

1 *House* BILL NO. *741*
 2 INTRODUCED BY *A. Barth* *John Palmer*
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAW
 5 REGARDING THE GAME WARDENS' RETIREMENT SYSTEM TO CLARIFY
 6 FUNDING FOR THAT SYSTEM, TO AMEND THE PROVISIONS REGARDING
 7 TRANSFER BETWEEN SUCH SYSTEM AND THE PUBLIC EMPLOYEES'
 8 RETIREMENT SYSTEM, AND TO CLARIFY THE NOMINATION OF A
 9 BENEFICIARY; AMENDING SECTIONS 68-1401, 68-1402, 68-1405,
 10 68-1407, 68-1410, 68-1421, AND 68-1429, R.C.M. 1947."

11
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Section 68-1401, R.C.M. 1947, is amended to
 14 read as follows:

15 "68-1401. Definition of terms. Unless the context
 16 requires otherwise, in this act:

17 (1) "Accumulated deductions" means the total of the
 18 amount deducted from the salary of a contributor and paid
 19 into the account, and standing to his credit in the account
 20 together with the regular interest thereon.

21 (2) "Beneficiary" means a person or persons having an
 22 insurable interest in his life as he shall nominate by
 23 written designation, duly acknowledged and filed with the
 24 board.

25 (3) "Retired state game warden" means any person in

1 receipt of a retirement allowance under this act.

2 (4) "Board" means the Montana state game wardens'
 3 retirement board.

4 (5) "Contributor" means any person who has accumulated
 5 deductions in the account, standing to his credit.

6 (6) "Final salary" means the average annual
 7 compensation received by a contributor before any deductions
 8 have been made, and exclusive of maintenance, allowances,
 9 and expenses, for any three (3) years of continuous service
 10 upon which contributions have been made, or, in the event a
 11 member has not served three (3) years, the total retirement
 12 compensation earned, divided by the number of years served.

13 (7) "Actuarial equivalent" means the accumulated
 14 contributions and the present value of the member's state
 15 service based on length of service and member's attained age
 16 used to provide a life or temporary life income to the
 17 legally designated person, based on the person's attained
 18 age and sex at the time the option becomes available.

19 (8) "Account" means the Montana state game wardens'
 20 retirement account in the agency fund.

21 (9) "Involuntary retirement" means a retirement not
 22 for cause and before retirement age.

23 (10) "Member's annuity" means payments for life derived
 24 from contributions made by the contributor.

25 (11) "Optional retirement age" means the age at which a

1 contributor may retire after twenty (20) years service or
2 more; provided that the contributor has reached the age of
3 fifty-five (55) years.

4 (12) "Retirement age" means the age at which a member
5 retires after twenty-five (25) years of creditable service
6 as a state game warden of the department of fish and game.
7 All members must retire at age sixty (60).

8 (13) "Retirement allowance" means the state annuity
9 plus the member's annuity.

10 (14) "State annuity" means payments for life derived
11 from contributions made by the state of Montana fish and
12 game moneys ~~in the earmarked revenue fund.~~

13 Section 2. Section 68-1402, R.C.M. 1947, is amended to
14 read as follows:

15 "68-1402. State game warden defined. Whenever used in
16 this act, state game warden means all state fish and game
17 wardens hired by the state fish and game commission and
18 shall include all warden supervisory personnel whose
19 salaries or compensation is paid out of the Montana fish and
20 game moneys ~~in the earmarked revenue fund.~~

21 Section 3. Section 68-1405, R.C.M. 1947, is amended to
22 read as follows:

23 "68-1405. Payments into the Montana game wardens'
24 retirement system. All contributions by the state fish and
25 game moneys ~~in the earmarked revenue fund~~ and all

1 contributions by the state game wardens as designated by
2 section 1 [68-1401] above, in the amount hereinafter
3 specified, and all interest on and increase of the
4 investments and moneys under this account shall be paid to
5 the board, who shall credit such payments to the Montana
6 state game wardens' retirement account in the agency fund.
7 Such board shall have exclusive control of the
8 administration of such account. The state treasurer shall be
9 custodian of the account, subject to the exclusive control
10 of the board as to the administration thereof and the board
11 of investments as to the investment thereof. Whenever there
12 is on deposit in the Montana state game wardens' retirement
13 account a sum in excess of twenty-five thousand dollars
14 (\$25,000), such excess will be invested by the board of
15 investments as part of the long-term investment fund and any
16 of the account less than twenty-five thousand dollars
17 (\$25,000) in amount shall be invested by the board of
18 investments as part of the short-term investment fund when
19 so directed by the Montana game wardens' retirement board."

20 Section 4. Section 68-1407, R.C.M. 1947, is amended to
21 read as follows:

22 "68-1407. Membership. Except as provided in 68-1429,
23 ~~Every~~ each state game warden, including all warden
24 supervisory personnel, whose salary or compensation for
25 services is paid ~~wholly~~ out of the Montana fish and game

1 moneys ~~in the earmarked revenue fund~~ and who is assigned to
 2 law enforcement in the department of fish and game, shall
 3 become a member of the retirement system when first becoming
 4 a state game warden. If a person becomes a state game warden
 5 after July 1, 1963, who was at any time before July 1, 1963,
 6 a state game warden, he shall receive credit for any such
 7 service prior to July 1, 1963, upon complying with the
 8 provisions of this act. Except as provided in 68-1429, all
 9 all state game wardens shall be members of the retirement
 10 system so long as actively employed in that capacity."

11 Section 5. Section 68-1410, R.C.M. 1947, is amended to
 12 read as follows:

13 "68-1410. Contributions by the state of Montana.
 14 (a) There shall be paid out of the Montana fish and game
 15 moneys ~~in the earmarked revenue fund~~, monthly, by the state
 16 treasurer, a sum equal to seven per cent (7%) of the total
 17 amount of each Montana game wardens' retirement system
 18 member's salary, the same to be credited to the retirement
 19 account created by this act. (b) The expense of the
 20 administration of this act, exclusive of the payment of
 21 retirement allowances and other benefits shall be paid by
 22 the state of Montana out of the fish and game moneys ~~in the~~
 23 ~~earmarked revenue fund~~, made on the basis of budgets
 24 submitted by the board."

25 Section 6. Section 68-1421, R.C.M. 1947, is amended to

1 read as follows:

2 "68-1421. Nomination of beneficiary. Every contributor
 3 shall have the authority to name his beneficiary by written
 4 designation duly acknowledged and filed with the board, and
 5 to change the beneficiary in like manner. Such designation
 6 and all changes must be filed with the board ~~up-until~~
 7 ~~not-after~~~~the-time-of-retirement.~~"

8 Section 7. Section 68-1429, R.C.M. 1947, is amended to
 9 read as follows:

10 "68-1429. State public employees' retirement system
 11 ~~is~~ ~~ineligibility~~ ~~of~~ ~~member~~ ~~transfer~~ ~~of~~ ~~membership.~~
 12 (1) Each state game warden shall, after July 1, 1963,
 13 become a member of this retirement system and thereafter no
 14 new state employee appointed as a state game warden shall be
 15 eligible to membership to the state public employees'
 16 retirement system and the provisions of said law shall not
 17 apply to Montana state game wardens.

18 (2) A person who is a member of the retirement system
 19 assigned to law enforcement who transfers to a position
 20 involving duties other than law enforcement in the fish and
 21 game department may retain membership in the retirement
 22 system.

23 (3) A person who is a member of the public employees'
 24 retirement system who transfers to a position as a state
 25 game warden may elect to become a member of the retirement

LC 1392/01

- 1 system or may retain membership in the public employees'
- 2 retirement system."

-End-

STATE OF MONTANA

REQUEST NO. 611-77

FISCAL NOTE

Form BD-15

In compliance with a written request received March 8, 19 77, there is hereby submitted a Fiscal Note for House Bill 741 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 741 revises the law regarding the Game Wardens' Retirement System to clarify funding for that system.

FISCAL IMPACT:

No additional costs are anticipated; however, the individual choice or action that may be made under the proposed legislation could possibly increase employer costs.

Richard L. Young for

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 3-8-77

Approved by Committee
on State Administration

HOUSE BILL NO. 741

INTRODUCED BY R. BAETH, JOHNSTON, PALMER

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAW REGARDING THE GAME WARDENS' RETIREMENT SYSTEM TO CLARIFY FUNDING FOR THAT SYSTEM, TO AMEND THE PROVISIONS REGARDING ~~TRANSFER BETWEEN SUCH SYSTEM AND CONTINUATION IN THAT SYSTEM~~ ON THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM, AND TO CLARIFY THE NOMINATION OF A BENEFICIARY; AMENDING SECTIONS 68-1401, 68-1402, 68-1405, 68-1407, 68-1410, 68-1421, AND 68-1429, R.C.M. 1947."

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

Section 1. Section 68-1401, R.C.M. 1947, is amended to read as follows:

"68-1401. Definition of terms. Unless the context requires otherwise, in this act:

(1) "Accumulated deductions" means the total of the amount deducted from the salary of a contributor and paid into the account, and standing to his credit in the account together with the regular interest thereon.

(2) "Beneficiary" means a person or persons having an insurable interest in his life as he shall nominate by written designation, duly acknowledged and filed with the board.

(3) "Retired state game warden" means any person in receipt of a retirement allowance under this act.

(4) "Board" means the Montana state game wardens' retirement board.

(5) "Contributor" means any person who has accumulated deductions in the account, standing to his credit.

(6) "Final salary" means the average annual compensation received by a contributor before any deductions have been made, and exclusive of maintenance, allowances, and expenses, for any three (3) years of continuous service upon which contributions have been made, or, in the event a member has not served three (3) years, the total retirement compensation earned, divided by the number of years served.

(7) "Actuarial equivalent" means the accumulated contributions and the present value of the member's state service based on length of service and member's attained age used to provide a life or temporary life income to the legally designated person, based on the person's attained age and sex at the time the option becomes available.

(8) "Account" means the Montana state game wardens' retirement account in the agency fund.

(9) "Involuntary retirement" means a retirement not for cause and before retirement age.

(10) "Member's annuity" means payments for life derived from contributions made by the contributor.

1 (11) "Optional retirement age" means the age at which a
2 contributor may retire after twenty (20) years service or
3 more; provided that the contributor has reached the age of
4 fifty-five (55) years.

5 (12) "Retirement age" means the age at which a member
6 retires after twenty-five (25) years of creditable service
7 as a state game warden of the department of fish and game.
8 All members must retire at age sixty (60).

9 (13) "Retirement allowance" means the state annuity
10 plus the member's annuity.

11 (14) "State annuity" means payments for life derived
12 from contributions made by the state of Montana fish and
13 game moneys ~~in the earmarked revenue fund.~~

14 Section 2. Section 68-1402, R.C.M. 1947, is amended to
15 read as follows:

16 "68-1402. State game warden defined. Whenever used in
17 this act, state game warden means all state fish and game
18 wardens hired by the state fish and game commission and
19 shall include all warden supervisory personnel whose
20 salaries or compensation is paid out of the Montana fish and
21 game moneys ~~in the earmarked revenue fund.~~"

22 Section 3. Section 68-1405, R.C.M. 1947, is amended to
23 read as follows:

24 "68-1405. Payments into the Montana game wardens'
25 retirement system. All contributions by the state fish and

1 game moneys ~~in the earmarked revenue fund~~ and all
2 contributions by the state game wardens as designated by
3 section 1 [68-1401] above, in the amount hereinafter
4 specified, and all interest on and increase of the
5 investments and moneys under this account shall be paid to
6 the board, who shall credit such payments to the Montana
7 state game wardens' retirement account in the agency fund.
8 Such board shall have exclusive control of the
9 administration of such account. The state treasurer shall be
10 custodian of the account, subject to the exclusive control
11 of the board as to the administration thereof and the board
12 of investments as to the investment thereof. Whenever there
13 is on deposit in the Montana state game wardens' retirement
14 account a sum in excess of twenty-five thousand dollars
15 (\$25,000), such excess will be invested by the board of
16 investments as part of the long-term investment fund and any
17 of the account less than twenty-five thousand dollars
18 (\$25,000) in amount shall be invested by the board of
19 investments as part of the short-term investment fund when
20 so directed by the Montana game wardens' retirement board."

21 Section 4. Section 68-1407, R.C.M. 1947, is amended to
22 read as follows:

23 "68-1407. Membership. Except as provided in 68-1429,
24 Every each state game warden, including all warden
25 supervisory personnel, whose salary or compensation for

1 services is paid ~~wholly~~ out of the Montana fish and game
 2 moneys ~~in-the-earmarked-revenue-fund~~ and who is assigned to
 3 law enforcement in the department of fish and game, shall
 4 become a member of the retirement system when first becoming
 5 a state game warden. If a person becomes a state game warden
 6 after July 1, 1963, who was at any time before July 1, 1963,
 7 a state game warden, he shall receive credit for any such
 8 service prior to July 1, 1963, upon complying with the
 9 provisions of this act. Except as provided in 68-1429, ~~At~~
 10 all state game wardens shall be members of the retirement
 11 system so long as actively employed in that capacity."

12 Section 5. Section 68-1410, R.C.M. 1947, is amended to
 13 read as follows:

14 "68-1410. Contributions by the state of Montana.
 15 (a) There shall be paid out of the Montana fish and game
 16 moneys ~~in-the-earmarked-revenue-fund~~, monthly, by the state
 17 treasurer, a sum equal to seven per cent (7%) of the total
 18 amount of each Montana game wardens' retirement system
 19 member's salary, the same to be credited to the retirement
 20 account created by this act. (b) The expense of the
 21 administration of this act, exclusive of the payment of
 22 retirement allowances and other benefits shall be paid by
 23 the state of Montana out of the fish and game moneys ~~in-the~~
 24 ~~earmarked--revenue--fund~~, made on the basis of budgets
 25 submitted by the board."

1 Section 6. Section 68-1421, R.C.M. 1947, is amended to
 2 read as follows:

3 "68-1421. Nomination of beneficiary. Every contributor
 4 shall have the authority to name his beneficiary by written
 5 designation duly acknowledged and filed with the board, and
 6 to change the beneficiary in like manner. Such designation
 7 and all changes must be filed with the board ~~up-until-but~~
 8 ~~not-after-the-time-of-retirement."~~

9 Section 7. Section 68-1429, R.C.M. 1947, is amended to
 10 read as follows:

11 "68-1429. State public employees' retirement system
 12 ~~== ineligibility--of--member transfer of membership.~~
 13 (1) Each state game warden shall, after July 1, 1963,
 14 become a member of this retirement system and thereafter no
 15 new state employee appointed as a state game warden shall be
 16 eligible to membership to the state public employees'
 17 retirement system and the provisions of said law shall not
 18 apply to Montana state game wardens.

19 (2) A person who is a member of the retirement system
 20 assigned to law enforcement who transfers to a position
 21 involving duties other than law enforcement in the fish and
 22 game department may retain membership in the retirement
 23 system BY FILING A WRITTEN ELECTION OF INTENT WITH THE BOARD
 24 NO LATER THAN AUGUST 1, 1977, OR NO LATER THAN 30 DAYS AFTER
 25 TRANSFER TO THE NEW POSITION, WHICHEVER IS LATER.

1 (3) A person who is a member of the public employees'
2 retirement system who transfers to a position as a state
3 game warden may elect to become a member of the retirement
4 system or may retain CONTINUE membership in the public
5 employees' retirement system BY FILING A WRITTEN ELECTION
6 OF INTENT WITH THE BOARD NO LATER THAN AUGUST 1, 1977, OR NO
7 LATER THAN 30 DAYS AFTER TRANSFER TO THE NEW POSITION,
8 WHICHEVER IS LATER."

-End-

1 HOUSE BILL NO. 741

2 INTRODUCED BY R. BAETH, JOHNSTON, PALMER

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAW
5 REGARDING THE GAME WARDENS' RETIREMENT SYSTEM TO CLARIFY
6 FUNDING FOR THAT SYSTEM, TO AMEND THE PROVISIONS REGARDING
7 ~~TRANSFER-BETWEEN-SUCH-SYSTEM-AND~~ CONTINUATION IN THAT SYSTEM
8 OR IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM, AND TO
9 CLARIFY THE NOMINATION OF A BENEFICIARY; AMENDING SECTIONS
10 68-1401, 68-1402, 68-1405, 68-1407, 68-1410, 68-1421, AND
11 68-1429, R.C.M. 1947."

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Section 1. Section 68-1401, R.C.M. 1947, is amended to
15 read as follows:

16 "68-1401. Definition of terms. Unless the context
17 requires otherwise, in this act:

18 (1) "Accumulated deductions" means the total of the
19 amount deducted from the salary of a contributor and paid
20 into the account, and standing to his credit in the account
21 together with the regular interest thereon.

22 (2) "Beneficiary" means a person or persons having an
23 insurable interest in his life as he shall nominate by
24 written designation, duly acknowledged and filed with the
25 board.

1 (3) "Retired state game warden" means any person in
2 receipt of a retirement allowance under this act.

3 (4) "Board" means the Montana state game wardens'
4 retirement board.

5 (5) "Contributor" means any person who has accumulated
6 deductions in the account, standing to his credit.

7 (6) "Final salary" means the average annual
8 compensation received by a contributor before any deductions
9 have been made, and exclusive of maintenance, allowances,
10 and expenses, for any three (3) years of continuous service
11 upon which contributions have been made, or, in the event a
12 member has not served three (3) years, the total retirement
13 compensation earned, divided by the number of years served.

14 (7) "Actuarial equivalent" means the accumulated
15 contributions and the present value of the member's state
16 service based on length of service and member's attained age
17 used to provide a life or temporary life income to the
18 legally designated person, based on the person's attained
19 age and sex at the time the option becomes available.

20 (8) "Account" means the Montana state game wardens'
21 retirement account in the agency fund.

22 (9) "Involuntary retirement" means a retirement not
23 for cause and before retirement age.

24 (10) "Member's annuity" means payments for life derived
25 from contributions made by the contributor.

1 (11) "Optional retirement age" means the age at which a
 2 contributor may retire after twenty (20) years service or
 3 more; provided that the contributor has reached the age of
 4 fifty-five (55) years.

5 (12) "Retirement age" means the age at which a member
 6 retires after twenty-five (25) years of creditable service
 7 as a state game warden of the department of fish and game.
 8 All members must retire at age sixty (60).

9 (13) "Retirement allowance" means the state annuity
 10 plus the member's annuity.

11 (14) "State annuity" means payments for life derived
 12 from contributions made by the state of Montana fish and
 13 game moneys ~~in the earmarked revenue fund.~~

14 Section 2. Section 68-1402, R.C.M. 1947, is amended to
 15 read as follows:

16 "68-1402. State game warden defined. Whenever used in
 17 this act, state game warden means all state fish and game
 18 wardens hired by the state fish and game commission and
 19 shall include all warden supervisory personnel whose
 20 salaries or compensation is paid out of the Montana fish and
 21 game moneys ~~in the earmarked revenue fund.~~"

22 Section 3. Section 68-1405, R.C.M. 1947, is amended to
 23 read as follows:

24 "68-1405. Payments into the Montana game wardens"
 25 retirement system. All contributions by the state fish and

1 game moneys ~~in the earmarked revenue fund~~ and all
 2 contributions by the state game wardens as designated by
 3 section 1 [68-1401] above, in the amount hereinafter
 4 specified, and all interest on and increase of the
 5 investments and moneys under this account shall be paid to
 6 the board, who shall credit such payments to the Montana
 7 state game wardens' retirement account in the agency fund.
 8 Such board shall have exclusive control of the
 9 administration of such account. The state treasurer shall be
 10 custodian of the account, subject to the exclusive control
 11 of the board as to the administration thereof and the board
 12 of investments as to the investment thereof. Whenever there
 13 is on deposit in the Montana state game wardens' retirement
 14 account a sum in excess of twenty-five thousand dollars
 15 (\$25,000), such excess will be invested by the board of
 16 investments as part of the long-term investment fund and any
 17 of the account less than twenty-five thousand dollars
 18 (\$25,000) in amount shall be invested by the board of
 19 investments as part of the short-term investment fund when
 20 so directed by the Montana game wardens' retirement board."

21 Section 4. Section 68-1407, R.C.M. 1947, is amended to
 22 read as follows:

23 "68-1407. Membership. ~~Except as provided in 68-1429,~~
 24 Every each state game warden, including all warden
 25 supervisory personnel, whose salary or compensation for

1 services is paid wholly out of the Montana fish and game
 2 moneys ~~in the earmarked revenue fund~~ and who is assigned to
 3 law enforcement in the department of fish and game, shall
 4 become a member of the retirement system when first becoming
 5 a state game warden. If a person becomes a state game warden
 6 after July 1, 1963, who was at any time before July 1, 1963,
 7 a state game warden, he shall receive credit for any such
 8 service prior to July 1, 1963, upon complying with the
 9 provisions of this act. Except as provided in 68-1429, all
 10 all state game wardens shall be members of the retirement
 11 system so long as actively employed in that capacity."

12 Section 5. Section 68-1410, R.C.M. 1947, is amended to
 13 read as follows:

14 "68-1410. Contributions by the state of Montana.
 15 (a) There shall be paid out of the Montana fish and game
 16 moneys ~~in the earmarked revenue fund~~, monthly, by the state
 17 treasurer, a sum equal to seven per cent (7%) of the total
 18 amount of each Montana game wardens' retirement system
 19 member's salary, the same to be credited to the retirement
 20 account created by this act. (b) The expense of the
 21 administration of this act, exclusive of the payment of
 22 retirement allowances and other benefits shall be paid by
 23 the state of Montana out of the fish and game moneys ~~in the~~
 24 ~~earmarked revenue fund~~, made on the basis of budgets
 25 submitted by the board."

1 Section 6. Section 68-1421, R.C.M. 1947, is amended to
 2 read as follows:

3 "68-1421. Nomination of beneficiary. Every contributor
 4 shall have the authority to name his beneficiary by written
 5 designation duly acknowledged and filed with the board, and
 6 to change the beneficiary in like manner. Such designation
 7 and all changes must be filed with the board ~~up until, but~~
 8 ~~not after, the time of retirement."~~

9 Section 7. Section 68-1429, R.C.M. 1947, is amended to
 10 read as follows:

11 "68-1429. State public employees' retirement system
 12 ~~is ineligible of member transfer of membership.~~
 13 (1) Each state game warden shall, after July 1, 1963,
 14 become a member of this retirement system and thereafter no
 15 new state employee appointed as a state game warden shall be
 16 eligible to membership to the state public employees'
 17 retirement system and the provisions of said law shall not
 18 apply to Montana state game wardens.

19 (2) A person who is a member of the retirement system
 20 assigned to law enforcement who transfers to a position
 21 involving duties other than law enforcement in the fish and
 22 game department may retain membership in the retirement
 23 system by filing a written election of intent with the board
 24 no later than August 1, 1977, or no later than 30 days after
 25 transfer to the new position, whichever is later.

1 (3) A person who is a member of the public employees'
2 retirement system who transfers to a position as a state
3 game warden may elect to become a member of the retirement
4 system or may retain CONTINUE membership in the public
5 employees' retirement system BY FILING A WRITTEN ELECTION
6 OF INTENT WITH THE BOARD NO LATER THAN AUGUST 1, 1977, OR NO
7 LATER THAN 30 DAYS AFTER TRANSFER TO THE NEW POSITION,
8 WHICHEVER IS LATER.*

-End-

1 HOUSE BILL NO. 741

2 INTRODUCED BY R. BAETH, JOHNSTON, PALMER

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAW
5 REGARDING THE GAME WARDENS' RETIREMENT SYSTEM TO CLARIFY
6 FUNDING FOR THAT SYSTEM, TO AMEND THE PROVISIONS REGARDING
7 ~~TRANSFER BETWEEN SUCH SYSTEM AND~~ CONTINUATION IN THAT SYSTEM
8 OR IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM, AND TO
9 CLARIFY THE NOMINATION OF A BENEFICIARY; AMENDING SECTIONS
10 68-1401, 68-1402, 68-1405, 68-1407, 68-1410, 68-1421, AND
11 68-1429, R.C.M. 1947."

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Section 1. Section 68-1401, R.C.M. 1947, is amended to
15 read as follows:

16 "68-1401. Definition of terms. Unless the context
17 requires otherwise, in this act:

18 (1) "Accumulated deductions" means the total of the
19 amount deducted from the salary of a contributor and paid
20 into the account, and standing to his credit in the account
21 together with the regular interest thereon.

22 (2) "Beneficiary" means a person or persons having an
23 insurable interest in his life as he shall nominate by
24 written designation, duly acknowledged and filed with the
25 board.

1 (3) "Retired state game warden" means any person in
2 receipt of a retirement allowance under this act.

3 (4) "Board" means the Montana state game wardens'
4 retirement board.

5 (5) "Contributor" means any person who has accumulated
6 deductions in the account, standing to his credit.

7 (6) "Final salary" means the average annual
8 compensation received by a contributor before any deductions
9 have been made, and exclusive of maintenance, allowances,
10 and expenses, for any three (3) years of continuous service
11 upon which contributions have been made, or, in the event a
12 member has not served three (3) years, the total retirement
13 compensation earned, divided by the number of years served.

14 (7) "Actuarial equivalent" means the accumulated
15 contributions and the present value of the member's state
16 service based on length of service and member's attained age
17 used to provide a life or temporary life income to the
18 legally designated person, based on the person's attained
19 age and sex at the time the option becomes available.

20 (8) "Account" means the Montana state game wardens'
21 retirement account in the agency fund.

22 (9) "Involuntary retirement" means a retirement not
23 for cause and before retirement age.

24 (10) "Member's annuity" means payments for life derived
25 from contributions made by the contributor.

1 (11) "Optional retirement age" means the age at which a
2 contributor may retire after twenty (20) years service or
3 more; provided that the contributor has reached the age of
4 fifty-five (55) years.

5 (12) "Retirement age" means the age at which a member
6 retires after twenty-five (25) years of creditable service
7 as a state game warden of the department of fish and game.
8 All members must retire at age sixty (60).

9 (13) "Retirement allowance" means the state annuity
10 plus the member's annuity.

11 (14) "State annuity" means payments for life derived
12 from contributions made by the state of Montana fish and
13 game moneys ~~in the earmarked revenue fund.~~

14 Section 2. Section 68-1402, R.C.M. 1947, is amended to
15 read as follows:

16 "68-1402. State game warden defined. Whenever used in
17 this act, state game warden means all state fish and game
18 wardens hired by the state fish and game commission and
19 shall include all warden supervisory personnel whose
20 salaries or compensation is paid out of the Montana fish and
21 game moneys ~~in the earmarked revenue fund.~~"

22 Section 3. Section 68-1405, R.C.M. 1947, is amended to
23 read as follows:

24 "68-1405. Payments into the Montana game wardens'
25 retirement system. All contributions by the state fish and

1 game moneys ~~in the earmarked revenue fund~~ and all
2 contributions by the state game wardens as designated by
3 section 1 [68-1401] above, in the amount hereinafter
4 specified, and all interest on and increase of the
5 investments and moneys under this account shall be paid to
6 the board, who shall credit such payments to the Montana
7 state game wardens' retirement account in the agency fund.
8 Such board shall have exclusive control of the
9 administration of such account. The state treasurer shall be
10 custodian of the account, subject to the exclusive control
11 of the board as to the administration thereof and the board
12 of investments as to the investment thereof. Whenever there
13 is on deposit in the Montana state game wardens' retirement
14 account a sum in excess of twenty-five thousand dollars
15 (\$25,000), such excess will be invested by the board of
16 investments as part of the long-term investment fund and any
17 of the account less than twenty-five thousand dollars
18 (\$25,000) in amount shall be invested by the board of
19 investments as part of the short-term investment fund when
20 so directed by the Montana game wardens' retirement board."

21 Section 4. Section 68-1407, R.C.M. 1947, is amended to
22 read as follows:

23 "68-1407. Membership. Except as provided in 68-1429,
24 Every each state game warden, including all warden
25 supervisory personnel, whose salary or compensation for

1 services is paid wholly out of the Montana fish and game
 2 moneys ~~in the earmarked revenue fund~~ and who is assigned to
 3 law enforcement in the department of fish and game, shall
 4 become a member of the retirement system when first becoming
 5 a state game warden. If a person becomes a state game warden
 6 after July 1, 1963, who was at any time before July 1, 1963,
 7 a state game warden, he shall receive credit for any such
 8 service prior to July 1, 1963, upon complying with the
 9 provisions of this act. Except as provided in 68-1429, ~~all~~
 10 all state game wardens shall be members of the retirement
 11 system so long as actively employed in that capacity."

12 Section 5. Section 68-1410, R.C.M. 1947, is amended to
 13 read as follows:

14 "68-1410. Contributions by the state of Montana.
 15 (a) There shall be paid out of the Montana fish and game
 16 moneys ~~in the earmarked revenue fund~~, monthly, by the state
 17 treasurer, a sum equal to seven per cent (7%) of the total
 18 amount of each Montana game wardens' retirement system
 19 member's salary, the same to be credited to the retirement
 20 account created by this act. (b) The expense of the
 21 administration of this act, exclusive of the payment of
 22 retirement allowances and other benefits shall be paid by
 23 the state of Montana out of the fish and game moneys ~~in the~~
 24 ~~earmarked--revenue--fund~~, made on the basis of budgets
 25 submitted by the board."

1 Section 6. Section 68-1421, R.C.M. 1947, is amended to
 2 read as follows:

3 "68-1421. Nomination of beneficiary. Every contributor
 4 shall have the authority to name his beneficiary by written
 5 designation duly acknowledged and filed with the board, and
 6 to change the beneficiary in like manner. Such designation
 7 and all changes must be filed with the board ~~up until, but~~
 8 ~~not after, the time of retirement."~~

9 Section 7. Section 68-1429, R.C.M. 1947, is amended to
 10 read as follows:

11 "68-1429. State public employees' retirement system
 12 ~~== ineligibility--of--member transfer of membership.~~
 13 (1) Each state game warden shall, after July 1, 1963,
 14 become a member of this retirement system and thereafter no
 15 ~~new state employee appointed as a~~ state game warden shall be
 16 eligible to membership to the state public employees'
 17 retirement system and the provisions of said law shall not
 18 apply to Montana state game wardens.

19 (2) ~~A person who is a member of the retirement system~~
 20 ~~assigned to law enforcement who transfers to a position~~
 21 ~~involving duties other than law enforcement in the fish and~~
 22 ~~game department may retain membership in the retirement~~
 23 ~~system BY FILING A WRITTEN ELECTION OF INTENT WITH THE BOARD~~
 24 ~~NO LATER THAN AUGUST 1, 1977, OR NO LATER THAN 30 DAYS AFTER~~
 25 ~~TRANSFER TO THE NEW POSITION, WHICHEVER IS LATER.~~

1 (3) A person who is a member of the public employees'
2 retirement system who transfers to a position as a state
3 game warden may elect to become a member of the retirement
4 system or may retain CONTINUE membership in the public
5 employees' retirement system BY FILING A WRITTEN ELECTION
6 OF INTENT WITH THE BOARD NO LATER THAN AUGUST 1, 1977, OR NO
7 LATER THAN 30 DAYS AFTER TRANSFER TO THE NEW POSITION,
8 WHICHEVER IS LATER."

-End-