

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 full-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.

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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