

SENATE BILL NO. 81

INTRODUCED BY LYNCH, JACOBSON, STIMATZ, BLAYLOCK,
QUILICI, PAVLOVICH, HARRINGTON, FULLER, HARP, NEUMAN,
KEYSER, MENAHAN, ROUSH, JACOBSEN, DAILY, NORMAN, ECK,
THOMAS, STORY, HALLIGAN, MARKS, STOBIE, HAZELBAKER,
LANE, LEE, HAFLEY

IN THE SENATE

January 7, 1983	Introduced and referred to Committee on Labor and Employment Relations.
January 8, 1983	Fiscal note requested.
January 13, 1983	Fiscal note returned.
January 21, 1983	Committee recommend bill do pass. Report adopted.
January 22, 1983	Bill printed and placed on members' desks.
January 24, 1983	Second reading, do pass.
January 25, 1983	Correctly engrossed.
January 26, 1983	Third reading, passed. Ayes, 46; Noes, 2. Transmitted to House.

IN THE HOUSE

January 27, 1983	Introduced and referred to Committee on State Administration.
February 5, 1983	Committee recommend bill be concurred in. Report adopted.
February 8, 1983	Second reading, concurred in.
February 10, 1983	Third reading, concurred in.

IN THE SENATE

February 11, 1983

Returned to Senate. Sent to
enrolling.

Reported correctly enrolled.

1 *Senate* BILL NO. *5* *Palomil*
 2 INTRODUCED BY *Lynch* *J. Jackson* *Blaylock*
 3 *Hamington* *Fuller* *Hart* *Neuman* *Keyser* *Mendham*
 4 *Roush* *Bjorkman* *Donley* *Norman* *Ed*
 5 *Kelly* 19-12-404, MCA, TO INCREASE THE MAXIMUM AMOUNT THAT MAY BE
 6 PAID TO A QUALIFIED CLAIMANT UNDER THE VOLUNTEER
 7 FIREFIGHTERS' COMPENSATION ACT; AND PROVIDING AN IMMEDIATE
 8 EFFECTIVE DATE."
 9 *Leo Lane* *Hall*

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

11 Section 1. Section 19-12-404, MCA, is amended to read:

12 "19-12-404. Pension benefits. (1) Each person who
 13 meets the requirements set forth in 19-12-401 or, in the
 14 case of a beneficiary, 19-12-405(1) and who has completed
 15 and filed a claim as provided in 19-12-403 is entitled to
 16 participate in the volunteer firefighters' pension plan and
 17 to receive payments as provided in this section.

18 (2) The payments shall be computed each year in the
 19 following manner:

20 (a) Whenever at the close of business on the last day
 21 of a fiscal year there is a balance in the volunteer
 22 firefighters' fund in excess of \$1 million, the division
 23 shall set aside and pay over to the public employees'
 24 retirement system the smaller of the amount in excess of \$1
 25 million and an amount equal to 95% of the increase of the

1 balance over the balance at the end of the preceding fiscal
 2 year for the payment by the public employees' retirement
 3 system of pensions to qualified claimants during the
 4 immediately succeeding fiscal year. The amount to be paid to
 5 each qualifying claimant shall be determined by dividing the
 6 amount set aside by the number of claimants qualifying to
 7 participate in the pension plan at the beginning of such
 8 succeeding fiscal year.

9 (b) The total pension payable to a qualified claimant
 10 under this section may not exceed ~~\$100~~ \$200 per month, and
 11 the amount to be set aside from the volunteer firefighters'
 12 fund may not exceed the amount necessary to pay the maximum
 13 of ~~\$100~~ \$200 per month to each claimant qualified as of the
 14 beginning of the fiscal year during which the payments are
 15 to be made.

16 (c) For the purpose of computation and payment of
 17 benefits under this section, if children of a volunteer
 18 firefighter become eligible for benefits, all the children
 19 of the volunteer firefighter shall be treated collectively
 20 as one claimant.

21 (3) If the amount set aside is sufficient to pay each
 22 qualified claimant at least \$20 per month throughout the
 23 succeeding fiscal year, the pension shall be paid monthly on
 24 or before the last day of each month. If the amount set
 25 aside is not sufficient to pay each qualified claimant at

-2- INTRODUCED BILL
 SB 81

1 least \$20 per month, each qualified claimant's full pension
2 for that year shall be paid to him in one lump payment on or
3 before Decemoer 15 of that year."

4 NEW SECTION. Section 2. Effective Date. This act is
5 effective on passage and approval.

-End-

STATE OF MONTANA

REQUEST NO. 061-83

FISCAL NOTE

Form BD-15

In compliance with a written request received January 8, , 19 83 , there is hereby submitted a Fiscal Note for Senate Bill 81 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

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:

Senate Bill 81 is an act changing the amount of the maximum benefit for retiring volunteer fire fighters of unincorporated areas with 20 years of service from \$100 per month to \$200 per month.

ASSUMPTIONS:

- 1) Total benefits in any year is limited to 95% of the increase in the assets of the previous years.

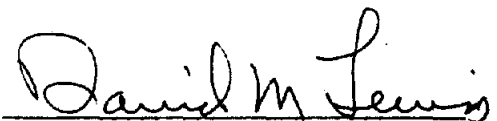
FISCAL IMPACT:

None.

LONG RANGE EFFECT:

This bill will not result in any significant increase in benefits during the biennium, however, somewhere down the road there will be a year that benefits will be increased followed by a year of reduced benefits.

FISCAL NOTE3:J/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-13-83

Approved by Committee
on Labor & Employment
Relations

1 *Senate* BILL NO. *Enrolled* *Salvini*
2 INTRODUCED BY *Lynch* *J. Jackson* *Stewart* *Blaylock*
3 *Hamington* *Faller* *Farrell* *NEUMAN* *Keyser* *Mendham*
4 *ROUSH* *B. Johnson* *Woolly* *Norman* *Edin*
5 *Haffey* 19-12-404, MCA, TO INCREASE THE MAXIMUM AMOUNT THAT MAY BE
6 PAID TO A QUALIFIED CLAIMANT UNDER THE VOLUNTEER *Holmes*
7 FIREFIGHTERS' COMPENSATION ACT; AND PROVIDING AN IMMEDIATE *Holmes*
8 EFFECTIVE DATE." *Leo Lane* *Haffey*
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SECOND READING

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 3 *Hamington* *Fulmer* *NEUMAN* *Reynolds* *Mendham*
 4 *ROUSH* *Bjorkman* *Ward* *Norman* *Ellis*
 5 *Hefley* 19-12-404, MCA, TO INCREASE THE MAXIMUM AMOUNT THAT MAY BE *Young*
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THOMAS, STORY, HALLIGAN, MARKS, STORIE, HAZELBAKER,
LANE, LEE, HAFLEY

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
19-12-404, MCA, TO INCREASE THE MAXIMUM AMOUNT THAT MAY BE
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