

House Bill 714

In The House

February 11, 1981

Introduced and referred  
to Committee on State  
Administration.

April 23, 1981

Died in Committee.



1 department. No member is eligible to receive a service  
2 pension prior to attaining the age of 50 years.

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

13 (4) As of July 1, 1977, a member ~~full- or part-paid~~  
14 ~~firefighter~~ is not eligible to receive a service pension  
15 under this section unless he is making a monthly  
16 contribution to the disability and pension fund, as required  
17 by 19-11-501, and is on active duty as a ~~fully-paid~~ member  
18 of a fire department when he reaches the age of 50 years.

19 (5) A member of a pure volunteer fire department who  
20 has served 20 years or more as an active member of the fire  
21 department is entitled to the benefits provided for in this  
22 chapter regardless of his age. A member of a pure volunteer  
23 fire department who has completed 10 years' service as an  
24 active member of the fire department but who is prevented  
25 from completing 20 years' service by dissolution or

1 discontinuance of his volunteer fire department, personal  
2 relocation due to transfer or loss of employment, personal  
3 disability, or any other factor beyond his reasonable  
4 control may nevertheless qualify for a partial or reduced  
5 pension in an amount and to the extent determined by the  
6 board of trustees of the association, regardless of his  
7 age."

8 Section 3. Section 19-11-604, MCA, is amended to read:

9 "19-11-604. Disability pension. (1) Each association  
10 shall pay a disability pension, out of its disability and  
11 pension fund, to each of its members who has become disabled  
12 by reason of sickness or injury. The pension ~~paid to a~~  
13 ~~full-paid firefighter~~ shall be equal to one-half of the sum  
14 last received by the member as a monthly compensation,  
15 excluding overtime and payments in lieu of sick leave and  
16 annual leave, for his services to the fire department of the  
17 city or town in which the association was formed.

18 (2) Effective July 1, 1974, a member who completes 20  
19 years of service and elects to serve additional years shall  
20 receive the pension provided for in subsection (1) increased  
21 at the rate of 1% per year for each additional year of  
22 service completed, up to a maximum of 60% of the sum last  
23 received by the member as a monthly compensation, excluding  
24 overtime and payments in lieu of sick leave and annual  
25 leave, for his services as an active member of the fire

1 department.

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

11 Section 4. Section 19-11-605, MCA, is amended to read:

12 "19-11-605. Pensions to surviving spouses and  
13 children. (1) Each association shall pay, out of its  
14 disability and pension fund, a monthly pension to the  
15 surviving spouse or children of a deceased member of the  
16 association who on the date of his death was an active  
17 member of the fire department in the city or town in which  
18 the association was formed, who had elected to retire from  
19 active service in the fire department and receive a service  
20 pension as provided for by 19-11-602, or who, prior to  
21 death, had suffered a sickness or injury and was receiving  
22 or was qualified to receive a disability pension as provided  
23 by 19-11-604. The pension ~~paid to the surviving spouse or~~  
24 ~~children of a full-paid firefighter~~ shall be equal to  
25 one-half of the last month's salary received as a monthly

1 compensation, excluding overtime and payments in lieu of  
2 sick leave and annual leave, by the deceased member for  
3 services rendered as an active member of the fire department  
4 in the city or town in which the association was formed.

5 (2) Effective July 1, 1974, if the deceased member had  
6 completed 20 years of service and had elected to serve  
7 additional years, the pension provided for in subsection (1)  
8 shall be increased at the rate of 1% per year for each  
9 additional year of service completed, up to a maximum of 60%  
10 of the last month's salary received as a monthly  
11 compensation, excluding overtime and payments in lieu of  
12 sick leave and annual leave, by the deceased member for his  
13 services as an active member of the fire department.

14 (3) The monthly pension paid to the surviving spouse  
15 or children of an active member ~~full-paid firefighter~~ who  
16 dies after July 1, 1973, or an active member ~~full-paid~~  
17 ~~firefighter~~ who elects to retire after July 1, 1973, must be  
18 at least one-half the regular monthly salary paid to a  
19 confirmed active firefighter of that city, as provided each  
20 year in the budget of that city. The monthly pension paid to  
21 the surviving spouse or children of an active member  
22 ~~full-paid firefighter~~ who died prior to July 1, 1974, or who  
23 elected to retire before July 1, 1974, must be at least  
24 \$200. In the case of ~~part-paid or~~ volunteer firefighters,  
25 the pension may not exceed \$75 per month.

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1           (4) A pension may be paid to the surviving spouse only  
2 so long as such spouse remains unmarried. A surviving spouse  
3 is not entitled to a pension under this section if the  
4 marriage was entered into after the firefighter had elected  
5 to retire from active service and had begun to receive a  
6 service pension as provided for by 19-11-602 or if the  
7 marriage was entered into after the firefighter had  
8 qualified for and had begun to receive a disability pension  
9 as provided for by 19-11-604. The pension provided for in  
10 this section may not be paid to the children of deceased  
11 firefighters after they have attained the age of 18."

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