

SENATE BILL NO. 320

INTRODUCED BY GAGE

IN THE SENATE

January 29, 1983	Introduced and referred to Committee on State Administration.
January 31, 1983	Fiscal Note requested.
February 3, 1983	Fiscal Note returned.
February 10, 1983	Committee recommend bill do pass. Report adopted.
February 11, 1983	Bill printed and placed on members' desks.
February 12, 1983	Second reading, do pass.
February 14, 1983	Correctly engrossed.
February 15, 1983	Third reading, passed. Ayes, 47; Noes. 2. Transmitted to House.

IN THE HOUSE

March 1, 1983	Introduced and referred to Committee on State Administration.
March 23, 1983	Committee recommend bill be concurred in as amended. Report adopted.
March 26, 1983	Second reading, concurred in.
March 28, 1983	Third reading, concurred in.

IN THE SENATE

March 28, 1983

Returned to Senate with  
amendments.

March 31, 1983

Second reading, amendments  
concurred in.

April 1, 1983

Third reading, amendments  
concurred in. Ayes, 45;  
Noes, 1.

Sent to enrolling.

Reported correctly enrolled.

1 *Senate* BILL NO. 320  
2 INTRODUCED BY *Rip*  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE MAXIMUM  
5 AMOUNT OF A SERVICE OR DISABILITY PENSION THAT MAY BE PAID  
6 TO A VOLUNTEER FIREFIGHTER BY A FIRE DEPARTMENT RELIEF  
7 ASSOCIATION; AMENDING SECTIONS 19-11-602 AND 19-11-604, MCA;  
8 AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."  
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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  
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6 leave, for his services as an active member of the fire  
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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  
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 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 NEW SECTION. Section 3. Effective date. This act is  
 16 effective on passage and approval.

-End-

STATE OF MONTANA

REQUEST NO. 290-83

FISCAL NOTE

Form BD-15

In compliance with a written request received January 31, , 19 83 , there is hereby submitted a Fiscal Note for Senate Bill 320 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:

Senate Bill 320 increases the maximum amount of a service or disability pension that may be paid to a volunteer firefighter by a fire department relief association.

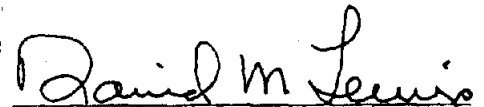
COMMENTS:

The bill revises Section 19-11-602 MCA. This section relates to third class cities and towns. This group handles their own pension funds (19-11-105) and are not under the control of the state of Montana public retirement systems. Therefore, no fiscal impact to the state.

LOCAL IMPACT:

No data is available to compute the local impact. Amount should not be significant since most associations are not paying the current maximum pension.

FISCAL NOTE 10:S/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-3-83

Approved by Committee  
on State Administration

*Spate* BILL NO. 320

INTRODUCED BY *Spate*

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE MAXIMUM AMOUNT OF A SERVICE OR DISABILITY PENSION THAT MAY BE PAID TO A VOLUNTEER FIREFIGHTER BY A FIRE DEPARTMENT RELIEF ASSOCIATION; AMENDING SECTIONS 19-11-602 AND 19-11-604, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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

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

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

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

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

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

(5) A member of a pure volunteer fire department who 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  
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 10 pension in an amount and to the extent determined by the  
 11 board of trustees of the association, regardless of his  
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13 Section 2. Section 19-11-604, MCA, is amended to read:

14 "19-11-604. Disability pension. (1) Each association  
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23 (2) Effective July 1, 1974, a member who completes 20  
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-End-

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15 NEW SECTION. Section 3. Effective date. This act is  
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-End-

STATE ADMINISTRATION COMMITTEE  
MARCH 23, 1983  
SENATE BILL 320

1. Title, line 8.  
Strike: "IMMEDIATE"

2. Page 4, line 16.  
Strike: "on passage and approval"  
Insert: "July 1, 1983"

AND AS AMENDED BE CONCURRED IN

## SENATE BILL NO. 320

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15 ~~NEW SECTION.~~ Section 3. Effective date. This act is  
 16 effective on ~~passage and approval~~ JULY 1, 1983.

-End-