

1 computation then, in that event, the fire department relief
2 association of that city shall receive its money in the same
3 manner as provided below for cities of the third class.

4 ~~(1)~~ (4) At the end of the fiscal year, the state
5 auditor shall issue and deliver to the treasurer of every
6 city or town, except cities or towns of the first or second
7 class, for the use and benefit of the fire department relief
8 association legally existing in every such city or town
9 entitled by law to receive the same, his warrant for an
10 amount equal to ~~the taxes upon the fire portion of the~~
11 ~~direct premiums~~ forty-five one hundredths (45/100) mills of
12 the total assessed valuation of the city or town to be paid
13 from premium taxes, after deducting cancellations and return
14 premiums, collected by the state auditor, ex officio
15 insurance commissioner, from insurers authorized to effect
16 insurance on risks enumerated in subsection 2 (6) of this
17 section, as said cities or towns are each severally entitled
18 to be ~~computed as follows:~~

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

1 ~~premiums, after deducting cancellations and return premiums,~~
2 ~~assessed and collected by insurers authorized to effect~~
3 ~~insurance on risks enumerated in subsection 2 of this~~
4 ~~section in the said city or town.~~

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

16 ~~(c)~~ (6) The risks referred to in subsection ~~1~~ (4)
17 above, are enumerated as follows: Insurance of houses,
18 buildings, and all other kinds of property against loss or
19 damage by fire or other casualty, and all kinds of insurance
20 on goods, merchandise, or other property in the course of
21 transportation, whether on land or water or air; insurance
22 against loss or damage to motor vehicles resulting from
23 accident, collision, or marine and inland navigation and
24 transportation perils; insurance of growing crops against
25 loss or damage resulting from hail or the elements;

1 insurance against loss or damage by water to any goods or
2 premises arising from the breakage or leakage of sprinklers,
3 pumps or other apparatus; and insurance against loss or
4 legal liability for loss because of damage to property
5 caused by the use of teams or vehicles whether by accident
6 or collision or by explosion of any engine or tank or boiler
7 or pipe or tire of any vehicle, and also including insurance
8 against theft of the whole or any part of any vehicle."

9 Section 2. Section 11-2030, R.C.M. 1947, is amended to
10 read as follows:

11 "11-2030. Fire insurance premium tax to be paid into
12 fund. The state auditor and ex officio commissioner of
13 insurance of the state of Montana shall annually deposit in
14 the earmarked revenue fund, such sum as shall be equivalent
15 to five per cent (5%) of premium taxes collected from
16 insurers authorized to effect insurance against risks
17 enumerated in ~~subsection-2--of~~ section 11-1919, as shall
18 remain after the amounts provided for by section 11-1919
19 shall have been first deducted. Such moneys shall be used
20 for the payment of claims and administrative costs as
21 provided in ~~section sections~~ 11-2025 and 11-2026."

22 Section 3. Section 11-1918, R.C.M. 1947, is repealed.

-End-

Approved by Committee
on State Administration

Senate BILL NO. *196*
Robert Healy Blaylock Alan Story
Hayllaker

1
2 INTRODUCED BY
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT FUNDS
5 PAID BY THE STATE AUDITOR TO ALL CITIES FOR FIREMEN'S RELIEF
6 ASSOCIATIONS BE BASED ON ASSESSED VALUATION OF THE CITY
7 RATHER THAN ON PREMIUMS COLLECTED IN THE CITY AND INCREASING
8 THE PERCENTAGE OF ASSESSED VALUATION TO FORTY-FIVE ONE
9 HUNDREDTH MILLS; AMENDING SECTIONS 11-1919 AND 11-2030; AND
10 REPEALING SECTION 11-1918, R.C.M. 1947."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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

15 "11-1919. State auditor to pay fire department relief
16 association out of license fees collected from insurance
17 companies. (1) At the end of the fiscal year, the state
18 auditor shall issue and deliver to the treasurer of every
19 city or town of the first and second class, for the use and
20 benefit of the fire department relief association legally
21 existing in every such city or town entitled by law to
22 receive the same, out of the license fees on insurance risks
23 collected by him, an amount equal to ten per centum (10%) of
24 the total annual compensation paid by such city or town to
25 its paid or part-paid firemen for services in the previous

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

6 (2) In the event of a disaster resulting in the death
7 or injury sufficient to draw pension of ten percent (10%) of
8 the active force and when the fund of such fire department
9 relief association after receiving all moneys as designated
10 in section 11-1911 and section 11-1912 and the ten percent
11 (10%) of annual compensation as designated in this ~~act~~
12 chapter does not show at least the one (1) mill growth as
13 referred to in section 11-1912 then the treasurer of such
14 relief association shall request and the state auditor shall
15 issue and deliver to the treasurer of every city or town of
16 the first and second class, for the use and benefit of the
17 fire department relief association legally existing in every
18 city or town entitled to receive the same, out of the
19 license fees collected by him, an additional amount to show
20 at least the one (1) mill growth referred to in section
21 11-1912.

22 (3) In the event a city of the first or second class
23 is not entitled to receive a sum equal to ~~twenty-five~~
24 forty-five one hundredths ~~(25/100)~~ (45/100) mills of its
25 total assessed valuation under the foregoing method of

-2- SB 196

1 computation then, in that event, the fire department relief
2 association of that city shall receive its money in the same
3 manner as provided below for cities of the third class.

4 ~~{1}~~ (4) At the end of the fiscal year, the state
5 auditor shall issue and deliver to the treasurer of every
6 city or town, except cities or towns of the first or second
7 class, for the use and benefit of the fire department relief
8 association legally existing in every such city or town
9 entitled by law to receive the same, his warrant for an
10 amount equal to ~~the--taxes--upon--the--fire--portion--of--the~~
11 ~~direct-premiums~~ forty-five one hundredths (45/100) mills of
12 the total assessed valuation of the city or town to be paid
13 from premium taxes, after deducting cancellations and return
14 premiums, collected by the state auditor, ex officio
15 insurance commissioner, from insurers authorized to effect
16 insurance on risks enumerated in subsection 2 (6) of this
17 section, as said cities or towns are each severally entitled
18 to, ~~computed-as-follows:~~

19 ~~{a}--Each--and--every--fire--department--relief--association~~
20 ~~legally-organized-and-existing-in-any-city-or--town,--except~~
21 ~~cities--or--towns--of--the--first--or--second--class,--and--entitled~~
22 ~~by--law--to--receive--the--same--shall--receive,--as--its--portion--of~~
23 ~~the--total--taxes--on--premiums--collected--from--insurers~~
24 ~~authorized--to--effect--insurance--on--risks--enumerated--in~~
25 ~~subsection-2-of-this-section,--the--fire--portion--of--the--direct~~

1 ~~premiums,--after--deducting--cancellations--and--return--premiums,~~
2 ~~assessed--and--collected--by--insurers--authorized--to--effect~~
3 ~~insurance--on--risks--enumerated--in--subsection--2--of--this~~
4 ~~section--in--the--said--city--or--town.~~

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

16 ~~{2}~~ (6) The risks referred to in subsection 1 (4)
17 above, are enumerated as follows: Insurance of houses,
18 buildings, and all other kinds of property against loss or
19 damage by fire or other casualty, and all kinds of insurance
20 on goods, merchandise, or other property in the course of
21 transportation, whether on land or water or air; insurance
22 against loss or damage to motor vehicles resulting from
23 accident, collision, or marine and inland navigation and
24 transportation perils; insurance of growing crops against
25 loss or damage resulting from hail or the elements;

1 insurance against loss or damage by water to any goods or
2 premises arising from the breakage or leakage of sprinklers,
3 pumps or other apparatus; and insurance against loss or
4 legal liability for loss because of damage to property
5 caused by the use of teams or vehicles whether by accident
6 or collision or by explosion of any engine or tank or boiler
7 or pipe or tire of any vehicle, and also including insurance
8 against theft of the whole or any part of any vehicle."

9 Section 2. Section 11-2030, R.C.M. 1947, is amended to
10 read as follows:

11 "11-2030. Fire insurance premium tax to be paid into
12 fund. The state auditor and ex officio commissioner of
13 insurance of the state of Montana shall annually deposit in
14 the earmarked revenue fund, such sum as shall be equivalent
15 to five per cent (5%) of premium taxes collected from
16 insurers authorized to effect insurance against risks
17 enumerated in ~~subsection-2--of~~ section 11-1919, as shall
18 remain after the amounts provided for by section 11-1919
19 shall have been first deducted. Such moneys shall be used
20 for the payment of claims and administrative costs as
21 provided in section sections 11-2025 and 11-2026."

22 Section 3. Section 11-1918, R.C.M. 1947, is repealed.

-End-

1 *Senate* BILL NO. *196*
 2 INTRODUCED BY *Robert Healy Blaylock Alan Story*
 3 *Hayden*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT FUNDS
 5 PAID BY THE STATE AUDITOR TO ALL CITIES FOR FIREMEN'S RELIEF
 6 ASSOCIATIONS BE BASED ON ASSESSED VALUATION OF THE CITY
 7 RATHER THAN ON PREMIUMS COLLECTED IN THE CITY AND INCREASING
 8 THE PERCENTAGE OF ASSESSED VALUATION TO FORTY-FIVE ONE
 9 HUNDREDTH MILLS; AMENDING SECTIONS 11-1919 AND 11-2030; AND
 10 REPEALING SECTION 11-1918, R.C.M. 1947."

11
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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

15 "11-1919. State auditor to pay fire department relief
 16 association out of license fees collected from insurance
 17 companies. (1) At the end of the fiscal year, the state
 18 auditor shall issue and deliver to the treasurer of every
 19 city or town of the first and second class, for the use and
 20 benefit of the fire department relief association legally
 21 existing in every such city or town entitled by law to
 22 receive the same, out of the license fees on insurance risks
 23 collected by him, an amount equal to ten per centum (10%) of
 24 the total annual compensation paid by such city or town to
 25 its paid or part-paid firemen for services in the previous

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

6 (2) In the event of a disaster resulting in the death
 7 or injury sufficient to draw pension of ten percent (10%) of
 8 the active force and when the fund of such fire department
 9 relief association after receiving all moneys as designated
 10 in section 11-1911 and section 11-1912 and the ten percent
 11 (10%) of annual compensation as designated in this act
 12 chapter does not show at least the one (1) mill growth as
 13 referred to in section 11-1912 then the treasurer of such
 14 relief association shall request and the state auditor shall
 15 issue and deliver to the treasurer of every city or town of
 16 the first and second class, for the use and benefit of the
 17 fire department relief association legally existing in every
 18 city or town entitled to receive the same, out of the
 19 license fees collected by him, an additional amount to show
 20 at least the one (1) mill growth referred to in section
 21 11-1912.

22 (3) In the event a city of the first or second class
 23 is not entitled to receive a sum equal to ~~twenty-five~~
 24 forty-five one hundredths ~~(25/100)~~ (45/100) mills of its
 25 total assessed valuation under the foregoing method of

1 computation then, in that event, the fire department relief
2 association of that city shall receive its money in the same
3 manner as provided below for cities of the third class.

4 ~~{1}~~ (4) At the end of the fiscal year, the state
5 auditor shall issue and deliver to the treasurer of every
6 city or town, except cities or towns of the first or second
7 class, for the use and benefit of the fire department relief
8 association legally existing in every such city or town
9 entitled by law to receive the same, his warrant for an
10 amount equal to ~~the--taxes--upon--the--fire--portion--of--the~~
11 ~~direct-premiums~~ forty-five one hundredths (45/100) mills of
12 the total assessed valuation of the city or town to be paid
13 from premium taxes, after deducting cancellations and return
14 premiums, collected by the state auditor, ex officio
15 insurance commissioner, from insurers authorized to effect
16 insurance on risks enumerated in subsection 2 (6) of this
17 section, as said cities or towns are each severally entitled
18 to, computed as follows:

19 ~~{a}~~ ~~--Each--and--every--fire--department--relief--association~~
20 ~~legally--organized--and--existing--in--any--city--or--town,--except~~
21 ~~cities--or--towns--of--the--first--or--second--class,--and--entitled~~
22 ~~by--law--to--receive--the--same--shall--receive,--as--its--portion--of~~
23 ~~the--total--taxes--on--premiums--collected--from--insurers~~
24 ~~authorized--to--effect--insurance--on--risks--enumerated--in~~
25 ~~subsection--2--of--this--section,--the--fire--portion--of--the--direct~~

1 ~~premiums,--after--deducting--cancellations--and--return--premiums,~~
2 ~~assessed--and--collected--by--insurers--authorized--to--effect~~
3 ~~insurance--on--risks--enumerated--in--subsection--2--of--this~~
4 ~~section--in--the--said--city--or--town.~~

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

16 ~~{2}~~ (6) The risks referred to in subsection ~~1~~ (4)
17 above, are enumerated as follows: Insurance of houses,
18 buildings, and all other kinds of property against loss or
19 damage by fire or other casualty, and all kinds of insurance
20 on goods, merchandise, or other property in the course of
21 transportation, whether on land or water or air; insurance
22 against loss or damage to motor vehicles resulting from
23 accident, collision, or marine and inland navigation and
24 transportation perils; insurance of growing crops against
25 loss or damage resulting from hail or the elements;

1 insurance against loss or damage by water to any goods or
2 premises arising from the breakage or leakage of sprinklers,
3 pumps or other apparatus; and insurance against loss or
4 legal liability for loss because of damage to property
5 caused by the use of teams or vehicles whether by accident
6 or collision or by explosion of any engine or tank or boiler
7 or pipe or tire of any vehicle, and also including insurance
8 against theft of the whole or any part of any vehicle."

9 Section 2. Section 11-2030, R.C.M. 1947, is amended to
10 read as follows:

11 "11-2030. Fire insurance premium tax to be paid into
12 fund. The state auditor and ex officio commissioner of
13 insurance of the state of Montana shall annually deposit in
14 the earmarked revenue fund, such sum as shall be equivalent
15 to five per cent (5%) of premium taxes collected from
16 insurers authorized to effect insurance against risks
17 enumerated in ~~subsection 2~~ section 11-1919, as shall
18 remain after the amounts provided for by section 11-1919
19 shall have been first deducted. Such moneys shall be used
20 for the payment of claims and administrative costs as
21 provided in ~~section~~ sections 11-2025 and 11-2026."

22 Section 3. Section 11-1918, R.C.M. 1947, is repealed.

-End-

SENATE BILL NO. 196

INTRODUCED BY ROBERTS, HEALY, BLAYLOCK, OLSON,
STORY, HAZELBAKER

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT FUNDS PAID BY THE STATE AUDITOR TO ALL CITIES FOR FIREMEN'S RELIEF ASSOCIATIONS BE BASED ON ASSESSED VALUATION OF THE CITY RATHER THAN ON PREMIUMS COLLECTED IN THE CITY AND INCREASING THE PERCENTAGE OF ASSESSED VALUATION TO FORTY-FIVE ONE HUNDREDTHS MILLS; AMENDING SECTIONS 11-1919 AND 11-2030; AND REPEALING SECTION 11-1918, R.C.M. 1947."

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

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

"11-1919. State auditor to pay fire department relief association out of license fees collected from insurance companies. (1) At the end of the fiscal year, the state auditor shall issue and deliver to the treasurer of every city or town of the first and second class, for the use and benefit of the fire department relief association legally existing in every such city or town entitled by law to receive the same, out of the license fees on insurance risks collected by him, an amount equal to ten per centum (10%) of the total annual compensation paid by such city or town to

its paid or part-paid firemen for services in the previous calendar year. The city clerk of each such city or town shall certify in writing to the state auditor, on or before March 1 of each year, the amount so paid by such city or town as compensation for services to paid or part-paid firemen.

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

(3) In the event a city of the first or second class is not entitled to receive a sum equal to ~~twenty-five~~ forty-five one hundredths ~~(25/100)~~ (45/100) mills of its

1 total assessed valuation under the foregoing method of
2 computation then, in that event, the fire department relief
3 association of that city shall receive its money in the same
4 manner as provided below for cities of the third class.

5 ~~(1)~~ (4) At the end of the fiscal year, the state
6 auditor shall issue and deliver to the treasurer of every
7 city or town, except cities or towns of the first or second
8 class, for the use and benefit of the fire department relief
9 association legally existing in every such city or town
10 entitled by law to receive the same, his warrant for an
11 amount equal to ~~the--taxes--upon--the--fire--portion--of--the~~
12 ~~direct-premiums~~ forty-five one hundredths (45/100) mills of
13 the total assessed valuation of the city or town to be paid
14 from premium taxes, after deducting cancellations and return
15 premiums, collected by the state auditor, ex officio
16 insurance commissioner, from insurers authorized to effect
17 insurance on risks enumerated in subsection 2 (6) of this
18 section, as said cities or towns are each severally entitled
19 to ~~7.~~ computed as follows:

20 ~~(a)--Each--and--every--fire--department--relief--association~~
21 ~~legally--organized--and--existing--in--any--city--or--town,--except~~
22 ~~cities--or--towns--of--the--first--or--second--class,--and--entitled~~
23 ~~by--law--to--receive--the--same--shall--receive,--as--its--portion--of~~
24 ~~the--total--taxes--on--premiums--collected--from--insurers~~
25 ~~authorized--to--effect--insurance--on--risks--enumerated--in~~

1 ~~subsection--2--of--this--section,--the--fire--portion--of--the--direct~~
2 ~~premiums,--after--deducting--cancellations--and--return--premiums,~~
3 ~~assessed--and--collected--by--insurers--authorized--to--effect~~
4 ~~insurance--on--risks--enumerated--in--subsection--2--of--this~~
5 ~~section--in--the--said--city--or--town.~~

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

17 ~~(2)~~ (6) The risks referred to in subsection 2 (4)
18 above, are enumerated as follows: Insurance of houses,
19 buildings, and all other kinds of property against loss or
20 damage by fire or other casualty, and all kinds of insurance
21 on goods, merchandise, or other property in the course of
22 transportation, whether on land or water or air; insurance
23 against loss or damage to motor vehicles resulting from
24 accident, collision, or marine and inland navigation and
25 transportation perils; insurance of growing crops against

1 loss or damage resulting from hail or the elements;
2 insurance against loss or damage by water to any goods or
3 premises arising from the breakage or leakage of sprinklers,
4 pumps or other apparatus; and insurance against loss or
5 legal liability for loss because of damage to property
6 caused by the use of teams or vehicles whether by accident
7 or collision or by explosion of any engine or tank or boiler
8 or pipe or tire of any vehicle, and also including insurance
9 against theft of the whole or any part of any vehicle."

10 Section 2. Section 11-2030, R.C.M. 1947, is amended to
11 read as follows:

12 "11-2030. Fire insurance premium tax to be paid into
13 fund. The state auditor and ex officio commissioner of
14 insurance of the state of Montana shall annually deposit in
15 the earmarked revenue fund, such sum as shall be equivalent
16 to five per cent (5%) of premium taxes collected from
17 insurers authorized to effect insurance against risks
18 enumerated in ~~subsection-2--of~~ section 11-1919, as shall
19 remain after the amounts provided for by section 11-1919
20 shall have been first deducted. Such moneys shall be used
21 for the payment of claims and administrative costs as
22 provided in ~~section~~ sections 11-2025 and 11-2026."

23 Section 3. Section 11-1918, R.C.M. 1947, is repealed.

-End-