

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
54th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By **CHAIRMAN RICHARD SIMPKINS**, on February 3, 1995, at 9:00 A.M.

ROLL CALL

Members Present:

Rep. Richard D. Simpkins, Chairman (R)
Rep. Dore Schwinden, Vice Chairman (Minority) (D)
Rep. Matt Brainard (R)
Rep. Patrick G. Galvin (D)
Rep. Dick Green (R)
Rep. Antoinette R. Hagener (D)
Rep. Harriet Hayne (R)
Rep. Sam Kitzenberg (R)
Rep. Bonnie Martinez (R)
Rep. Gay Ann Masolo (R)
Rep. William Rehbein, Jr. (R)
Rep. Susan L. Smith (R)
Rep. Carolyn M. Squires (D)
Rep. Jay Stovall (R)
Rep. Lila V. Taylor (R)
Rep. Joe Tropila (D)

Members Excused: Rep. Matt Denny, Vice Chairman, Majority (R)
Rep. George Heavy Runner (D)

Members Absent: none

Staff Present: Sheri Heffelfinger, Legislative Council
Christen Vincent, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: HB 379, HB 374
Executive Action: HB 379 DO PASS
HB 374 TABLED
HB 325 DO PASS AS AMENDED

{Tape: 1; Side: A.}

HEARING ON HB 374**Opening Statement by Sponsor:**

REP. HAL HARPER, HD 52, stated this bill would allow, with consent, the withholding from retirement checks the dues owed to various organizations by the retirement board. He stated this would save money in the long run.

Proponents' Testimony:

Natalie Fitzpatrick, President, Retired Teachers Personnel Association, stated they were in support of the bill. She said this would be a voluntary deduction. Members would have to okay the dues being withheld before any money was deducted from their checks. She stated at any time they didn't want the dues to be withheld, they could tell them they didn't want to have them taken out. She stated this would help to stabilize their budget. They worked with TRS and invited them to board meetings and to have information published in their newsletter. She stated they disseminate much information through this newsletter. The newsletter staff is a volunteer pool of people that help to get information out to the public. Their unit deals with things such as learning deficiencies, literacy, scholarships, along with various other things. She stated this is public service for their communities and the people should be aware of things important to them and their communities.

Galdace Peterson, Montana Retired Teachers, stated this would enable them to expand worthy programs. She stated various members have taken part in such things as the Health Care Debate and the newsletter. **EXHIBIT 1** It is sometimes difficult to collect dues from members and this bill would help them in getting those funds.

Alvin Thomas, TRS, Past President, stated they have no list of their members. Many states have a system where they can deduct dues in a way like the one proposed in this bill. He stated the board agreed and thought they should have legislative consent to do this. The membership is \$8 and the member would have to agree before deductions would be taken out.

David Senn, TRS, stated this would be a benefit to the system. He said this would take little time and effort. The checks are written by automated process so that would make things easier for them to do this deduction. He stated there would be no cost to the retirement system.

Opponents' Testimony: none

Informational Testimony: none

Questions From Committee Members and Responses:

REP. REHBEIN asked how much the dues were.

Ms. Fitzpatrick stated the dues are \$8 a year.

REP. BRAINARD asked if this is limited to the teachers.

Mr. Senn stated any organization deemed as qualifying would be able to do this. These are non-profit organizations who have no political bias and they represent a number of retirees.

REP. BRAINARD asked if an individual could not ask for dues to be deducted for various organizations.

Mr. Senn stated he was correct.

REP. TAYLOR asked if AARP dues would be taken out.

Mr. Senn stated they would be if they qualified.

REP. TAYLOR asked if this would cause some older people to get confused easier.

Mr. Senn stated the Teacher's Retirement System had discussed those concerns. He stated they wouldn't solicit for this to happen. They would make sure the members knew this was an option and they didn't have to do it if they were uncomfortable with it.

Ms. Fitzpatrick stated this would have no bearing on the division of AARP. The Teacher's Retirement Board would make sure these members are retired.

REP. BRAINARD asked if most of the teachers belong to MEA.

Mr. Thomas stated most members did belong to MEA but he was unsure as to the exact number of people.

REP. TROPILA asked for clarifications.

Ms. Peterson stated AARP has chapters that are operated separately. Any dues are local and vary from chapter to chapter.

CHAIRMAN SIMPKINS stated it was his understanding that the current number of members is low. He asked if the board had sent out notices if they had a significant amount.

Mr. Senn stated they wouldn't send out notices. It would be the responsibility of the individual organizations to let the members know.

CHAIRMAN SIMPKINS asked what other systems withhold the dues from checks.

Mr. Senn stated the United Way, insurance and various other organizations.

CHAIRMAN SIMPKINS asked why they favored this bill opposed to HB 325 in regard to mailing.

Mr. Senn stated the board did not wish to participate in the newsletters and they were asking the organizations to fund this. He said there were questions about restriction and they hadn't received any information about it until December 16.

{Tape: 1; Side: B.}

REP. TAYLOR asked if this would give access to the lists that are currently unavailable to them.

Mr. Senn stated this wouldn't allow for that.

CHAIRMAN SIMPKINS asked if there was anything to present names without proper authority.

Mr. Senn stated this would give direct access to an individual and they would be able to ask them to belong. He stated this bill deals with the members they already have so that their dues can be taken out and sent to the organizations.

Closing by Sponsor:

REP. HARPER stated this would benefit the people concerned about forgetting to send out their dues. He didn't think they should have to waste time in getting dues by tracking people down. He hoped the committee would give the bill a favorable recommendation.

HEARING ON HB 379

Opening Statement by Sponsor:

REP. JUDY MURDOCK, HD 6, stated this bill would allow the governing body of the legislature to determine the type of meeting for the board of canvassers. Current law requires the canvas to meet three days after an election. This bill wouldn't change that, it would simply add flexibility to that. She stated a canvas is the checking of vote counts and errors made during the elections. They declare the winners. There were also some general changes to the wording in the bill.

Proponents' Testimony:

Joe Kerwin, Election Bureau Chief, Secretary of State's Office, stated they were in support of the bill which would add more flexibility to the canvassers' job. He stated this would still

need to be open to the public and they would still meet within the three days.

Opponents' Testimony: none

Informational Testimony: none

Questions From Committee Members and Responses:

REP. REHBEIN stated this bill seems like common sense. He asked for an explanation.

Mr. Kerwin stated he didn't have a chance to look at the history and didn't know why the system is like it currently is.

CHAIRMAN SIMPKINS asked if he was correct in stating time is insignificant, but the most important thing to consider is the three days.

Mr. Kerwin stated it is very important to have the canvas to meet within the three-day time line.

Closing by Sponsor:

REP. MURDOCK asked for a favorable recommendation and thanked the committee for their time.

EXECUTIVE ACTION ON HB 379

Motion: REP. JOE TROPILA MOVED HB 379 DO PASS.

Vote: Motion carried 17-0 with REP. HEAVY RUNNER excused and REP. DENNY voting yes by proxy.

EXECUTIVE ACTION ON HB 374

Motion: REP. GALVIN MOVED HB 374 DO PASS.

Discussion:

REP. BRAINARD stated people may have moved and don't have an interest in these things. He stated he didn't see any reason for the committee to get tied up in something like this.

REP. REHBEIN stated he felt that this would force membership. He stated this might make them keep some people on board that might not want to stay. He said another thing to look at is the fact that they don't even know how many members they have.

REP. TAYLOR stated this isn't limited to the Teacher's Retirement and if they can do this already, she didn't see any need for them to pass the bill.

REP. SMITH stated on line 14 it stated who "it" considers appropriate. She stated she was against letting them decide what was appropriate and what wasn't and she was against the bill.

REP. GREEN stated it was hard for him to believe that there would be no cost for doing this. He said he didn't know when doing something didn't cost anything.

REP. BRAINARD didn't understand why they couldn't get in touch with these people before they retire. He stated this way they could get a list of people that are already working to pre-register.

REP. TAYLOR asked if they could deduct this through the retirement system or if it was out of the paycheck.

Sheri Heffelfinger stated they would take the money out of the paycheck for active members.

REP. TAYLOR asked if they could ask members if they want it taken out now.

Ms. Heffelfinger stated they had researched it and they didn't think they could without the legislative consent.

Vote: Motion failed 11-6 with REP. SCHWINDEN, REP. GALVIN, REP. HAGENER, REP MARTINEZ, REP. SQUIRES, AND REP. TROPILA voting no with REP. HEAVY RUNNER as excused and REP. DENNY voting yes by proxy.

Motion/Vote: REP. REHBEIN MADE A SUBSTITUTE MOTION TO TABLE THE BILL AND REVERSE THE VOTE. Motion carried unanimously.

EXECUTIVE ACTION ON HB 325

Motion: REP. KITZENBERG MOVED HB 325 DO PASS AS AMENDED.

Discussion:

REP. REHBEIN asked if this could roll over and have adverse effects.

Ms. Heffelfinger stated to transfer service and time they would have to take a refund and pay a tax on the refund.

Vote: Motion carried 15-2 with REP. REHBEIN and REP. TAYLOR voting no and REP. HEAVY RUNNER excused and REP. DENNY voting yes by proxy.

REP. TROPILA stated he and REP. GREEN had decided to cosponsor a resolution honoring Todd Foster for his great accomplishments and the example he had set to the youth of Montana. He read the

proposed resolution. He stated it needed to come out as a committee resolution because before the deadline he hadn't known if Mr. Foster was going to retire or not.

{Tape: 2; Side: A.}

The committee had no objection to the introduction of the resolution.

ADJOURNMENT

Adjournment: 10:15 a.m.



RICHARD SIMPKINS, Chairman



CHRISTEN VINCENT, Secretary

RS/cdv

HOUSE OF REPRESENTATIVES

State Administration

ROLL CALL

DATE Feb. 3, 1995

NAME	PRESENT	ABSENT	EXCUSED
Rep. Dick Simpkin, Chairman	✓		
Rep. Matt Denny, Vice Chairman, Majority			✓
Rep. Dore Schwinden, Vice Chair, Minority	✓		
Rep. Matt Brainard	✓		
Rep. Pat Galvin	✓		
Rep. Dick Green	✓		
Rep. Toni Hagener	✓		
Rep. Harriet Hayne	✓		
Rep. George Heavy Runner			✓
Rep. Sam Kitzenberg	✓		
Rep. Bonnie Martinez	✓		
Rep. Gay Ann Masólo	✓		
Rep. Bill Rehbein	✓		
Rep. Susan Smith	✓		
Rep. Jay Stovall	✓		
Rep. Carolyn Squires	✓		
Rep. Lila Taylor	✓		
Rep. Joe Tropila	✓		

COMMITTEE FILE COPY

TABLED BILL

The HOUSE STATE ADMINISTRATION COMMITTEE Tabled HB 374, by motion, on
FRIDAY, February 3, 1995.

<u>Christen Vincent</u> (For the Committee)	<u>M. Nozale</u> (For the Chief Clerk)
<u>10:25</u> (Time)	<u>2-3-95</u> (Date)

February 3, 1995 -- 10:17am

Christen Vincent, Secretary

Phone: 4879



HOUSE STANDING COMMITTEE REPORT

February 3, 1995

Page 1 of 10

Mr. Speaker: We, the committee on State Administration report that **House Bill 325** (first reading copy -- white) do pass as amended.

Signed: *Dick Simpkins*
Dick Simpkins, Chair

And, that such amendments read:

1. Title, line 19.

Following: "ACCOUNT;"

Insert: "PROVIDING FOR THE DIRECT TRANSFER OF MEMBERS'
CONTRIBUTIONS BETWEEN PUBLIC RETIREMENT SYSTEMS;"

2. Title, line 20.

Following: "19-2-406,"

Insert: "19-2-704,"

Following: "19-3-403,"

Insert: "19-3-509, 19-3-511,"

3. Title, line 21.

Following: line 20

Insert: "19-6-802,"

Following: "19-7-612,"

Insert: "19-7-802,"

Following: "19-8-712,"

Insert: "19-8-902, 19-9-405,"

Strike: "AND"

Insert: "19-13-404,"

Following: "19-13-804,"

Insert: "AND 19-20-409,"

4. Page 9, line 14.

Following: line 13

Insert:

2/3

mm

Committee Vote:

Yes 14, No 2.

291024SC.Hbk

"Section 8. Section 19-2-704, MCA, is amended to read:

"19-2-704. **Purchasing service credits allowed.** (1) Subject to the rules promulgated by the board, an eligible member may elect to contribute amounts in addition to the mandatory employee contributions required by the retirement system in which the member participates for the purpose of purchasing service credits as provided by the statutes governing the retirement system.

(2) A member eligible to qualify service under the provisions of 19-3-509, 19-3-511, 19-6-802, 19-7-802, 19-8-902, 19-9-405, and 19-13-404 may, at any time prior to retirement, elect to transfer all or a portion of the member's accumulated contributions on deposit in a pension trust fund from which service is being transferred to the pension trust fund of another plan in which service is being credited. The transfer of contributions may include both taxed contributions and tax-deferred contributions and interest. However, if less than all of the accumulated contributions on deposit in a pension trust fund is being transferred, the transfer of taxed and tax-deferred amounts must be made on a proportionate basis, with the remainder refunded to the member. The transferring agency shall identify at the time of the transfer the taxed and tax-deferred amounts being transferred."

Renumber: subsequent sections

5. Page 10, line 18.

Following: line 17

Insert:

"Section 10. Section 19-3-509, "MCA, is amended to read:

"19-3-509. **Qualification of other Montana public service.**

(1) (a) A member may, at any time before retirement, make a written election with the board to qualify as service in this retirement system all or any portion of the member's service credit in the highway patrol officers', sheriffs', game wardens', firefighters' unified, or municipal police officers' retirement system for which the member either has received or is eligible to receive a refund of membership contributions. To qualify this service, the member shall contribute to the pension trust fund the actuarial cost of granting the service in the public employees' retirement system, as determined by the board, based on the most recent actuarial valuation minus the employer contribution provided in subsection (1)(b). This service may not be credited in more than one retirement system under Title 19.

(b) Upon receiving the member's payment under subsection (1)(a), the division shall transfer from the member's former retirement system to the public employees' retirement system an amount equal to the employer contributions made during the

member's service but no more than an amount equal to the normal cost contribution rate minus the employee contribution rate in the public employees' retirement system, according to the most recent actuarial valuation, based on the salaries earned by the employee as a member of the former system.

(2) (a) A member may, at any time before retirement, make a written election with the board to qualify any full-time public service employment performed for the state or a political subdivision of the state. The member shall provide salary and employment documentation certified by the member's former public employer. The board may grant service credit upon contribution by the employee of the actuarial cost of granting this service in the public employees' retirement system, as determined by the board, based on the most recent actuarial valuation of the system.

(b) The board is the sole authority under this subsection (2) in determining what constitutes full-time public service.

(c) This service may not be credited in more than one retirement system under Title 19."

Section 11. Section 19-3-511, MCA, is amended to read:

"19-3-511. Transfer of service credits and contributions from teachers' retirement system. (1) A An active member may at any time before retirement make a written election with the board to qualify in the public employees' retirement system all of the member's service in the teachers' retirement system for which the member either has received or is eligible to receive a refund. The amount that must be paid or transferred to the retirement system to qualify this service under this section is the sum of subsections (2) and (3).

(2) The In addition to the amounts directly paid or transferred by the member under subsection (3), the teachers' retirement system shall transfer to the public employees' retirement system an amount equal to 72% of the amount determined in accordance with subsection (3) payable by the member.

(3) The employee member shall pay either directly or by transferring contributions on account with the teachers' retirement system an amount equal to the employee's member's accumulated contributions at the time the employee terminated that active membership was terminated with the teachers' retirement system, as defined in 19-20-302, plus accrued interest. Interest must be calculated from the date of termination until payment is received by the public employees' retirement system, based on the interest tables in use by the teachers' retirement system.

(4) The amount of service credit granted in subsection (1) must be on a month-by-month basis. Military service credit transferred from the teachers' retirement system must be included

in the 5-year maximum military service credit provided for in 19-3-503.

(5) Subject to the provisions of 19-2-403, the board is the sole authority in determining the amount of service credit qualified under this section and the amount paid to the retirement system under subsections (2) and (3).

(6) If a an active member who also has service credit in the teachers' retirement system dies before the member qualifies this service in the public employees' retirement system and if the service credits from both systems, when combined, entitle the member's designated beneficiary to a survivorship benefit, the payment of the survivorship benefit is the liability of the public employees' retirement system. Before payment of the survivorship benefit, the teachers' retirement board shall transfer to the public employees' retirement system the contributions necessary to qualify this service in the public employees' retirement system as provided in subsections (2) and (3)."

Renumber: subsequent sections

6. Page 13, line 5.

Following: line 4

Insert:

"Section 16. Section 19-6-802, MCA, is amended to read:

"19-6-802. **Qualification of other Montana public service.**

(1) (a) A member may, at any time before retirement, make a written election with the board to qualify all or any portion of the member's service in the public employees', sheriffs', game wardens', firefighters' unified, or municipal police officers' retirement system for which the member either has received or is eligible to receive a refund of the member's membership contributions. To qualify this service, the member shall contribute to the pension trust fund the actuarial cost of granting the service credit in the highway patrol officers' retirement system, as determined by the board, based on the most recent actuarial valuation minus the employer contribution provided in subsection (1)(b). This service may not be credited in more than one retirement system under Title 19.

(b) Upon receiving the member's payment under subsection (1)(a), the division shall transfer from the member's former retirement system to the highway patrol officers' retirement system an amount equal to the employer contributions made during the member's service but no more than an amount equal to the normal contribution rate minus the employee contribution rate in the highway patrol officers' retirement system, according to the most recent actuarial valuation.

(2) (a) A member may, at any time before retirement, make a written election with the board to qualify any full-time public service employment performed for the state or a political subdivision of the state. The member shall provide compensation and employment documentation certified by the member's public employer. The board shall grant service credit subject to rules adopted by the board upon contribution by the employee of the actuarial cost of granting this service in the highway patrol officers' retirement system, as determined by the board, based on the most recent actuarial valuation of the system.

(b) The board is the sole authority under this subsection (2) in determining what constitutes full-time public service.

(c) This employment may not be credited in more than one retirement system under Title 19."

Renumber: subsequent sections

7. Page 14, line 15.

Following: line 14

Insert:

"Section 19. Section 19-7-802, MCA, is amended to read:

"19-7-802. **Qualification of other Montana public service.**

(1) (a) A member may, at any time before retirement, make a written election with the board to qualify all or any portion of the member's service in the public employees', highway patrol officers', firefighters' unified, game wardens', or municipal police officers' retirement system for which the member either has received or is eligible to receive a refund of the member's membership contributions. To qualify this service, the member shall contribute to the pension trust fund the actuarial cost of granting the service in the sheriffs' retirement system, as determined by the board, based on the most recent actuarial valuation minus the employer contribution provided in subsection (1)(b). This service may not be credited in more than one retirement system under Title 19.

(b) Upon receiving the member's payment under subsection (1)(a), the division shall transfer from the member's former retirement system to the sheriffs' retirement system an amount equal to the employer contributions made during the member's service but no more than an amount equal to the normal contribution rate minus the employee contribution rate in the sheriffs' retirement system, according to the most recent actuarial valuation, based on the compensation earned by the employee as a member of the former system.

(2) (a) A member may, at any time before retirement, make a written election with the board to qualify any full-time public service employment performed for the state or a political

subdivision of the state. The member shall provide compensation and employment documentation certified by the member's public employer. The board shall grant service credit upon contribution by the employee of the actuarial cost of granting this service in the sheriffs' retirement system, as determined by the board, based on the most recent actuarial valuation of the system.

(b) The board is the sole authority under this subsection (2) in determining what constitutes full-time public service.

(c) This service may not be credited in more than one retirement system under Title 19."

Renumber: subsequent sections

8. Page 15, line 11.

Following: line 10

Insert:

"Section 21. Section 19-8-902, MCA, is amended to read:

"19-8-902. **Qualification of other Montana public service.**

(1) (a) A member may, at any time before retirement, make a written election with the board to qualify all or any portion of the member's service credit in the public employees', highway patrol officers', firefighters' unified, sheriffs', or municipal police officers' retirement system for which the member either has received or is eligible to receive a refund of the member's accumulated contributions. To qualify this service, the member shall contribute to the pension trust fund the actuarial cost of granting the service in the game wardens' retirement system, as determined by the board, based on the most recent actuarial valuation of the system minus the employer contribution provided in subsection (1)(b). This service may not be credited in more than one retirement system under Title 19.

(b) Upon receiving the member's payment under subsection (1)(a), the division shall transfer from the member's former retirement system to the game wardens' retirement system an amount equal to the employer contributions made during the member's service but no more than an amount equal to the normal contribution rate minus the employee contribution rate in the game wardens' retirement system, according to the most recent actuarial valuation, based on the salaries earned by the employee as a member of the former system.

(2) (a) A member may, at any time before retirement, make a written election with the board to qualify any full-time public service employment performed for the state or a political subdivision of the state. The member shall provide salary and employment documentation certified by the member's public employer. The board shall grant service credit subject to rules adopted by the board upon contribution by the employee of the

actuarial cost of granting this service in the game wardens' retirement system, as determined by the board, based on the most recent actuarial valuation of the system.

(b) The board is the sole authority under this subsection (2) in determining what constitutes full-time public service.

(c) This service may not be credited in more than one retirement system under Title 19."

Section 22. Section 19-9-405, MCA, is amended to read:

"19-9-405. Qualification of other Montana public service.

(1) (a) A member may, at any time before retirement, make a written election with the board to qualify all or any portion of the member's service credit in the public employees', highway patrol officers', firefighters' unified, sheriffs', or game wardens' retirement system for which the member either has received or is eligible to receive a refund of the member's accumulated contributions. To qualify this service, the member shall contribute to the pension trust fund the actuarial cost of granting the service in the municipal police officers' retirement system, as determined by the board, based on the most recent actuarial valuation minus the employer contribution provided in subsection (1)(b). This service may not be credited in more than one retirement system under Title 19.

(b) Upon receiving the member's payment under subsection (1)(a), the division shall transfer from the member's former retirement system to the municipal police officers' retirement system an amount, equal to the employer contributions made during the member's service but no more than an amount equal to the regular contribution rate minus the employee contribution rate in the municipal police officers' retirement system, according to the most recent actuarial valuation, based on the salaries earned by the employee as a member of the former system.

(2) (a) A member may, at any time before retirement, make a written election with the board to qualify any full-time public service employment performed for the state or a political subdivision of the state. The member shall provide salary and employment documentation certified by the member's public employer. The board shall grant service credit subject to rules adopted by the board upon contribution by the employee of the actuarial cost of granting this service in the municipal police officers' retirement system, as determined by the board, based on the employee's compensation earned during this period of service and the regular contribution rate according to the most recent actuarial valuation of the system.

(b) The board is the sole authority under this subsection (2) in determining what constitutes full-time public service.

(c) This service may not be credited in more than one retirement system under Title 19."

Renumber: subsequent sections

9. Page 15, line 24.

Following: line 23

Insert:

"Section 24. Section 19-13-404, MCA, is amended to read:

"19-13-404. **Qualification of other Montana public service.**

(1) (a) A member may, at any time before retirement, make a written election with the board to qualify all or any portion of the member's service credit in the public employees', highway patrol officers', sheriffs', municipal police officers', or game wardens' retirement system for which the member either has received or is eligible to receive a refund of the member's accumulated contributions. To qualify this service, the member shall contribute to the pension trust fund the actuarial cost of granting the service in the firefighters' unified retirement system, as determined by the board, based on the most recent actuarial valuation minus the employer contribution provided in subsection (1) (b). This service may not be credited in more than one retirement system under Title 19.

(b) Upon receiving the member's payment under subsection (1) (a), the division shall transfer from the member's former retirement system to the firefighters' unified retirement system an amount equal to the employer contributions made during the member's service, but no more than an amount equal to the normal contribution rate minus the employee contribution rate in the firefighters' unified retirement system, according to the most recent actuarial valuation, based on the compensation earned by the employee as a member of the former system.

(2) (a) A member may, at any time before retirement, make a written election with the board to qualify any full-time public service employment performed for the state or a political subdivision of the state. The member shall provide compensation and employment documentation certified by the member's public employer. The board shall grant service credit subject to rules adopted by the board upon contribution by the employee of the actuarial cost of granting this service in the firefighters' unified retirement system, as determined by the board, based on the most recent actuarial valuation of the system.

(b) The board is the sole authority under this subsection (2) in determining what constitutes full-time public service.

(c) This service may not be credited in more than one retirement system under Title 19."

Renumber: subsequent sections

10. Page 16, line 7.

Following: line 6

Insert:

"Section 26. Section 19-20-409, MCA, is amended to read:

"19-20-409." Transfer of service credits and contributions from public employees' retirement system. (1) A An active member may at any time before ~~his~~ retirement make a written election with the retirement board to qualify in the teachers' retirement system all of ~~his~~ the member's previous creditable service in the public employees' retirement system. The amount that must be paid to the retirement system to qualify this service under this section is the sum of subsections (2) and (3).

(2) The In addition to the amounts directly paid or transferred by the member under subsection (3), the public employees' retirement system shall transfer to the teachers' retirement system an amount equal to 72% of the amount determined in accordance with subsection (3) payable by the member.

(3) The employee member shall pay either directly or by transferring contributions on account with the public employees' retirement system an amount equal to his the member's accumulated contributions at the time he terminated that active membership under 19-2-601 was terminated, plus accrued interest. Interest must be calculated from the date of termination until payment is received by the retirement system, based on the interest tables in use by the public employees' retirement system.

(4) A member who qualifies service from the public employees' retirement system in the teachers' retirement system must complete 5 years of membership service in the teachers' retirement system to qualify or purchase military service, out-of-state teaching service, employment while on leave, and private school employment.

(5) The retirement board shall determine the service credits that may be transferred.

(6) If a an active member who also has creditable service in the public employees' retirement system dies before ~~he~~ qualifies qualifying this service in the teachers' retirement system and if ~~his~~ the member's service credits from both systems, when combined, entitle ~~his~~ the member's beneficiary to a death benefit, the payment of the death benefit is the liability of the teachers' retirement system. Before payment of the death benefit, the public employees' retirement board must transfer to the teachers' retirement system the contributions necessary to qualify this service in the teachers' retirement system as provided in subsections (2) and (3).

(7) If the retirement board determines that an individual's membership was erroneously classified and reported to the public employees' retirement system, the member's accumulated contributions and service must be transferred to the teachers' retirement system and any employee and employer contributions due

as calculated in 19-20-602 and 19-20-605 are the liability of the employee and the employing entity where the error occurred, respectively.""

Renumber: subsequent sections

11. Page 16, line 17.

Strike: "13"

Insert: "14"

12. Page 16, line 19.

Strike: "9, 11, 12, and 14 through 17"

Insert: "12, 14, 15, 18, 20, 23, and 25"

-END-



HOUSE STANDING COMMITTEE REPORT

February 3, 1995

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Bill 379 (first reading copy -- white) **do pass**.

Signed: *Dick Simpkins*
Dick Simpkins, Chair

2/3

gmw

Committee Vote:
Yes 17, No 0.

291022SC.Hbk

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 2-3-95 BILL NO. HB NUMBER 374

MOTION: Rep. Galvin moved to pass.

NAME	AYE	NO
Rep. Dick Simpkin, Chairman		✓
Rep. Matt Denny, Vice Chairman, Majority <u>Rep</u>		✓
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard		✓
Rep. Pat Galvin	✓	
Rep. Dick Green		✓
Rep. Toni Hagener	✓	
Rep. Harriet Hayne		✓
Rep. George Heavy Runner	<u>excused</u>	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez		✓
Rep. Gay Ann Masolo		✓
Rep. Bill Rehbein		✓
Rep. Susan Smith		✓
Rep. Jay Stovall		✓
Rep. Carolyn Squires	✓	
Rep. Lila Taylor		✓
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 2-3-95 BILL NO. HB NUMBER 374

MOTION: Rep. Rehbein moved to table a yeas & nays vote

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority <i>Proxy</i>	✓	
Rep. Dore Schwinden, Vice Chairman, Minority		✓
Rep. Matt Brainard	✓	
Rep. Pat Galvin		✓
Rep. Dick Green	✓	
Rep. Toni Hagener		✓
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	<i>excused</i>	
Rep. Sam Kitzenberg		✓
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires		✓
Rep. Lila Taylor	✓	
Rep. Joe Tropila		✓

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 2-3-95 BILL NO. HB NUMBER 379

MOTION: Rep. Tropila moved to Pass

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority <u>Prox</u>	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	<u>Excluded</u>	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 2-3-95 BILL NO. 11B NUMBER 325

MOTION: Rep. Kitzenberg moved Do Pass as amended

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	excused	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	excused	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein		✓
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor		✓
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES
VISITORS REGISTER

State Administration

DATE Feb 3, 1995

BILL NO. HB 379 SPONSOR(S) _____

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NAME AND ADDRESS	REPRESENTING	Support	Oppose
Joe Kerwin	SOS	X	
ROBERT THROSBELV	MTA Assoc Clerks & Records	X	

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HOUSE OF REPRESENTATIVES
VISITORS REGISTER

State Administration

DATE Feb. 3, 1985

BILL NO. HB 374 SPONSOR(S) _____

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NAME AND ADDRESS	REPRESENTING	Support	Oppose
Gladys M. Peterson 301 Patten Canyon Dr., Missoula 59803	MT Ret. Teachers + School Personnel Assn.	X	
Jack E. Cohen 1510 Illinois - Helena	MRT	X	
Natalie Fitzpatrick 2008 Washoe Street, Anaconda	MT Ret Teachers + School Personnel Assoc	X	
Alve Thomas 1703 Highland - Helena	MRT	X	
David Sosa	TBS	X	
Judy Mardock HDB	HB 379	X	

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