

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Senate BILL NO. *197*
INTRODUCED BY *Robert Nealy Blaylock Olson Story*
Nadler

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTIONS 11-1917 AND 11-1919, R.C.M. 1947, TO CHANGE DATES CERTAIN REPORTS ARE DUE THE STATE AUDITOR TO APRIL 1."

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

Section 1. Section 11-1917, R.C.M. 1947, is amended to read as follows:

"11-1917. Annual report of clerks of cities having fire department. On or before ~~October--31st~~ April 1, annually, the clerk of every city having an organized fire department, or a partly paid or volunteer department, shall file with the commissioner of insurance of this state his certificate stating such fact, the system of water supply in use in such fire department, the number of its organized companies, steam, hand, or other engines, hook-and-ladder trucks, hose-carts, and feet of hose in actual use, and such other facts as the commissioner may require."

Section 2. 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. At the end of the fiscal year, the state auditor

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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~~ April 1 of each year, the amount so paid by such city or town as compensation for services to paid or part-paid firemen.

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 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

1 or town entitled to receive the same, out of the license
2 fees collected by him, an additional amount to show at least
3 the one (1) mill growth referred to in section 11-1912.

4 In the event a city of the second class is not entitled
5 to receive a sum equal to twenty-five one hundredths
6 (25/100) mills of its total assessed valuation under the
7 foregoing method of computation then, in that event, the
8 fire department relief association of that city shall
9 receive its money in the same manner as provided below for
10 cities of the third class.

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

24 (a) Each and every fire department relief association
25 legally organized and existing in any city or town, except

1 cities or towns of the first or second class, and entitled
2 by law to receive the same shall receive, as its portion of
3 the total taxes on premiums collected from insurers
4 authorized to effect insurance on risks enumerated in
5 subsection 2 of this section, the fire portion of the direct
6 premiums, after deducting cancellations and return premiums,
7 assessed and collected by insurers authorized to effect
8 insurance on risks enumerated in subsection 2 of this
9 section in the said city or town.

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

21 (2) The risks referred to in subsection 1 above, are
22 enumerated as follows: Insurance of houses, buildings, and
23 all other kinds of property against loss or damage by fire
24 or other casualty, and all kinds of insurance on goods,
25 merchandise, or other property in the course of

LC 0019

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

-End-

Approved by Committee
on State Administration

Senate BILL NO. *197*
Robert Nealy Blaylock Olson Story
Ngallan

1 INTRODUCED BY
2
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTIONS
5 11-1917 AND 11-1919, R.C.M. 1947, TO CHANGE DATES CERTAIN
6 REPORTS ARE DUE THE STATE AUDITOR TO APRIL 1."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 11-1917, R.C.M. 1947, is amended to
10 read as follows:

11 "11-1917. Annual report of clerks of cities having
12 fire department. On or before ~~October--31st~~ April 1,
13 annually, the clerk of every city having an organized fire
14 department, or a partly paid or volunteer department, shall
15 file with the commissioner of insurance of this state his
16 certificate stating such fact, the system of water supply in
17 use in such fire department, the number of its organized
18 companies, steam, hand, or other engines, hook-and-ladder
19 trucks, nose-carts, and feet of hose in actual use, and such
20 other facts as the commissioner may require."

21 Section 2. Section 11-1919, R.C.M. 1947, is amended to
22 read as follows:

23 "11-1919. State auditor to pay fire department relief
24 association out of license fees collected from insurance
25 companies. At the end of the fiscal year, the state auditor

1 shall issue and deliver to the treasurer of every city or
2 town of the first and second class, for the use and benefit
3 of the fire department relief association legally existing
4 in every such city or town entitled by law to receive the
5 same, out of the license fees on insurance risks collected
6 by him, an amount equal to ten per centum (10%) of the total
7 annual compensation paid by such city or town to its paid or
8 part-paid firemen for services in the previous calendar
9 year. The city clerk of each such city or town shall
10 certify in writing to the state auditor, on or before ~~March~~
11 April 1 of each year, the amount so paid by such city or
12 town as compensation for services to paid or part-paid
13 firemen.

14 In the event of a disaster resulting in the death or
15 injury sufficient to draw pension of ten percent (10%) of
16 the active force and when the fund of such fire department
17 relief association after receiving all moneys as designated
18 in section 11-1911 and section 11-1912 and the ten percent
19 (10%) of annual compensation as designated in this act does
20 not show at least the one (1) mill growth as referred to in
21 section 11-1912 then the treasurer of such relief
22 association shall request and the state auditor shall issue
23 and deliver to the treasurer of every city or town of the
24 first and second class, for the use and benefit of the fire
25 department relief association legally existing in every city

1 or town entitled to receive the same, out of the license
2 fees collected by him, an additional amount to show at least
3 the one (1) mill growth referred to in section 11-1912.

4 In the event a city of the second class is not entitled
5 to receive a sum equal to twenty-five one hundredths
6 (25/100) mills of its total assessed valuation under the
7 foregoing method of computation then, in that event, the
8 fire department relief association of that city shall
9 receive its money in the same manner as provided below for
10 cities of the third class.

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

24 (a) Each and every fire department relief association
25 legally organized and existing in any city or town, except

1 cities or towns of the first or second class, and entitled
2 by law to receive the same shall receive, as its portion of
3 the total taxes on premiums collected from insurers
4 authorized to effect insurance on risks enumerated in
5 subsection 2 of this section, the fire portion of the direct
6 premiums, after deducting cancellations and return premiums,
7 assessed and collected by insurers authorized to effect
8 insurance on risks enumerated in subsection 2 of this
9 section in the said city or town.

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

21 (2) The risks referred to in subsection 1 above, are
22 enumerated as follows: Insurance of houses, buildings, and
23 all other kinds of property against loss or damage by fire
24 or other casualty, and all kinds of insurance on goods,
25 merchandise, or other property in the course of

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

-End-

SB 197

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Senate BILL NO. *197*
INTRODUCED BY *Robert Nealy Blaylock Olson Story*
Nash

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTIONS 11-1917 AND 11-1919, R.C.M. 1947, TO CHANGE DATES CERTAIN REPORTS ARE DUE THE STATE AUDITOR TO APRIL 1."

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

Section 1. Section 11-1917, R.C.M. 1947, is amended to read as follows:

"11-1917. Annual report of clerks of cities having fire department. On or before ~~October--31st~~ April 1, annually, the clerk of every city having an organized fire department, or a partly paid or volunteer department, shall file with the commissioner of insurance of this state his certificate stating such fact, the system of water supply in use in such fire department, the number of its organized companies, steam, hand, or other engines, hook-and-ladder trucks, hose-carts, and feet of hose in actual use, and such other facts as the commissioner may require."

Section 2. 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. At the end of the fiscal year, the state auditor

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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~~ April 1 of each year, the amount so paid by such city or town as compensation for services to paid or part-paid firemen.

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 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

1 or town entitled to receive the same, out of the license
2 fees collected by him, an additional amount to show at least
3 the one (1) mill growth referred to in section 11-1912.

4 In the event a city of the second class is not entitled
5 to receive a sum equal to twenty-five one hundredths
6 (25/100) mills of its total assessed valuation under the
7 foregoing method of computation then, in that event, the
8 fire department relief association of that city shall
9 receive its money in the same manner as provided below for
10 cities of the third class.

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

24 (a) Each and every fire department relief association
25 legally organized and existing in any city or town, except

1 cities or towns of the first or second class, and entitled
2 by law to receive the same shall receive, as its portion of
3 the total taxes on premiums collected from insurers
4 authorized to effect insurance on risks enumerated in
5 subsection 2 of this section, the fire portion of the direct
6 premiums, after deducting cancellations and return premiums,
7 assessed and collected by insurers authorized to effect
8 insurance on risks enumerated in subsection 2 of this
9 section in the said city or town.

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

21 (2) The risks referred to in subsection 1 above, are
22 enumerated as follows: Insurance of houses, buildings, and
23 all other kinds of property against loss or damage by fire
24 or other casualty, and all kinds of insurance on goods,
25 merchandise, or other property in the course of

1 transportation, whether on land or water or air; insurance
2 against loss or damage to motor vehicles resulting from
3 accident, collision, or marine and inland navigation and
4 transportation perils; insurance of growing crops against
5 loss or damage resulting from hail or the elements;
6 insurance against loss or damage by water to any goods or
7 premises arising from the breakage or leakage of sprinklers,
8 pumps or other apparatus; and insurance against loss or
9 legal liability for loss because of damage to property
10 caused by the use of teams or vehicles whether by accident
11 or collision or by explosion of any engine or tank or boiler
12 or pipe or tire of any vehicle, and also including insurance
13 against theft of the whole or any part of any vehicle.*

-End-

SENATE BILL NO. 197

INTRODUCED BY ROBERTS, HEALY, BLAYLOCK,

OLSON, STORY, HAZELBAKER

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTIONS 11-1917 AND 11-1919, R.C.M. 1947, TO CHANGE DATES CERTAIN REPORTS ARE DUE THE STATE AUDITOR TO APRIL 1."

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

Section 1. Section 11-1917, R.C.M. 1947, is amended to read as follows:

"11-1917. Annual report of clerks of cities having fire department. On or before ~~October--31st~~ April 1, annually, the clerk of every city having an organized fire department, or a partly paid or volunteer department, shall file with the commissioner of insurance of this state his certificate stating such fact, the system of water supply in use in such fire department, the number of its organized companies, steam, hand, or other engines, hook-and-ladder trucks, hose-carts, and feet of hose in actual use, and such other facts as the commissioner may require."

Section 2. 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. 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~~ April 1 of each year, the amount so paid by such city or town as compensation for services to paid or part-paid firemen.

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 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

1 department relief association legally existing in every city
 2 or town entitled to receive the same, out of the license
 3 fees collected by him, an additional amount to show at least
 4 the one (1) mill growth referred to in section 11-1912.

5 In the event a city of the second class is not entitled
 6 to receive a sum equal to twenty-five one hundredths
 7 (25/100) mills of its total assessed valuation under the
 8 foregoing method of computation then, in that event, the
 9 fire department relief association of that city shall
 10 receive its money in the same manner as provided below for
 11 cities of the third class.

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

25 (a) Each and every fire department relief association

1 legally organized and existing in any city or town, except
 2 cities or towns of the first or second class, and entitled
 3 by law to receive the same shall receive, as its portion of
 4 the total taxes on premiums collected from insurers
 5 authorized to effect insurance on risks enumerated in
 6 subsection 2 of this section, the fire portion of the direct
 7 premiums, after deducting cancellations and return premiums,
 8 assessed and collected by insurers authorized to effect
 9 insurance on risks enumerated in subsection 2 of this
 10 section in the said city or town.

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

22 (2) The risks referred to in subsection 1 above, are
 23 enumerated as follows: Insurance of houses, buildings, and
 24 all other kinds of property against loss or damage by fire
 25 or other casualty, and all kinds of insurance on goods,

1 merchandise, or other property in the course of
2 transportation, whether on land or water or air; insurance
3 against loss or damage to motor vehicles resulting from
4 accident, collision, or marine and inland navigation and
5 transportation perils; insurance of growing crops against
6 loss or damage resulting from hail or the elements;
7 insurance against loss or damage by water to any goods or
8 premises arising from the breakage or leakage of sprinklers,
9 pumps or other apparatus; and insurance against loss or
10 legal liability for loss because of damage to property
11 caused by the use of teams or vehicles whether by accident
12 or collision or by explosion of any engine or tank or boiler
13 or pipe or tire of any vehicle, and also including insurance
14 against theft of the whole or any part of any vehicle."

-End-