

1 *House* BILL NO. *589*
 2 INTRODUCED BY *Kinder, by request*
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW CREDITABLE
 5 SERVICE IN THE TEACHERS' RETIREMENT SYSTEM FOR TEACHING
 6 COMPLETED AT ANY ACCREDITED PRIVATE OR PUBLIC INSTITUTION OF
 7 HIGHER LEARNING; AMENDING SECTION 75-6213, R.C.M. 1947."

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 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 75-6213, R.C.M. 1947, is amended to
 11 read as follows:
 12 "75-6213. Creditable service for out-of-state
 13 employment, employment while on leave, for active service in
 14 the armed forces of the United States and the American red
 15 cross or merchant marine, for service in any accredited
 16 private or public college or university, and before
 17 September, 1937. Any person applying for membership also may
 18 apply for creditable service in the retirement system for
 19 out-of-state employment service that would have been
 20 acceptable under the provisions of this title if such
 21 service were performed in the state of Montana. The person
 22 shall be awarded creditable service, conditional upon his
 23 completing five (5) years of active membership in Montana,
 24 for the number of years the retirement board determines to
 25 be creditable service but for not more than five (5) years.

1 if he contributes to the retirement system an amount equal
 2 to five per cent (5%) of his first full year's teaching
 3 salary earned in Montana after his out-of-state service for
 4 each year of creditable service plus interest at the rate
 5 the contribution would have earned had the contribution been
 6 in his account upon the completion of five (5) years of
 7 membership service in Montana. The contributions may be a
 8 lump-sum payment or in installments as agreed between the
 9 person and the retirement board; and

10 (1) Any person applying for membership also may apply
 11 for creditable service in the retirement system for
 12 employment while on leave. The person shall be awarded
 13 creditable service, conditional upon his having been a
 14 member prior to his leave and upon completing five (5) years
 15 of active membership in Montana subsequent to his return,
 16 provided his employment while on leave enhanced his teaching
 17 experience as determined by the board. The person shall be
 18 awarded creditable service as determined by the board but
 19 for not more than two (2) years, if he contributes to the
 20 retirement system an amount equal to ten and three-eighths
 21 percent (10 3/8%) of his first full year's teaching salary
 22 earned in Montana after his return from leave for each year
 23 of creditable service plus interest at the rate the
 24 contribution would have earned had the contribution been in
 25 his account upon the completion of five (5) years of

1 membership service in Montana. The contribution may be a
2 lump-sum payment or in installments as agreed between the
3 person and the retirement board; and

4 (2) Any person applying for membership also may apply
5 for creditable service in the retirement system for active
6 service in the armed forces of the United States which
7 includes the army, navy, marine corps, air force and coast
8 guard or in the American red cross or merchant marine. The
9 person shall be awarded creditable service, conditional upon
10 his completing five (5) years of active membership in
11 Montana, for the number of years the retirement board
12 determines to be creditable service but for not more than
13 two (2) years, if he contributes to the retirement system an
14 amount equal to ten and three-eighths percent (10 3/8%) of
15 his first full year's teaching salary earned in Montana
16 following the active service in the armed forces of the
17 United States or in the American red cross or merchant
18 marine plus interest at the rate the contribution would have
19 earned had the contribution been in his account upon
20 completion of five (5) years of membership service in
21 Montana. The contribution may be a lump-sum payment or in
22 installments as agreed between the person and the retirement
23 board; however and

24 (3) Any member of the retirement system may also apply
25 for creditable service for teaching completed in any

1 accredited private or public college or university. The
2 member shall be awarded creditable service, conditioned upon
3 completing five (5) years of membership service following
4 the service in the university or college, if he contributes
5 to the retirement system an amount equal to the combined
6 employer and employee contributions for his first full
7 year's teaching salary while a member of the retirement
8 system for each year of creditable service plus interest at
9 the rate the contributions would have earned had the
10 contributions been in the member's account upon the
11 completion of five (5) years of membership service. The
12 contribution rate shall be that rate in effect at the time
13 the member is eligible for such creditable service; however

14 ~~(3)~~--(4) In no event will the total creditable service
15 for out-of-state teaching, employment while on leave, or
16 while on active service in the armed forces of the United
17 States or the American red cross or merchant marine or for
18 teaching completed at any accredited private or public
19 university or college exceed five (5) years.

20 Whenever a member is retiring with at least five (5)
21 years of creditable service and he has been an active member
22 for at least five (5) consecutive school fiscal years, he
23 may request creditable service for any employment service he
24 rendered prior to the first day of September, nineteen
25 hundred and thirty-seven (1937) for which he has not

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1 received a prior service certificate. In order to receive
2 such creditable service, he shall apply for it and provide
3 certification of such service. The retirement board shall
4 determine the amount of creditable service to be awarded, if
5 any, and issue a prior service certificate."

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