

1 *Senate* BILL NO. *129*
 2 INTRODUCED BY *Gov. Story* *Donald Edw. Cebrow*
 3 *Archie*

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PROVISIONS
 5 CONCERNING USE OF DISABILITY AND PENSION FUNDS OF THE FIRE
 6 DEPARTMENT RELIEF ASSOCIATION, BY AMENDING SECTION 11-1928,
 7 R.C.M. 1947."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 11-1928, R.C.M. 1947, is amended to
 11 read as follows:

12 "11-1928. Use of disability and pension fund of fire
 13 department relief association. Said fund shall not be used
 14 for any other purpose whatsoever, other than for the payment
 15 of the following:

16 1. A service pension to a member who, by reason of
 17 service, has become entitled to a service pension.

18 2. A pension to a member who has become permanently
 19 maimed or disabled ~~in-line-of-duty~~.

20 3. A benefit or allowance to a member who has
 21 suffered a permanent disabling injury ~~in-line-of-duty~~.

22 4. A benefit or allowance to a member who has
 23 contracted a permanent disabling sickness in line of duty.

24 5. To defray the funeral expenses of a member, in an
 25 amount not to exceed, however, the sum of seven hundred

1 fifty dollars (\$750).

2 6. Payment to the widow, orphan or orphans of a
 3 deceased member as provided by law.

4 7. The payment of premiums upon a blanket policy of
 5 insurance covering the members of such fire department and
 6 providing for payment of compensation in case of death or
 7 injury to such member or any of them.

8 8. The return of employee contribution as provided by
 9 law.

10 9. All claims shall be paid by warrant duly
 11 authorized, drawn by the secretary, and countersigned by the
 12 president of the association and on presentation thereof,
 13 the treasurer shall pay the same out of the said disability
 14 and pension fund."

-End-

FISCAL NOTE

Form BD-15

In compliance with a written request received Jan. 21, 19 75, there is hereby submitted a Fiscal Note for Senate Bill 129 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly. Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

An act revising the provisions concerning use of disability and pension funds of the Fire Department Relief Association by allowing disability pensions to members disabled other than in the line of duty.

FISCAL IMPACT:

Enactment of Senate Bill 129 would have no impact on state revenues or expenditures. An actuarial evaluation indicates that the annual increased cost to cities and towns would be approximately \$31,500 statewide.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-23-75

Approved by Committee
on Labor & Employment
Relations

1 SENATE BILL NO. 129

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3 ROBERTS, CETRONE, DRAKE

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12 READ AS FOLLOWS:

13 "11-1926. Disability pension. Each and every fire
14 department relief association, organized and existing under
15 the laws of this state, shall pay a "disability pension,"
16 out of any moneys in the association's "disability and
17 pension fund," to each and every member of said association
18 who has become injured or disabled by reason of sickness or
19 injury ~~contracted-or-received-in-line-of-duty,~~ in an amount
20 which shall be equal to one-half (1/2) of the sum last
21 received as a monthly compensation, excluding overtime and
22 payments in lieu of sick leave and annual leave, by such
23 injured or disabled member for services rendered the fire
24 department of the city or town wherein such association has
25 been formed. However, effective July 1, 1974, and after an

1 active member has completed twenty (20) years of service the
2 pension of the member who serves or has served an additional
3 one (1) to ten (10) years shall be increased at the rate of
4 one per cent (1%) per year for each additional year of
5 service completed, up to a maximum of sixty per cent (60%)
6 of the last month's salary received as a monthly
7 compensation, excluding overtime and payments in lieu of
8 sick leave and annual leave, for his services as an active
9 member of said fire department. However, the monthly
10 compensation paid to members retiring on or after July 1,
11 1973, shall in no event become less than one-half (1/2) the
12 regular monthly salary paid to a confirmed active fireman of
13 that city as provided each and every year in the annual
14 budget of that city. In no event shall the monthly
15 compensation paid to a member retiring prior to July 1, 1974
16 be less than two hundred dollars (\$200). In case of
17 volunteer firemen such disability pension shall in no event
18 exceed the sum of seventy-five (\$75) dollars per month."

19 Section 2. Section 11-1928, R.C.M. 1947, is amended to
20 read as follows:

21 "11-1928. Use of disability and pension fund of fire
22 department relief association. Said fund shall not be used
23 for any other purpose whatsoever, other than for the payment
24 of the following:

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1 service, has become entitled to a service pension.

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8 5. To defray the funeral expenses of a member, in an
9 amount not to exceed, however, the sum of seven hundred
10 fifty dollars (\$750).

11 6. Payment to the widow, orphan or orphans of a
12 deceased member as provided by law.

13 7. The payment of premiums upon a blanket policy of
14 insurance covering the members of such fire department and
15 providing for payment of compensation in case of death or
16 injury to such member or any of them.

17 8. The return of employee contribution as provided by
18 law.

19 9. All claims shall be paid by warrant duly
20 authorized, drawn by the secretary, and countersigned by the
21 president of the association and on presentation thereof,
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