

1                    HOUSE    BILL NO. 21  
 2    INTRODUCED BY BARDANOUE

3  
 4    A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE AND  
 5    CLARIFY THE LAWS RELATING TO DEFERRED COMPENSATION PLANS FOR  
 6    PUBLIC EMPLOYEES; AMENDING SECTIONS 68-2701, 68-2702, AND  
 7    68-2708, R.C.M. 1947."

8  
 9    BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10            Section 1. Section 68-2701, R.C.M. 1947, is amended to  
 11    read as follows:

12            "68-2701. Deferred compensation programs permitted.  
 13    The state or any county, city, town, or other political  
 14    subdivision may establish, after reaching agreement with any  
 15    employee or the employee's representative, if one has been  
 16    designated or certified, a program for employees ~~the~~  
 17    ~~employee~~ to defer any portion of ~~that--employee's his~~  
 18    compensation up to the maximum allowed by the Internal  
 19    Revenue Code in a plan qualified for exemption under  
 20    applicable sections of the Internal Revenue Code."

21            Section 2. Section 68-2702, R.C.M. 1947, is amended to  
 22    read as follows:

23            "68-2702. Department of administration ~~to--coordinate~~  
 24    ~~authorized to make contracts.~~ The department of  
 25    administration is hereby authorized to enter into such a

1    contractual agreements ~~agreement~~ with employees ~~any employee~~  
 2    or ~~the--employee's~~ his representative, if one has been  
 3    designated or certified, on behalf of the state to defer ~~any~~  
 4    a portion of ~~that the~~ employee's compensation through ~~any~~ a  
 5    qualified plan agreed upon by the employee or his  
 6    representative. The department of administration may  
 7    establish rules ~~and-regulations~~ for the proper operation of  
 8    these plans agreed upon under this section."

9            Section 3. Section 68-2708, R.C.M. 1947, is amended to  
 10    read as follows:

11            "68-2708. ~~legislative-intent. It is the legislative~~  
 12    ~~intent of this act that all~~ What private businesses may  
 13    provide services, qualified ~~Qualified~~ deferred compensation  
 14    plans ~~shall~~ may be established only with companies, trusts,  
 15    or agents licensed to do business in the state of Montana."

-End-

HOUSE MEMBERS

ROBERT L. MARKS  
CHAIRMAN  
FRANCIS BARDANOUVE  
SCAR KVAALEN  
PAT MC KITTRICK

ROSE WEBER  
EXECUTIVE DIRECTOR  
PAMELA DUENSING  
ADMINISTRATIVE ASSISTANT  
ROBERTA MOODY  
SUPERVISOR, ALTER SYSTEM



Montana Legislative Council

State Capital  
Helena, 59601

SENATE MEMBERS

NEIL J. LYNCH  
VICE CHAIRMAN  
GLEN DRAKE  
CARROLL GRAHAM  
FRANK HAZELBAKER

DIANA DOWLING  
DIRECTOR, LEGAL SERVICES;  
CODE COMMISSIONER  
ROBERT PERSON  
DIRECTOR, RESEARCH

LC 0026

1977 Legislature  
Code Commissioner Bill - Summary

House Bill No. 21

TO GENERALLY REVISE AND CLARIFY THE LAWS RELATING TO DEFERRED  
COMPENSATION PLANS FOR PUBLIC EMPLOYEES.

(This summary does not include discussion of routine form or  
grammatical changes)

Section 1. 68-2701. Deferred compensation programs per-  
mitted. "Employees" is changed to "the employee" and "that  
employee's" to "his" for clarification.

Section 2. 68-2702. Department of administration author-  
ized to make contracts. "Agreements" is changed to "agreement",  
"employees" to "any employee", and "the employee's" to "his"  
for clarification. "These plans" in the last sentence is  
changed to "plans agreed upon under this section" for clari-  
fication.

Section 3. 68-2708. What private businesses may provide  
service. The language relating to legislative intent is  
deleted because it adds no meaning and creates doubt as to  
whether the section has any meaning at all - deleted for  
clarification.

Approved by Committee  
on State Administration

HOUSE BILL NO. 21

INTRODUCED BY BARDANOUE

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE AND CLARIFY THE LAWS RELATING TO DEFERRED COMPENSATION PLANS FOR PUBLIC EMPLOYEES; AMENDING SECTIONS 68-2701, 68-2702, AND 68-2708, R.C.M. 1947."

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

Section 1. Section 68-2701, R.C.M. 1947, is amended to read as follows:

"68-2701. Deferred compensation programs permitted. The state or any county, city, town, or other political subdivision may establish, after reaching agreement with any employee or the employee's representative, if one has been designated or certified, a program for employees ~~the~~ employee to defer any portion of ~~that--employee's~~ his compensation up to the maximum allowed by the Internal Revenue Code in a plan qualified for exemption under applicable sections of the Internal Revenue Code."

Section 2. Section 68-2702, R.C.M. 1947, is amended to read as follows:

"68-2702. Department of administration ~~to--coordinate~~ authorized to make contracts. The department of administration is hereby authorized to enter into such a

contractual agreements agreement with employees any employee or ~~the--employee's~~ his representative, if one has been designated or certified, on behalf of the state to defer any a portion of ~~that the~~ employee's compensation through any a qualified plan agreed upon by the employee or his representative. The department of administration may establish rules ~~and--regulations~~ for the proper operation of these plans agreed upon under this section."

Section 3. Section 68-2708, R.C.M. 1947, is amended to read as follows:

"68-2708. ~~Legislative intent. It--is--the--legislative intent--of--this--act--that--all~~ What private businesses may provide services. Qualified deferred compensation plans ~~shall~~ may be established only with companies, trusts, or agents licensed to do business in the state of Montana."

-End-

1                    HOUSE    BILL NO. 21  
2    INTRODUCED BY BARDANOUE

3  
4    A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE AND  
5    CLARIFY THE LAWS RELATING TO DEFERRED COMPENSATION PLANS FOR  
6    PUBLIC EMPLOYEES; AMENDING SECTIONS 68-2701, 68-2702, AND  
7    68-2708, R.C.M. 1947."

8  
9    BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10            Section 1. Section 68-2701, R.C.M. 1947, is amended to  
11    read as follows:

12            "68-2701. Deferred compensation programs permitted.  
13    The state or any county, city, town, or other political  
14    subdivision may establish, after reaching agreement with any  
15    employee or the employee's representative, if one has been  
16    designated or certified, a program for employees ~~the~~  
17    ~~employee~~ to defer any portion of ~~that--employee's his~~  
18    compensation up to the maximum allowed by the Internal  
19    Revenue Code in a plan qualified for exemption under  
20    applicable sections of the Internal Revenue Code."

21            Section 2. Section 68-2702, R.C.M. 1947, is amended to  
22    read as follows:

23            "68-2702. Department of administration ~~to--coordinate~~  
24    ~~authorized to make contracts.~~ The department of  
25    administration is hereby authorized to enter into such a

1    contractual agreements ~~agreement~~ with employees ~~any employee~~  
2    or ~~the--employee's~~ his representative, if one has been  
3    designated or certified, on behalf of the state to defer any  
4    a portion of ~~that the~~ employee's compensation through any a  
5    qualified plan agreed upon by the employee or his  
6    representative. The department of administration may  
7    establish rules ~~and--regulations~~ for the proper operation of  
8    these plans ~~agreed upon under this section."~~

9            Section 3. Section 68-2708, R.C.M. 1947, is amended to  
10    read as follows:

11            "68-2708. ~~Legislative intent, it--is--the--legislative~~  
12    ~~intent--of--this--act--that--at~~ What private businesses may  
13    provide services, qualified ~~Qualified~~ deferred compensation  
14    plans ~~shall~~ may be established only with companies, trusts,  
15    or agents licensed to do business in the state of Montana."

-End-

1 HOUSE BILL NO. 21  
 2 INTRODUCED BY BARDANQUE  
 3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE AND  
 5 CLARIFY THE LAWS RELATING TO DEFERRED COMPENSATION PLANS FOR  
 6 PUBLIC EMPLOYEES; AMENDING SECTIONS 68-2701, 68-2702, AND  
 7 68-2708, R.C.M. 1947."  
 8  
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 10 Section 1. Section 68-2701, R.C.M. 1947, is amended to  
 11 read as follows:  
 12 "68-2701. Deferred compensation programs permitted.  
 13 The state or any county, city, town, or other political  
 14 subdivision may establish, after reaching agreement with any  
 15 employee or the employee's representative, if one has been  
 16 designated or certified, a program for employees the  
 17 employee to defer any portion of that--employee's his  
 18 compensation up to the maximum allowed by the Internal  
 19 Revenue Code in a plan qualified for exemption under  
 20 applicable sections of the Internal Revenue Code."  
 21 Section 2. Section 68-2702, R.C.M. 1947, is amended to  
 22 read as follows:  
 23 "68-2702. Department of administration to--coordinate  
 24 authorized to make contracts. The department of  
 25 administration is hereby authorized to enter into such a

1 contractual agreements agreement with employees any employee  
 2 or the--employee's his representative, if one has been  
 3 designated or certified, on behalf of the state to defer any  
 4 a portion of that the employee's compensation through any a  
 5 qualified plan agreed upon by the employee or his  
 6 representative. The department of administration may  
 7 establish rules and regulations for the proper operation of  
 8 these plans agreed upon under this section."  
 9 Section 3. Section 68-2708, R.C.M. 1947, is amended to  
 10 read as follows:  
 11 "68-2708. Legislative intent: it is the legislative  
 12 intent of this act that all what private businesses may  
 13 provide services, qualified Qualified deferred compensation  
 14 plans shall may be established only with companies, trusts,  
 15 or agents licensed to do business in the state of Montana."  
 -End-