

1 House BILL NO. 745
2 INTRODUCED BY Deke

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CONFORM THE
5 TERMINOLOGY IN THE LAWS RELATING TO FIREMEN AND POLICE
6 RETIREMENT AND DEATH AND DISABILITY BENEFITS TO THE PROPOSED
7 LOCAL GOVERNMENT CODE TERMINOLOGY."

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

10 Section 1. Municipality -- definition. Unless the
11 context requires a different meaning, any reference to
12 "municipality" in the laws governing police retirement and
13 death and disability benefits includes those jurisdictions
14 which, prior to May 2, 1977, were incorporated cities and
15 which after that date become or have become part of a
16 municipal-county consolidated local government.

17 Section 2. Standardization of terminology. To
18 facilitate the use of common terminology for local
19 government purposes, the code commissioner shall, where
20 appropriate, change all statutory references to comply with
21 the following rules:

22 (1) Every reference to "fireman" when referring to a
23 person who extinguishes dangerous fires shall be changed to
24 "firefighter".

25 (2) Every reference to "reserve officer" in the laws

1 governing police retirement and death and disability
2 benefits shall be changed to "retired officer".

3 (3) Every reference to "reserve list" in the laws
4 governing police retirement and death and disability
5 benefits shall be changed to "retired list".

6 (4) Every reference to "first and second class city"
7 in the laws governing police retirement and death and
8 disability benefits shall be changed to "municipality having
9 a population of 5,000 or more".

10 (5) Every reference to "cities other than those of the
11 first or second class" in the laws governing police
12 retirement and death and disability benefits shall be
13 changed to "municipality having a population of less than
14 5,000".

-End-

HB 745

Approved by Comm.
on Local Government

HOUSE BILL NO. 745
INTRODUCED BY GERKE

A BILL FOR AN ACT ENTITLED: "AN ACT TO CONFORM THE
TERMINOLOGY IN THE LAWS RELATING TO FIREMEN AND POLICE
RETIREMENT AND DEATH AND DISABILITY BENEFITS TO THE PROPOSED
LOCAL GOVERNMENT CODE TERMINOLOGY."

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

Section 1. Municipality — definition. Unless the
context requires a different meaning, any reference to
"municipality", "CITY", OR "TOWN" in the laws governing
police retirement and death and disability benefits includes
those jurisdictions which, prior to ~~May 24, 1977~~ were
~~incorporated cities and which after that date become or have
become part of a municipal county consolidated local
government.~~ THE EFFECTIVE DATE OF A COUNTY-MUNICIPAL
CONSOLIDATION WERE INCORPORATED MUNICIPALITIES, OR
SUBSEQUENT DISTRICTS CREATED FOR URBAN LAW ENFORCEMENT
SERVICES.

SECTION 2. MUNICIPALITY -- DEFINITION. UNLESS THE
CONTEXT REQUIRES A DIFFERENT MEANING, ANY REFERENCE TO
"MUNICIPALITY", "CITY", OR "TOWN" IN THE LAWS GOVERNING
FIREMEN'S RETIREMENT AND DEATH AND DISABILITY BENEFITS
INCLUDES THOSE JURISDICTIONS WHICH, PRIOR TO THE EFFECTIVE

DATE OF A COUNTY-MUNICIPAL CONSOLIDATION WERE INCORPORATED
MUNICIPALITIES, OR SUBSEQUENT DISTRICTS CREATED FOR URBAN
FIRE PROTECTION SERVICES.

Section 3. Standardization of terminology. To
facilitate the use of common terminology for local
government purposes, the code commissioner shall, where
appropriate, change all statutory references to comply with
the following rules:

(1) Every reference to "fireman" when referring to a
person who extinguishes dangerous fires shall be changed to
"firefighter".

(2) Every reference to "reserve officer" in the laws
governing police retirement and death and disability
benefits shall be changed to "retired officer".

(3) Every reference to "reserve list" in the laws
governing police retirement and death and disability
benefits shall be changed to "retired list".

(4) Every reference to "first and second class city"
in the laws governing police retirement and death and
disability benefits AND LAWS GOVERNING FIREMEN'S RETIREMENT
AND DEATH AND DISABILITY BENEFITS shall be changed to
"municipality having a population of 5,000 or more".

(5) Every reference to "cities other than those of the
first or second class" in the laws governing police
retirement and death and disability benefits AND LAWS

1 ~~GOVERNING FIREMEN'S RETIREMENT AND DEATH AND DISABILITY~~
2 ~~BENEFITS~~ shall be changed to "municipality having a
3 population of less than 5,000".

4 ~~(6) EVERY REFERENCE TO "CITIES OF THE THIRD CLASS" IN~~
5 ~~THE LAWS GOVERNING POLICE RETIREMENT AND DEATH AND~~
6 ~~DISABILITY BENEFITS AND LAWS GOVERNING FIREMEN'S RETIREMENT~~
7 ~~AND DEATH DISABILITY BENEFITS SHALL BE CHANGED TO~~
8 ~~"MUNICIPALITY HAVING A POPULATION OF LESS THAN 5,000 AND~~
9 ~~MORE THAN 1,000".~~

-End-

1 HOUSE BILL NO. 745

2 INTRODUCED BY GERKE

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CONFORM THE
5 TERMINOLOGY IN THE LAWS RELATING TO FIREMEN AND POLICE
6 RETIREMENT AND DEATH AND DISABILITY BENEFITS TO THE PROPOSED
7 LOCAL GOVERNMENT CODE TERMINOLOGY."

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

10 Section 1. Municipality -- definition. Unless the
11 context requires a different meaning, any reference to
12 "municipality", "CITY", OR "TOWN" in the laws governing
13 police retirement and death and disability benefits includes
14 those jurisdictions which, prior to ~~May 27, 1977,~~ were
15 ~~incorporated cities and which after that date became or have~~
16 ~~become part of a municipal county consolidated local~~
17 ~~governments.~~ THE EFFECTIVE DATE OF A COUNTY-MUNICIPAL
18 CONSOLIDATION WERE INCORPORATED MUNICIPALITIES, OR
19 SUBSEQUENT DISTRICTS CREATED FOR URBAN LAW ENFORCEMENT
20 SERVICES.

21 SECTION 2. MUNICIPALITY -- DEFINITION. UNLESS THE
22 CONTEXT REQUIRES A DIFFERENT MEANING, ANY REFERENCE TO
23 "MUNICIPALITY", "CITY", OR "TOWN" IN THE LAWS GOVERNING
24 FIREMEN'S RETIREMENT AND DEATH AND DISABILITY BENEFITS
25 INCLUDES THOSE JURISDICTIONS WHICH, PRIOR TO THE EFFECTIVE

1 DATE OF A COUNTY-MUNICIPAL CONSOLIDATION WERE INCORPORATED
2 MUNICIPALITIES, OR SUBSEQUENT DISTRICTS CREATED FOR URBAN
3 FIRE PROTECTION SERVICES.

4 Section 3. Standardization of terminology. To
5 facilitate the use of common terminology for local
6 government purposes, the code commissioner shall, where
7 appropriate, change all statutory references to comply with
8 the following rules:

9 (1) Every reference to "fireman" when referring to a
10 person who extinguishes dangerous fires shall be changed to
11 "firefighter".

12 (2) Every reference to "reserve officer" in the laws
13 governing police retirement and death and disability
14 benefits shall be changed to "retired officer".

15 (3) Every reference to "reserve list" in the laws
16 governing police retirement and death and disability
17 benefits shall be changed to "retired list".

18 (4) Every reference to "first and second class city"
19 in the laws governing police retirement and death and
20 disability benefits AND LAWS GOVERNING FIREMEN'S RETIREMENT
21 AND DEATH AND DISABILITY BENEFITS shall be changed to
22 "municipality having a population of 5,000 or more".

23 (5) Every reference to "cities other than those of the
24 first or second class" in the laws governing police
25 retirement and death and disability benefits AND LAWS

THIRD READING

1 GOVERNING FIREMEN'S RETIREMENT AND DEATH AND DISABILITY
2 BENEFITS shall be changed to "municipality having a
3 population of less than 5,000".
4 (6) EVERY REFERENCE TO "CITIES OF THE THIRD CLASS" IN
5 THE LAWS GOVERNING POLICE RETIREMENT AND DEATH AND
6 DISABILITY BENEFITS AND LAWS GOVERNING FIREMEN'S RETIREMENT
7 AND DEATH DISABILITY BENEFITS SHALL BE CHANGED TO
8 "MUNICIPALITY HAVING A POPULATION OF LESS THAN 5,000 AND
9 MORE THAN 1,000".

--End--

April 4, 1977

STANDING COMMITTEE REPORT
Senate Committee on State Administration

That House Bill No. 745 be amended as follows:

1. Amend title, line 4.

Following: "ACT"

Strike: "TO CONFORM"

Insert: "RELATING TO"

2. Amend title, lines 6 and 7.

Following: "BENEFITS"

Strike: "TO THE PROPOSED LOCAL GOVERNMENT CODE TERMINOLOGY"

3. Amend page 1, section 1, line 18.

Following: "CONSOLIDATION"

Insert: ", "

Following: "MUNICIPALITIES,"

Strike: "OR"

4. Amend page 1, section 1, line 20.

Following: "SERVICES"

Insert: ", or the entire county included in the county municipal consolidation"

5. Amend page 2, section 3, lines 18 through line 9 on page 3.

Following: line 17

Strike: lines 18 through line 9 on page 3 in their entirety

1 HOUSE BILL NO. 745
2 INTRODUCED BY GERKE

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ~~TO CONFORM~~ RELATING TO
5 THE TERMINOLOGY IN THE LAWS RELATING TO FIREMEN AND POLICE
6 RETIREMENT AND DEATH AND DISABILITY BENEFITS TO THE PROPOSED
7 LOCAL GOVERNMENT CODE TERMINOLOGY."

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

10 Section 1. Municipality -- definition. Unless the
11 context requires a different meaning, any reference to
12 "municipality", "CITY", OR "TOWN" in the laws governing
13 police retirement and death and disability benefits includes
14 those jurisdictions which, prior to ~~May 2, 1977,~~ were
15 ~~incorporated cities and which after that date become or have~~
16 ~~become part of a municipal county consolidated local~~
17 government. THE EFFECTIVE DATE OF A COUNTY-MUNICIPAL
18 CONSOLIDATION, WERE INCORPORATED MUNICIPALITIES, OR
19 SUBSEQUENT DISTRICTS CREATED FOR URBAN LAW ENFORCEMENT
20 SERVICES, OR THE ENTIRE COUNTY INCLUDED IN THE COUNTY
21 MUNICIPAL CONSOLIDATION.

22 SECTION 2. MUNICIPALITY -- DEFINITION. UNLESS THE
23 CONTEXT REQUIRES A DIFFERENT MEANING, ANY REFERENCE TO
24 "MUNICIPALITY", "CITY", OR "TOWN" IN THE LAWS GOVERNING
25 FIREMEN'S RETIREMENT AND DEATH AND DISABILITY BENEFITS

1 INCLUDES THOSE JURISDICTIONS WHICH, PRIOR TO THE EFFECTIVE
2 DATE OF A COUNTY-MUNICIPAL CONSOLIDATION WERE INCORPORATED
3 MUNICIPALITIES, OR SUBSEQUENT DISTRICTS CREATED FOR URBAN
4 FIRE PROTECTION SERVICES.

5 Section 3. Standardization of terminology. To
6 facilitate the use of common terminology for local
7 government purposes, the code commissioner shall, where
8 appropriate, change all statutory references to comply with
9 the following rules:

10 (1) Every reference to "fireman" when referring to a
11 person who extinguishes dangerous fires shall be changed to
12 "firefighter".

13 (2) Every reference to "reserve officer" in the laws
14 governing police retirement and death and disability
15 benefits shall be changed to "retired officer".

16 (3) Every reference to "reserve list" in the laws
17 governing police retirement and death and disability
18 benefits shall be changed to "retired list".

19 ~~(4) Every reference to "first and second class city"~~
20 ~~in the laws governing police retirement and death and~~
21 ~~disability benefits AND LAWS GOVERNING FIREMEN'S RETIREMENT~~
22 ~~AND DEATH AND DISABILITY BENEFITS shall be changed to~~
23 ~~"municipality having a population of 5,000 or more"~~

24 ~~(5) Every reference to "cities other than those of the~~
25 ~~first or second class" in the laws governing police~~

1 retirement--and--death--and--disability--benefits AND--LAWS
2 GOVERNING FIREMEN'S--RETIREMENT--AND--DEATH--AND--DISABILITY
3 BENEFITS shall---be---changed---to---"municipality---having---a
4 population-of-less-than-5,000"▼
5 ~~16) EVERY REFERENCE TO "CITIES OF THE THIRD CLASS" IN~~
6 ~~THE LAWS GOVERNING POLICE RETIREMENT AND DEATH AND~~
7 ~~DISABILITY BENEFITS AND LAWS GOVERNING FIREMEN'S RETIREMENT~~
8 ~~AND DEATH DISABILITY BENEFITS SHALL BE CHANGED TO~~
9 ~~"MUNICIPALITY HAVING A POPULATION OF LESS THAN 5,000 AND~~
10 ~~MORE THAN 1,000"▼~~

-End-