

1 *House* BILL NO. *482*  
 2 INTRODUCED BY *Mulag Elliott, By Barrett Bond*  
 3 *Hayer, Inbeck, Inlin, Menahan*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION  
 5 11-2022, R.C.M. 1947, TO INCREASE THE LIMITS UPON  
 6 COMPENSATION WHICH MAY BE PAID TO VOLUNTEER FIREMEN FOR  
 7 DISABILITY INCURRED WHILE IN THE PERFORMANCE OF DUTY; AND  
 8 PROVIDING AN EFFECTIVE DATE."

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

11 Section 1. Section 11-2022, R.C.M. 1947, is amended to  
12 read as follows:

13 "11-2022. Disability, death, insurance and pension  
 14 benefits. 1. Every member of a fire company organized in an  
 15 unincorporated area, town or village under the laws of this  
 16 state, shall be entitled to receive compensation for  
 17 disability incurred while in the performance of his duties  
 18 as such fireman, when such disability necessitates the  
 19 services of a physician or surgeon, while confined or  
 20 nonconfined, ~~in the following amounts:~~

21 ~~a. If confined to a hospital, the actual cost of~~  
 22 ~~hospitalization, and the reasonable charges of a duly~~  
 23 ~~licensed physician or surgeon, not to exceed two thousand~~  
 24 ~~five hundred dollars (\$2,500);~~

25 ~~b. If not confined to a hospital, the actual reasonable~~

1 ~~charges of a duly licensed physician or surgeon, not to~~  
 2 ~~exceed seven hundred fifty dollars (\$750);~~  
 3 ~~or, if confined to his home, and such confinement~~  
 4 ~~necessitates the services of a nurse, then the actual~~  
 5 ~~charges of such nurse, together with actual reasonable~~  
 6 ~~charges of a duly licensed physician or surgeon, not to~~  
 7 ~~exceed one thousand seven hundred fifty dollars (\$1,750);~~ in  
 8 the amount of his necessary and reasonable medical expenses  
 9 resulting directly from such disability, and incurred within  
 10 a period of not more than thirty-six (36) months from the  
 11 date of the injury which caused such disability, not to  
 12 exceed a total of twenty-five thousand dollars (\$25,000).

13 2. Where an injury incurred in line of such duty  
 14 results in the loss by amputation of an arm, hand, leg or  
 15 foot, or the enucleation of an eye, or the loss of any of  
 16 the natural teeth, the board shall order them an artificial  
 17 member or members be furnished to supply the loss thereof.  
 18 The expense of furnishing such members shall not exceed the  
 19 ~~following amounts: Hand or arm to elbow, two hundred fifty~~  
 20 ~~dollars (\$250); arm above elbow, three hundred dollars~~  
 21 ~~(\$300); foot or leg, two hundred fifty dollars (\$250); eye,~~  
 22 ~~twenty-five dollars (\$25); teeth, one hundred seventy-five~~  
 23 ~~dollars (\$175);~~ sum of one thousand five hundred dollars  
 24 (\$1,500). The replacement of an artificial member so  
 25 furnished shall be required every five (5) years, if

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1 necessary.

2 3. To aid in defraying funeral expenses of a fireman  
3 covered under this act whose death occurs in line of duty,  
4 an amount not to exceed the ~~sum-of-two-hundred-fifty-dollars~~  
5 ~~+\$250~~ actual necessary and reasonable expenses, or the sum  
6 of one thousand five hundred dollars (\$1,500), whichever is  
7 less, shall be allowed.

8 4. To encourage and aid volunteer fire departments to  
9 maintain group insurance for benefits on account of death or  
10 injury incurred by members while in the performance of  
11 duties as volunteer firemen, the sum of ~~fifty-dollars-(\$50)~~  
12 seventy-five dollars (\$75) per year for each mobile unit of  
13 fire-fighting equipment, not exceeding two (2) such units in  
14 number for any such department, shall be paid to each  
15 volunteer fire department maintaining such insurance, or to  
16 the organization or agency maintaining such insurance for  
17 any such volunteer fire department.

18 5. In the case of every volunteer fireman who shall  
19 meet the qualification requirements set forth in  
20 subparagraph two (2) of section 11-2023, and then if the  
21 claim provided for under subparagraph two (2) of section  
22 11-2024 shall be completed and filed, the claimant shall be  
23 entitled thereafter to participate in the volunteer  
24 firemen's pension plan as provided in this act, and to  
25 receive payments thereunder computed each year in the

1 following manner. Whenever at the close of business on the  
2 last day of any fiscal year there shall be a balance in the  
3 volunteer fireman's compensation earmarked revenue account  
4 in the earmarked revenue fund in excess of one million  
5 dollars (\$1,000,000) then the industrial accident board  
6 shall set aside and pay over to the public employees'  
7 retirement system, the smaller of such amount in excess of  
8 one million dollars (\$1,000,000), or an amount equal to  
9 ninety-five percent (95%) of the increase of said account  
10 balance over the account balance at the end of the preceding  
11 fiscal year, for the payment by said public employees'  
12 retirement system of pensions to qualified claimants during  
13 the immediately succeeding fiscal year. The amount to be  
14 paid to each qualifying claimant shall be determined by  
15 dividing said amount set aside by the number of claimants  
16 qualifying to participate in such pension plan at the  
17 beginning of such succeeding fiscal year. If such amount set  
18 aside shall be sufficient to pay each such qualified  
19 claimant at least twenty dollars (\$20) per month throughout  
20 such succeeding fiscal year, then such pension shall be paid  
21 monthly, on or before the last day of each month of such  
22 succeeding fiscal year; but if said amount set aside shall  
23 not be sufficient to pay each qualified claimant at least  
24 twenty dollars (\$20) per month, then each qualified  
25 claimant's full pension for that year shall be paid to him

1 in one lump payment on or before the fifteenth day of  
2 December of such year; provided, however, that in any event  
3 the total pension payable hereunder to any qualified  
4 claimant shall not exceed the sum of fifty dollars (\$50) per  
5 month, and the amount to be set aside hereunder from the  
6 volunteer fireman's compensation earmarked revenue account  
7 in the earmarked revenue fund at the beginning of any fiscal  
8 year for the funding of such pensions shall not in any event  
9 exceed the amount necessary to pay such maximum of fifty  
10 dollars (\$50) per month to each claimant qualified as of the  
11 beginning of such fiscal year. For the purpose of  
12 computation and payment of benefits under this act, if  
13 children of any volunteer fireman shall become eligible for  
14 benefits hereunder, then all children of such volunteer  
15 fireman shall be treated collectively as one (1) claimant.  
16 The fiscal year for the purpose of this act shall begin on  
17 the first day of July of each year and end on the last day  
18 of June of each year."

19 Section 2. This act is effective on its passage and  
20 approval.

-End-

HB 182

Approved by Committee on State Administration

House BILL NO. 482  
INTRODUCED BY *Mulder, Ellis, By Barrett, Bond Harper, Tuback, Inlin, Menahan*

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 11-2022, R.C.M. 1947, TO INCREASE THE LIMITS UPON COMPENSATION WHICH MAY BE PAID TO VOLUNTEER FIREMEN FOR DISABILITY INCURRED WHILE IN THE PERFORMANCE OF DUTY; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 11-2022, R.C.M. 1947, is amended to read as follows:

"11-2022. Disability, death, insurance and pension benefits. 1. Every member of a fire company organized in an unincorporated area, town or village under the laws of this state, shall be entitled to receive compensation for disability incurred while in the performance of his duties as such fireman, when such disability necessitates the services of a physician or surgeon, while confined or nonconfined, in the following amounts:

a. If confined to a hospital, the actual cost of hospitalization, and the reasonable charges of a duty licensed physician or surgeon, not to exceed two thousand five hundred dollars (\$2,500);

b. If not confined to a hospital, the actual reasonable

charges of a duly licensed physician or surgeon, not to exceed seven hundred fifty dollars (\$750);  
c. If confined to his home, and such confinement necessitates the services of a nurse, then the actual charges of such nurse, together with actual reasonable charges of a duly licensed physician or surgeon, not to exceed one thousand seven hundred fifty dollars (\$1,750); in the amount of his necessary and reasonable medical expenses resulting directly from such disability, and incurred within a period of not more than thirty-six (36) months from the date of the injury which caused such disability, not to exceed a total of twenty-five thousand dollars (\$25,000).

2. Where an injury incurred in line of such duty results in the loss by amputation of an arm, hand, leg or foot, or the enucleation of an eye, or the loss of any of the natural teeth, the board shall order them an artificial member or members be furnished to supply the loss thereof. The expense of furnishing such members shall not exceed the following amounts: hand or arm to elbow, two hundred fifty dollars (\$250); arm above elbow, three hundred dollars (\$300); foot or leg, two hundred fifty dollars (\$250); eye, twenty-five dollars (\$25); teeth, one hundred seventy-five dollars (\$175); sum of one thousand five hundred dollars (\$1,500). The replacement of an artificial member so furnished shall be required every five (5) years, if

1 necessary.

2 3. To aid in defraying funeral expenses of a fireman  
3 covered under this act whose death occurs in line of duty,  
4 an amount not to exceed the ~~sum of two hundred fifty dollars~~  
5 ~~(\$250)~~ actual necessary and reasonable expenses, or the sum  
6 of one thousand five hundred dollars (\$1,500), whichever is  
7 less, shall be allowed.

8 4. To encourage and aid volunteer fire departments to  
9 maintain group insurance for benefits on account of death or  
10 injury incurred by members while in the performance of  
11 duties as volunteer firemen, the sum of ~~fifty dollars-(\$50)~~  
12 seventy-five dollars (\$75) per year for each mobile unit of  
13 fire-fighting equipment, not exceeding two (2) such units in  
14 number for any such department, shall be paid to each  
15 volunteer fire department maintaining such insurance, or to  
16 the organization or agency maintaining such insurance for  
17 any such volunteer fire department.

18 5. In the case of every volunteer fireman who shall  
19 meet the qualification requirements set forth in  
20 subparagraph two (2) of section 11-2023, and then if the  
21 claim provided for under subparagraph two (2) of section  
22 11-2024 shall be completed and filed, the claimant shall be  
23 entitled thereafter to participate in the volunteer  
24 firemen's pension plan as provided in this act, and to  
25 receive payments thereunder computed each year in the

1 following manner. Whenever at the close of business on the  
2 last day of any fiscal year there shall be a balance in the  
3 volunteer fireman's compensation earmarked revenue account  
4 in the earmarked revenue fund in excess of one million  
5 dollars (\$1,000,000) then the industrial accident board  
6 shall set aside and pay over to the public employees'  
7 retirement system, the smaller of such amount in excess of  
8 one million dollars (\$1,000,000), or an amount equal to  
9 ninety-five percent (95%) of the increase of said account  
10 balance over the account balance at the end of the preceding  
11 fiscal year, for the payment by said public employees'  
12 retirement system of pensions to qualified claimants during  
13 the immediately succeeding fiscal year. The amount to be  
14 paid to each qualifying claimant shall be determined by  
15 dividing said amount set aside by the number of claimants  
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17 beginning of such succeeding fiscal year. If such amount set  
18 aside shall be sufficient to pay each such qualified  
19 claimant at least twenty dollars (\$20) per month throughout  
20 such succeeding fiscal year, then such pension shall be paid  
21 monthly, on or before the last day of each month of such  
22 succeeding fiscal year; but if said amount set aside shall  
23 not be sufficient to pay each qualified claimant at least  
24 twenty dollars (\$20) per month, then each qualified  
25 claimant's full pension for that year shall be paid to him

1 in one lump payment on or before the fifteenth day of  
2 December of such year; provided, however, that in any event  
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9 exceed the amount necessary to pay such maximum of fifty  
10 dollars (\$50) per month to each claimant qualified as of the  
11 beginning of such fiscal year. For the purpose of  
12 computation and payment of benefits under this act, if  
13 children of any volunteer fireman shall become eligible for  
14 benefits hereunder, then all children of such volunteer  
15 fireman shall be treated collectively as one (1) claimant.  
16 The fiscal year for the purpose of this act shall begin on  
17 the first day of July of each year and end on the last day  
18 of June of each year."

19 Section 2. This act is effective on its passage and  
20 approval.

-End-

1 *House* BILL NO. *482*  
 2 INTRODUCED BY *Mulcaugh, Ellis, By, Barrett, Bunn, Hoyer, Tulebek, Tuleci, Menaker*  
 3 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION  
 4 11-2022, R.C.M. 1947, TO INCREASE THE LIMITS UPON  
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 18 as such fireman, when such disability necessitates the  
 19 services of a physician or surgeon, while confined or  
 20 nonconfined, ~~in the following amounts:~~

21 ~~a. if confined to a hospital, the actual cost of~~  
 22 ~~hospitalization, and the reasonable charges of a duty~~  
 23 ~~licensed physician or surgeon, not to exceed two thousand~~  
 24 ~~five hundred dollars (\$2,500);~~

25 ~~b. if not confined to a hospital, the actual reasonable~~

1 charges of a duty licensed physician or surgeon, not to  
 2 exceed seven hundred fifty dollars (\$750);  
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 4 necessitates the services of a nurse, then the actual  
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 10 a period of not more than thirty-six (36) months from the  
 11 date of the injury which caused such disability, not to  
 12 exceed a total of twenty-five thousand dollars (\$25,000).

13 2. Where an injury incurred in line of such duty  
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 15 foot, or the enucleation of an eye, or the loss of any of  
 16 the natural teeth, the board shall order them an artificial  
 17 member or members be furnished to supply the loss thereof.  
 18 The expense of furnishing such members shall not exceed the  
 19 following amounts: ~~Hand or arm to elbow, two hundred fifty~~  
 20 ~~dollars (\$250); arm above elbow, three hundred dollars~~  
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 24 ~~(\$1,500).~~ The replacement of an artificial member so  
 25 furnished shall be required every five (5) years, if

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 6 shall set aside and pay over to the public employees'  
 7 retirement system, the smaller of such amount in excess of  
 8 one million dollars (\$1,000,000), or an amount equal to  
 9 ninety-five percent (95%) of the increase of said account  
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1 in one lump payment on or before the fifteenth day of  
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16 The fiscal year for the purpose of this act shall begin on  
17 the first day of July of each year and end on the last day  
18 of June of each year."

19 Section 2. This act is effective on its passage and  
20 approval.

-End-

HB 482

## HOUSE BILL NO. 482

INTRODUCED BY MULAR, ELLIS, LORY, BARRETT, BRAND, HARPER,  
LUEBECK, QUILICI, MENAHAN, GOULD

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION  
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hospitalization, and the reasonable charges of a duly  
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exceed seven hundred fifty dollars (\$750);~~

~~c. If confined to his home, and such confinement  
necessitates the services of a nurse, then the actual  
charges of such nurse, together with actual reasonable  
charges of a duly licensed physician or surgeon, not to  
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results in the loss by amputation of an arm, hand, leg or  
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the natural teeth, the board shall order them an artificial  
member or members be furnished to supply the loss thereof.  
The expense of furnishing such members shall not exceed the  
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4 covered under this act whose death occurs in line of duty,  
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9 4. To encourage and aid volunteer fire departments to  
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11 injury incurred by members while in the performance of  
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1 claimant's full pension for that year shall be paid to him  
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8 in the earmarked revenue fund at the beginning of any fiscal  
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17 The fiscal year for the purpose of this act shall begin on  
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19 of June of each year."

20 Section 2. This act is effective on its passage and  
21 approval.

-End-