

House Bill 588

In The House

January 30, 1981	Introduced and referred to Committee on State Administration.
February 2, 1981	Fiscal note requested.
February 7, 1981	Fiscal note returned.
April 23, 1981	Died in Committee.

1                                    HOUSE    BILL NO. 588  
 2    INTRODUCED BY Mueller W. Hillman  
 3    Heffernan

4    A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS  
 5    19-11-602 AND 19-11-604, MCA, TO INCREASE THE MAXIMUM AMOUNT  
 6    OF SERVICE AND DISABILITY PENSIONS THAT MAY BE PAID BY FIRE  
 7    DEPARTMENT RELIEF ASSOCIATIONS TO VOLUNTEER FIREFIGHTERS;  
 8    AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

11            Section 1. Section 19-11-602, MCA, is amended to read:

12            "19-11-602. Service pension. (1) Each association  
 13    shall pay, out of its disability and pension fund, a service  
 14    pension to each of its members who elects to retire from  
 15    active service after having completed 20 years or more of  
 16    active duty and has reached the age of 50 years as a fully  
 17    paid member of a paid or partly paid and partly volunteer  
 18    fire department of the city or town in which the association  
 19    was formed. The pension shall be equal to one-half of the  
 20    sum last received by the member as a monthly compensation,  
 21    excluding overtime and payments in lieu of sick leave and  
 22    annual leave, for his services as an active member of the  
 23    fire department.

24            (2) Effective July 1, 1974, a member who completes 20  
 25    years of service and elects to serve additional years shall

1    receive the pension provided for in subsection (1) increased  
 2    at the rate of 1% per year for each additional year of  
 3    service completed, up to a maximum of 60% of the sum last  
 4    received by the member as a monthly compensation, excluding  
 5    overtime and payments in lieu of sick leave and annual  
 6    leave, for his services as an active member of the fire  
 7    department. No member is eligible to receive a service  
 8    pension prior to attaining the age of 50 years.

9            (3) The monthly pension paid to members retiring on or  
 10    after July 1, 1973, must be at least one-half the regular  
 11    monthly salary, excluding overtime and payments in lieu of  
 12    sick leave and annual leave, paid to a confirmed active  
 13    firefighter of that city, as provided each year in the  
 14    budget of that city. The monthly pension paid to a member  
 15    retiring prior to July 1, 1974, must be at least \$200. In  
 16    the case of volunteer firefighters, the pension may not  
 17    exceed ~~\$100~~ \$150 a month.

18            (4) As of July 1, 1977, a member is not eligible to  
 19    receive a service pension under this section unless he is  
 20    making a monthly contribution to the disability and pension  
 21    fund, as required by 19-11-501, and is on active duty as a  
 22    fully paid member of a fire department when he reaches the  
 23    age of 50 years.

24            (5) A member of a pure volunteer fire department who  
 25    has served 20 years or more as an active member of the fire

1 department is entitled to the benefits provided for in this  
 2 chapter regardless of his age. A member of a pure volunteer  
 3 fire department who has completed 10 years' service as an  
 4 active member of the fire department but who is prevented  
 5 from completing 20 years' service by dissolution or  
 6 discontinuance of his volunteer fire department, personal  
 7 relocation due to transfer or loss of employment, personal  
 8 disability, or any other factor beyond his reasonable  
 9 control may nevertheless qualify for a partial or reduced  
 10 pension in an amount and to the extent determined by the  
 11 board of trustees of the association, regardless of his  
 12 age."

13 Section 2. Section 19-11-604, MCA, is amended to read:

14 "19-11-604. Disability pension. (1) Each association  
 15 shall pay a disability pension, out of its disability and  
 16 pension fund, to each of its members who has become disabled  
 17 by reason of sickness or injury. The pension shall be equal  
 18 to one-half of the sum last received by the member as a  
 19 monthly compensation, excluding overtime and payments in  
 20 lieu of sick leave and annual leave, for his services to the  
 21 fire department of the city or town in which the association  
 22 was formed.

23 (2) Effective July 1, 1974, a member who completes 20  
 24 years of service and elects to serve additional years shall  
 25 receive the pension provided for in subsection (1) increased

1 at the rate of 1% per year for each additional year of  
 2 service completed, up to a maximum of 60% of the sum last  
 3 received by the member as a monthly compensation, excluding  
 4 overtime and payments in lieu of sick leave and annual  
 5 leave, for his services as an active member of the fire  
 6 department.

7 (3) The monthly pension paid to members retiring on or  
 8 after July 1, 1973, must be at least one-half the regular  
 9 monthly salary paid to a confirmed active firefighter of  
 10 that city, as provided each year in the budget of that city.  
 11 The monthly pension paid to a member retiring prior to July  
 12 1, 1974, must be at least \$200. In the case of volunteer  
 13 firefighters, the disability pension may not exceed ~~\$75~~ \$125  
 14 a month."

15 Section 3. Effective date. This act is effective on  
 16 passage and approval.

-End-

STATE OF MONTANA

REQUEST NO. 281-81

FISCAL NOTE

Form BD-15

In compliance with a written request received February 2, 19 81, there is hereby submitted a Fiscal Note for HB 588 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

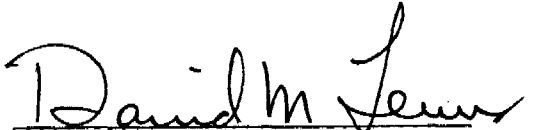
Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description:

House Bill No. 588 increases the maximum monthly benefit which may be paid to retired volunteer firemen in incorporated cities and towns.

Fiscal Impact:

In order to determine the fiscal impact of this change, it would be necessary to obtain information on the number of retired firemen, the number of active firemen, and the total amount of assets in each fund. We have been unable to obtain this information since we have found no state agency charged with the responsibility of maintaining this data. Because data is unavailable, it is impossible to project the future expenditure requirements of this bill. The bill does not generate any additional funds and therefore has no affect upon revenue.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-7-81