

1 *Senate* BILL NO. *195*
 2 INTRODUCED BY *Robert Healy Blaylock Dean Story*
 3 *Hydberg*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT THE
 5 STATE AUDITOR PAY FIRE DEPARTMENT RELIEF ASSOCIATIONS IN
 6 FIRST AND SECOND CLASS CITIES OUT OF PREMIUM TAXES COLLECTED
 7 RATHER THAN FROM LICENSE FEES; AMENDING SECTION 11-1919,
 8 R.C.M. 1947."

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

11 Section 1. Section 11-1919, R.C.M. 1947, is amended to
 12 read as follows:

13 "11-1919. State auditor to pay fire department relief
 14 association out of ~~license-fees~~ premium taxes collected from
 15 insurance companies. At the end of the fiscal year, the
 16 state auditor shall issue and deliver to the treasurer of
 17 every city or town of the first and second class, for the
 18 use and benefit of the fire department relief association
 19 legally existing in every such city or town entitled by law
 20 to receive the same, out of the ~~license-fees~~ premium taxes
 21 on insurance risks enumerated in subsection 2 collected by
 22 him, an amount equal to ten per centum (10%) of the total
 23 annual compensation paid by such city or town to its paid or
 24 part-paid firemen for services in the previous calendar
 25 year. The city clerk of each such city or town shall

1 certify in writing to the state auditor, on or before March
 2 1 of each year, the amount so paid by such city or town as
 3 compensation for services to paid or part-paid firemen.

4 In the event of a disaster resulting in the death or
 5 injury sufficient to draw pension of ten percent (10%) of
 6 the active force and when the fund of such fire department
 7 relief association after receiving all moneys as designated
 8 in section 11-1911 and section 11-1912 and the ten percent
 9 (10%) of annual compensation as designated in this act does
 10 not show at least the one (1) mill growth as referred to in
 11 section 11-1912 then the treasurer of such relief
 12 association shall request and the state auditor shall issue
 13 and deliver to the treasurer of every city or town of the
 14 first and second class, for the use and benefit of the fire
 15 department relief association legally existing in every city
 16 or town entitled to receive the same, out of the ~~license~~
 17 fees premium tax collected by him, an additional amount to
 18 show at least the one (1) mill growth referred to in section
 19 11-1912.

20 In the event a city of the second class is not entitled
 21 to receive a sum equal to twenty-five one hundredths
 22 (25/100) mills of its total assessed valuation under the
 23 foregoing method of computation then, in that event, the
 24 fire department relief association of that city shall
 25 receive its money in the same manner as provided below for

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1 cities of the third class.

2 (1) At the end of the fiscal year, the state auditor
3 shall issue and deliver to the treasurer of every city or
4 town, except cities or towns of the first or second class,
5 for the use and benefit of the fire department relief
6 association legally existing in every such city or town
7 entitled by law to receive the same, his warrant for an
8 amount equal to the taxes upon the fire portion of the
9 direct premiums after deducting cancellations and return
10 premiums, collected by the state auditor, ex officio
11 insurance commissioner, from insurers authorized to effect
12 insurance on risks enumerated in subsection 2 of this
13 section, as said cities or towns are each severally entitled
14 to, computed as follows:

15 (a) Each and every fire department relief association
16 legally organized and existing in any city or town, except
17 cities or towns of the first or second class, and entitled
18 by law to receive the same shall receive, as its portion of
19 the total taxes on premiums collected from insurers
20 authorized to effect insurance on risks enumerated in
21 subsection 2 of this section, the fire portion of the direct
22 premiums, after deducting cancellations and return premiums,
23 assessed and collected by insurers authorized to effect
24 insurance on risks enumerated in subsection 2 of this
25 section in the said city or town.

1 (b) The legally organized and existing fire department
2 relief associations in all cities or towns where the taxes
3 on premiums collected and distributed pursuant to
4 subdivision (a) above is insufficient to make an amount
5 equal to one hundred dollars (\$100) shall receive such
6 additional amount from the total taxes on premiums collected
7 from insurers authorized to effect insurance against risks
8 enumerated in subsection 2 of this section as may be
9 necessary to make the total amount received by said fire
10 department relief association equal to the sum of one
11 hundred dollars (\$100).

12 (2) The risks referred to in subsection 1 above, are
13 enumerated as follows: Insurance of houses, buildings, and
14 all other kinds of property against loss or damage by fire
15 or other casualty, and all kinds of insurance on goods,
16 merchandise, or other property in the course of
17 transportation, whether on land or water or air; insurance
18 against loss or damage to motor vehicles resulting from
19 accident, collision, or marine and inland navigation and
20 transportation perils; insurance of growing crops against
21 loss or damage resulting from hail or the elements;
22 insurance against loss or damage by water to any goods or
23 premises arising from the breakage or leakage of sprinklers,
24 pumps or other apparatus; and insurance against loss or
25 legal liability for loss because of damage to property

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1 caused by the use of teams or vehicles whether by accident
2 or collision or by explosion of any engine or tank or boiler
3 or pipe or tire of any vehicle, and also including insurance
4 against theft of the whole or any part of any vehicle."

-End-

Approved by Committee
on State Administration

1 INTROSUCED BY Senate BILL NO. 195
2 Robert Idealy Blaylock Olson Story
3 Hypokhr

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15 insurance companies. At the end of the fiscal year, the
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17 every city or town of the first and second class, for the
18 use and benefit of the fire department relief association
19 legally existing in every such city or town entitled by law
20 to receive the same, out of the ~~license-fees~~ premium taxes
21 on insurance risks enumerated in subsection 2 collected by
22 him, an amount equal to ten per centum (10%) of the total
23 annual compensation paid by such city or town to its paid or
24 part-paid firemen for services in the previous calendar
25 year. The city clerk of each such city or town shall

1 certify in writing to the state auditor, on or before March
2 1 of each year, the amount so paid by such city or town as
3 compensation for services to paid or part-paid firemen.

4 In the event of a disaster resulting in the death or
5 injury sufficient to draw pension of ten percent (10%) of
6 the active force and when the fund of such fire department
7 relief association after receiving all moneys as designated
8 in section 11-1911 and section 11-1912 and the ten percent
9 (10%) of annual compensation as designated in this act does
10 not show at least the one (1) mill growth as referred to in
11 section 11-1912 then the treasurer of such relief
12 association shall request and the state auditor shall issue
13 and deliver to the treasurer of every city or town of the
14 first and second class, for the use and benefit of the fire
15 department relief association legally existing in every city
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17 fees premium tax collected by him, an additional amount to
18 show at least the one (1) mill growth referred to in section
19 11-1912.

20 In the event a city of the second class is not entitled
21 to receive a sum equal to twenty-five one hundredths
22 (25/100) mills of its total assessed valuation under the
23 foregoing method of computation then, in that event, the
24 fire department relief association of that city shall
25 receive its money in the same manner as provided below for

1 cities of the third class.

2 (1) At the end of the fiscal year, the state auditor
3 shall issue and deliver to the treasurer of every city or
4 town, except cities or towns of the first or second class,
5 for the use and benefit of the fire department relief
6 association legally existing in every such city or town
7 entitled by law to receive the same, his warrant for an
8 amount equal to the taxes upon the fire portion of the
9 direct premiums after deducting cancellations and return
10 premiums, collected by the state auditor, ex officio
11 insurance commissioner, from insurers authorized to effect
12 insurance on risks enumerated in subsection 2 of this
13 section, as said cities or towns are each severally entitled
14 to, computed as follows:

15 (a) Each and every fire department relief association
16 legally organized and existing in any city or town, except
17 cities or towns of the first or second class, and entitled
18 by law to receive the same shall receive, as its portion of
19 the total taxes on premiums collected from insurers
20 authorized to effect insurance on risks enumerated in
21 subsection 2 of this section, the fire portion of the direct
22 premiums, after deducting cancellations and return premiums,
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24 insurance on risks enumerated in subsection 2 of this
25 section in the said city or town.

1 (b) The legally organized and existing fire department
2 relief associations in all cities or towns where the taxes
3 on premiums collected and distributed pursuant to
4 subdivision (a) above is insufficient to make an amount
5 equal to one hundred dollars (\$100) shall receive such
6 additional amount from the total taxes on premiums collected
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10 department relief association equal to the sum of one
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12 (2) The risks referred to in subsection 1 above, are
13 enumerated as follows: Insurance of houses, buildings, and
14 all other kinds of property against loss or damage by fire
15 or other casualty, and all kinds of insurance on goods,
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20 transportation perils; insurance of growing crops against
21 loss or damage resulting from hail or the elements;
22 insurance against loss or damage by water to any goods or
23 premises arising from the breakage or leakage of sprinklers,
24 pumps or other apparatus; and insurance against loss or
25 legal liability for loss because of damage to property

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1 caused by the use of teams or vehicles whether by accident
2 or collision or by explosion of any engine or tank or boiler
3 or pipe or tire of any vehicle, and also including insurance
4 against theft of the whole or any part of any vehicle.*

-End-

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 3 *Hyndman*

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-End-

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2 INTRODUCED BY ROBERTS,

3 HEALY, BLAYLOCK, OLSON, STORY, HAZELBAKER

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-End-