SENATE BILL NO. 320

1

INTRODUCED BY GAGE

IN THE SENATE

IN THE OF	MALD
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 HO	USE
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.

7

INTRODUCED BY 1 2 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."

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 pension to each of its members who elects to retire from 14 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 sum last received by the member as a monthly compensation, 20 excluding overtime and payments in lieu of sick leave and 21 annual leave, for his services as an active member of the 22 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

LC 1063/01

1 receive the pension provided for in subsection (1) increased 2 at the rate of 1% per year for each additional year of 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 6 leave, for his services as an active seaper of the fire department. No member is eligible to receive a service 7 pension prior to attaining the age of 50 years. 8

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

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

-2 INTRODUCED BILL (-) = -2

department is entitled to the benefits provided for in this 1 chapter regardless of his age. A member of a pure volunteer 2 fire department who has completed 10 years' service as an 3 active member of the fire department but who is prevented 4 from completing 20 years service by dissolution or 5 discontinuance of his volunteer fire department, personal 6 relocation due to transfer or loss of employment, personal 7 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: "19-11-604. Disability pension. (1) Each association 14 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 2Z was formed.

(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

1 at the rate of 12 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 that city, as provided each year in the budget of that city. 10 The monthly pension paid to a member retiring prior to July 11 12 1, 1974, must be at least \$200. In the case of volunteer firefighters, the disability pension may not exceed 475 \$125 13 14 a month." NEW_SECTION. Section 3. Effective date. This act is 15

effective on passage and approval.

16

-End-

-3-

.

-4-

STATE OF MONTANA

290-83 REQUEST NO.

FISCAL NOTE

Form BD-15

14.1

Δ...

1

ी सन्दे

-1

In	compliance	with a	written	request	received	January	31,	19 _	83	, there is	hereby	submitted	a Fiscal Noti	e
for	Senate	Bil1	320		pursuant to	Chapter 53	, Laws of N	ionta	ina, 196	5 - Thirt	y-Ninth I	Legislative A	Assembly.	
Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members														
of	the Legislatu	ire upoi	n reques	t.						1			1	

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.

5.4

FISCAL NOTE 10:S/1

BUDGET DIRECTOR Office of Budget and Program Planning Date: <u>2 - 3 - 8 3</u> LC 1063/01

Approved by Committee on State AdminAstration

Agente BILL NO. 320 1 2 INTRODUCED BY 2 3

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

9

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 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 active service after having completed 20 years or more of 15 16 active duty and has reached the age of 50 years as a fully paid member of a paid or partly paid and partly volunteer 17 18 fire department of the city or town in which the association was formed. The pension shall be equal to one-half of the 19 20 sum last received by the member as a monthly compensation, excluding overtime and payments in lieu of sick leave and 21 22 annual leave, for his services as an active member of the 23 fire department.

(2) Effective July 1, 1974, a member who completes 20 24 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 service completed, up to a maximum of 60% of the sum last 3 received by the member as a monthly compensation, excluding 4 5 overtime and payments in lieu of sick leave and annual leave, for his services as an active member of the fire 6 department. No member is eligible to receive a service 7 pension prior to attaining the age of 50 years. 8

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

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

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

> --- SECOND READING 58220

LC 1063/01

department is entitled to the benefits provided for in this 1 2 chapter regardless of his age. A member of a pure volunteer fire department who has completed 10 years' service as an 3 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 disability. or any other factor beyond his reasonable 8 control may nevertheless gualify for a partial or reduced 9 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 memoers who has become disabled by reason of sickness or injury. The pension shall be equal 17 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.

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

at the rate of 1% per year for each additional year of 1 2 service completed, up to a maximum of 60% of the sum last received by the member as a monthly compensation, excluding 3 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.

(3) The monthly pension paid to members retiring on or 7 after July 1, 1973, must be at least one-half the regular 8 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 1, 1974, must be at least \$200. In the case of volunteer 12 13 firefighters, the disability pension may not exceed \$75 \$125 a month." 14 15 NEW SECTION. Section 3. Effective date. This act is effective on passage and approval.

16

-End-

LC 1063/01

1 Agente BILL NO. 320 2 INTRODUCED BY Day

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."

9

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

Section 1. Section 19-11-602, MCA, is amended to read: 11 #19-11-602. Service pension. (1) Each association 12 shall pay, out of its disability and pension fund, a service 13 pension to each of its members who elects to retire from 14 15 active service after having completed 20 years or more of active duty and has reached the age of 50 years as a fully 16 paid member of a paid or partly paid and partly volunteer 17 fire department of the city or town in which the association 18 was formed. The pension shall be equal to one-half of the 19 20 sum last received by the member as a monthly compensation, excluding overtime and payments in lieu of sick leave and 21 annual leave, for his services as an active member of the 22 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 at the rate of 1% per year for each additional year of 2 3 service completed, up to a maximum of 60% of the sum last 4 received by the member as a monthly compensation, excluding overtime and payments in lieu of sick leave and annual 5 6 leave, for his services as an active member of the fire 7 department. No member is eligible to receive a service pension prior to attaining the age of 5D years. 8 9 (3) The monthly pension paid to members retiring on or after July 1, 1973, must be at least one-half the regular 10 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 the case of volunteer firefighters, the pension may not 16 17 exceed \$100 \$150 a month. (4) As of July 1, 1977, a member is not eligible to 18

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

-2- THIRD READING 50120

1 department is entitled to the benefits provided for in this chapter regardless of his age. A member of a pure volunteer 2 fire department who has completed 10 years' service as an 3 4 active member of the fire department but who is prevented 5 from completing 20 years, service by dissolution or discontinuance of his volunteer fire department, personal 6 relocation due to transfer or loss of employment, personal 7 8 disability, or any other factor beyond his reasonable 9 control may nevertheless gualify 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. NCA. 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 memoers 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 lieu of sick leave and annual leave, for his services to the 20 21 fire department of the city or town in which the association 2Z was formed.

(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

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 firefighters, the disability pension may not exceed \$75 \$125 13 14 a month."

15 <u>NEW_SECTION</u> Section 3. Effective date. This act is
 16 effective on passage and approval.

-End-

-3-

STATE ADMINISTRATION COMMITTEE MARCH 23, 1983 SENATE BILL 320

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

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

والمراجع فالاستان المحارب والمراجع والمراجع والمراجع

AND AS AMENDED BE CONCURRED IN

1

z

3

4

5

6

SENATE BILL NO. 320 1 2 INTRODUCED BY GAGE 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE MAXIMUM 5 AMOUNT OF A SERVICE OR DISABILITY PENSION THAT HAY BE PAID 6 TO A VOLUNTEER FIREFIGHTER BY A FIRE DEPARTMENT RELIEF. 7 ASSOCIATION: AMENDING SECTIONS 19-11-602 AND 19-11-604+ MEA: 8 AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." Q BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 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 i4 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 denartment.

(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

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 after July 1, 1973, must be at least one-half the regular 10 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 15 the case of volunteer firefighters, the pension may not 17 exceed \$100 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

-2-

\$8 329

REFERENCE BILL

SB 320

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

Section 2. Section 19-11-604, MCA, is amended to read: 13 *19-11-604. Disability pension. (1) Each association 14 shall pay a disability pension, out of its disability and 15 16 pension fund, to each of its members who has become disabled by reason of sickness or injury. The pension shall be equal 17 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 fire department of the city or town in which the association 21 22 was formed.

(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

-3-

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.

(3) The monthly pension paid to members retiring on or 7 after July 1, 1973, must be at least one-half the regular 8 monthly salary paid to a confirmed active firefighter of 9 10 that city, as provided each year in the budget of that city. The monthly pension paid to a member retiring prior to July 11 1. 1974, must be at least \$200. In the case of volunteer 12 firefighters, the disability pension may not exceed \$75 1125 13 14 a month." 15 NEW SECTION. Section 3. Effective date. This act is

16 effective on-possage-and-approval JULY_1, 1983.

-End-

-4-

SB 320