

1 *Senate* BILL NO. *183*
 2 INTRODUCED BY *Roberts Story Galt*

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE MAXIMUM
 5 AMOUNT WHICH MAY BE PAID TO A QUALIFIED CLAIMANT UNDER THE
 6 VOLUNTEER FIREMEN'S PENSION PLAN FROM \$50 TO \$100 PER MONTH;
 7 AMENDING SECTION 11-2022, R.C.M. 1947; AND PROVIDING AN
 8 IMMEDIATE EFFECTIVE DATE."

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

11 Section 1. Section 11-2022, R.C.M. 1947, is amended to
 12 read as follows:

13 "11-2022. Disability, death, insurance and pension
 14 benefits. 1. Every member of a fire company organized in an
 15 unincorporated area, town or village under the laws of this
 16 state, shall be entitled to receive compensation for
 17 disability incurred while in the performance of his duties
 18 as such fireman, when such disability necessitates the
 19 services of a physician or surgeon, while confined or
 20 nonconfined, in the amount of his necessary and reasonable
 21 medical expenses resulting directly from such disability,
 22 and incurred within a period of not more than thirty-six
 23 {36} months from the date of the injury which caused such
 24 disability, not to exceed a total of twenty-five thousand
 25 dollars (\$25,000).

1 2. Where an injury incurred in line of such duty
 2 results in the loss by amputation of an arm, hand, leg or
 3 foot, or the enucleation of an eye, or the loss of any of
 4 the natural teeth, the board shall order them an artificial
 5 member or members be furnished to supply the loss thereof.
 6 The expense of furnishing such members shall not exceed the
 7 sum of one thousand five hundred dollars (\$1,500). The
 8 replacement of an artificial member so furnished shall be
 9 required every five (5) years, if necessary.

10 3. To aid in defraying funeral expenses of a fireman
 11 covered under this act whose death occurs in line of duty,
 12 an amount not to exceed the actual necessary and reasonable
 13 expenses, or the sum of one thousand five hundred dollars
 14 (\$1,500), whichever is less, shall be allowed.

15 4. To encourage and aid volunteer fire departments to
 16 maintain group insurance for benefits on account of death or
 17 injury incurred by members while in the performance of
 18 duties as volunteer firemen, the sum of seventy-five dollars
 19 (\$75) per year for each mobile unit of fire-fighting
 20 equipment, not exceeding two (2) such units in number for
 21 any such department, shall be paid to each volunteer fire
 22 department maintaining such insurance, or to the
 23 organization or agency maintaining such insurance for any
 24 such volunteer fire department.

25 5. In the case of every volunteer fireman who shall

1 meet the qualification requirements set forth in
 2 subparagraph two (2) of section 11-2023, and then if the
 3 claim provided for under subparagraph two (2) of section
 4 11-2024 shall be completed and filed, the claimant shall be
 5 entitled thereafter to participate in the volunteer
 6 firemen's pension plan as provided in this act, and to
 7 receive payments thereunder computed each year in the
 8 following manner. Whenever at the close of business on the
 9 last day of any fiscal year there shall be a balance in the
 10 volunteer fireman's compensation earmarked revenue account
 11 in the earmarked revenue fund in excess of one million
 12 dollars (\$1,000,000) then the industrial accident board
 13 shall set aside and pay over to the public employees'
 14 retirement system, the smaller of such amount in excess of
 15 one million dollars (\$1,000,000), or an amount equal to
 16 ninety-five percent (95%) of the increase of said account
 17 balance over the account balance at the end of the preceding
 18 fiscal year, for the payment by said public employees'
 19 retirement system of pensions to qualified claimants during
 20 the immediately succeeding fiscal year. The amount to be
 21 paid to each qualifying claimant shall be determined by
 22 dividing said amount set aside by the number of claimants
 23 qualifying to participate in such pension plan at the
 24 beginning of such succeeding fiscal year. If such amount set
 25 aside shall be sufficient to pay each such qualified

1 claimant at least twenty dollars (\$20) per month throughout
 2 such succeeding fiscal year, then such pension shall be paid
 3 monthly, on or before the last day of each month of such
 4 succeeding fiscal year; but if said amount set aside shall
 5 not be sufficient to pay each qualified claimant at least
 6 twenty dollars (\$20) per month, then each qualified
 7 claimant's full pension for that year shall be paid to him
 8 in one lump payment on or before the fifteenth day of
 9 December of such year; provided, however, that in any event
 10 the total pension payable hereunder to any qualified
 11 claimant shall not exceed the sum of ~~fifty--dollars--(\$50)~~
 12 \$100 per month, and the amount to be set aside hereunder
 13 from the volunteer fireman's compensation earmarked revenue
 14 account in the earmarked revenue fund at the beginning of
 15 any fiscal year for the funding of such pensions shall not
 16 in any event exceed the amount necessary to pay such maximum
 17 of ~~fifty--dollars--(\$50)~~ \$100 per month to each claimant
 18 qualified as of the beginning of such fiscal year. For the
 19 purpose of computation and payment of benefits under this
 20 act, if children of any volunteer fireman shall become
 21 eligible for benefits hereunder, then all children of such
 22 volunteer fireman shall be treated collectively as one (1)
 23 claimant. The fiscal year for the purpose of this act shall
 24 begin on the first day of July of each year and end on the
 25 last day of June of each year."

LC 0877/01

1 Section 2. Effective date. This act is effective on
2 its passage and approval.

-End-

STATE OF MONTANA

REQUEST NO. 4 16-77

FISCAL NOTE

Form BD-15

In compliance with a written request received February 9, 19 77, there is hereby submitted a Fiscal Note for Senate Bill 183 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 to increase the maximum amount which may be paid to a qualified claimant under the volunteer firemen's pension plan from \$50 to \$100 per month.

ASSUMPTIONS:

1. Benefit increase under current law will be 11% annually.
2. This bill will double the benefit payout. The amount to be paid out in FY 77 under current law is \$76,020.

FISCAL IMPACT:

	<u>FY 78</u>	<u>FY 79</u>
Additional benefits to be paid under proposed legislation	<u>\$84,382</u>	<u>\$93,664</u>

LONG-RANGE EFFECT:

This increase will tend to reduce asset increases in future years due to increased current payments. Because fund may only pay 95% of previous year's increase, this may reduce future benefit payments. Fund will always grow by 5% each year.

Richard L. Tracy for
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-16-77

Approved by Committee on State Administration

Senate BILL NO. *183*
Roberts *Stony* *Galt*

INTRODUCED BY

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2. Where an injury incurred in line of such duty results in the loss by amputation of an arm, hand, leg or foot, or the enucleation of an eye, or the loss of any of the natural teeth, the board shall order them an artificial member or members be furnished to supply the loss thereof. The expense of furnishing such members shall not exceed the sum of one thousand five hundred dollars (\$1,500). The replacement of an artificial member so furnished shall be required every five (5) years, if necessary.

3. To aid in defraying funeral expenses of a fireman covered under this act whose death occurs in line of duty, an amount not to exceed the actual necessary and reasonable expenses, or the sum of one thousand five hundred dollars (\$1,500), whichever is less, shall be allowed.

4. To encourage and aid volunteer fire departments to maintain group insurance for benefits on account of death or injury incurred by members while in the performance of duties as volunteer firemen, the sum of seventy-five dollars (\$75) per year for each mobile unit of fire-fighting equipment, not exceeding two (2) such units in number for any such department, shall be paid to each volunteer fire department maintaining such insurance, or to the organization or agency maintaining such insurance for any such volunteer fire department.

5. In the case of every volunteer fireman who shall

SB183

1 meet the qualification requirements set forth in
 2 subparagraph two (2) of section 11-2023, and then if the
 3 claim provided for under subparagraph two (2) of section
 4 11-2024 shall be completed and filed, the claimant shall be
 5 entitled thereafter to participate in the volunteer
 6 firemen's pension plan as provided in this act, and to
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2 INTRODUCED BY ROBERTS, STORY, GALT

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SB 0183/02

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