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2 INTRODUCED BY Hannington Jeff Larson Larson ORR HARI
3 Benedict Jenkins Foster Aguirre Frank Wolf Grimes Drury
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A VOLUNTEER FIRE COMPANY OR
5 DEPARTMENT AND ITS EMPLOYEES ARE NOT LIABLE FOR CIVIL DAMAGES, EXCEPT DAMAGES FOR
6 GROSS NEGLIGENCE OR WILLFUL OR WANTON MISCONDUCT, FOR THEIR ACTS OR OMISSIONS
7 RELATING TO THE INVESTIGATION, MONITORING, CLEANUP, MITIGATION, ABATEMENT, OR REMOVAL
8 OF A HAZARDOUS OR DELETERIOUS SUBSTANCE IN RESPONSE TO A RELEASE OF THE SUBSTANCE."

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

11

12 NEW SECTION. Section 1. Immunity of volunteer fire company or department and employees for
13 hazardous or deleterious substance cleanup. A volunteer fire company or department that is organized by
14 a municipality, county, rural fire district, fire service area, or other entity and the employees of the company
15 or department are not liable for civil damages, except damages for gross negligence or willful or wanton .
16 misconduct, for their acts or omissions relating to the investigation, monitoring, cleanup, mitigation,
17 abatement, or removal of a hazardous or deleterious substance in response to a release.

18

19 **NEW SECTION.** **Section 2. Codification instruction.** [Section 1] is intended to be codified as an
20 integral part of Title 75, chapter 10, part 7, and the provisions of Title 75, chapter 10, part 7, apply to
21 [section 1].

22

23 **NEW SECTION.** **Section 3. Two-thirds vote required.** Because [section 1] limits governmental
24 liability, Article II, section 18, of the Montana Constitution requires a vote of two-thirds of the members
25 of each house of the legislature for passage.

26

-END-

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26 -END-

HOUSE BILL NO. 315

2 INTRODUCED BY

INTRODUCED BY Hannington Cap Larson Corvallis ORR HAKI

Bonduit Jenkins Foster Squire Pickoff Grind & Drury
PULL FOR AN ACT ENTITLED "AN ACT PROVIDING THAT A VOLUNTEER FIRE COMPANY OR

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A VOLUNTEER FIRE COMPANY OR
5 *John M. - e B. S. Brown, Miller* DEPARTMENT, AND ITS EMPLOYEES ARE NOT LIABLE FOR CIVIL DAMAGES, EXCEPT DAMAGES FOR
6 *Torres* GROSS NEGLIGENCE OR WILLFUL OR WANTON MISCONDUCT, FOR THEIR ACTS OR OMISSIONS
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-END-



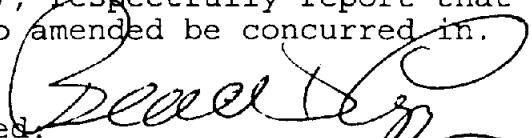
SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 16, 1995

MR. PRESIDENT:

We, your committee on Judiciary having had under consideration HB 315 (third reading copy -- blue), respectfully report that HB 315 be amended as follows and as so amended be concurred in.

Signed:


Senator Bruce Crippen, Chair

That such amendments read:

1. Title, lines 7 and 8.

Following: line 6

Strike: line 7 through "SUBSTANCE" on line 8

Insert: "THAT ARE DIRECTLY RELATED TO A HAZARDOUS MATERIAL INCIDENT"

2. Page 1, lines 16 and 17.

Following: "omissions" on line 16

Strike: remainder of line 16 through "release" on line 17

Insert: "that are directly related to the hazardous material incident"

-END-


Amd. Coord.
Sec. of Senate


Senator Carrying Bill

HB 315
SENATE
611407SC.SRF

HOUSE BILL NO. 315

INTRODUCED BY HARRINGTON, GAGE, LARSON, PAVLOVICH, ORR, HARP, BENEDICT, JENKINS, FOSTER, SQUIRES, PECK, MOHL, GRINDE, GRADY, ZOOK, MERCER, BROWN, QUILICI, HIBBARD.

FORRESTER

5
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