ, PRIMARY SPONSOR DATE
Fiscal Note for SB0276, as introduced.

SB 276

APPROVED BY COMM.
ON LOCAL GOVERNMENT

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13 who is injured in the performance of duty must be paid by
14 the municipality the difference between his full-salary NET
15 SALARY, FOLLOWING ADJUSTMENTS FOR STATE AND LOCAL INCOME
16 TAXES AND PENSION CONTRIBUTIONS, and the amount received
17 from workers' compensation until the disability has ceased,
18 as determined by workers' compensation, or for a period not
19 to exceed 1 year, whichever occurs first.

20 (2) To qualify for the partial salary payment provided
21 for in subsection (1), the firefighter must require medical
22 or other remedial treatment and must be incapable of
23 performing his duties as a result of the injury.

24 NEW SECTION. Section 2. Codification instruction.
25 [Section 1] is intended to be codified as an integral part

1 of Title 7, chapter 33, part 41, and the provisions of Title
2 7, chapter 33, part 41, apply to [section 1].

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-End-

THIRD READING



HOUSE STANDING COMMITTEE REPORT

March 14, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Local Government report that Senate Bill 276 (third reading copy -- blue) be concurred in as amended .

Signed: *Diana Wyatt*
Diana Wyatt, Chairman

Carried by: Rep. S.J. Hansen

And, that such amendments read:

1. Page 1, line 15.
Strike: "STATE AND LOCAL"

HOUSE
SB276

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