

1 House BILL NO. 804
 2 INTRODUCED BY State Administration Comm.

3
 4 A BILL FOR AN ACT ENTITLED: *AN ACT TO PERMIT LEGISLATORS
 5 TO CONTINUE TO PARTICIPATE IN PUBLIC RETIREMENT SYSTEMS
 6 WHILE SERVING IN THE MONTANA LEGISLATURE; PROVIDING AN
 7 IMMEDIATE EFFECTIVE DATE AND RETROACTIVE APPLICATION TO
 8 JANUARY 1, 1977.*

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

11 Section 1. There is a new R.C.M. section numbered
 12 43-310.2 that reads as follows:

13 43-310.2. Continued participation in public retirement
 14 systems. (1) The purpose of this section is to provide a
 15 means whereby persons serving in the Montana legislature may
 16 continue their participation in public retirement systems
 17 governed by state law. This section is not intended to
 18 provide duplicate credit for the same service in two
 19 retirement systems supported wholly or in part by public
 20 funds. This section does not affect contribution rates or
 21 benefit payments specifically provided for in the laws
 22 governing the operation of individual retirement systems.

23 (2) A person who is engaged in official duties as a
 24 member of the Montana legislature and who is otherwise
 25 eligible to participate as a member or contributor of a

1 public retirement system governed by state law may, but is
 2 not required to, continue his participation in such public
 3 retirement system while engaged in his official duties as a
 4 legislator.

5 (3) A legislator who elects to continue participation
 6 as provided in subsection (2) shall:

7 (a) continue his payments into the fund of the
 8 retirement system at the rate currently in effect in such
 9 system based on his monthly salary as a member of that
 10 system; or

11 (b) continue his payments into the fund of the
 12 retirement system at the rate currently in effect in such
 13 system based on his monthly salary as a legislator.

14 (4) The state contribution shall be by legislative
 15 appropriation. It shall equal the appropriate employer
 16 contribution at the rate currently in effect in the system.

17 Section 2. Retroactive effect. In its application to
 18 members of the 45th legislature, this act is retroactive to
 19 January 1, 1977.

20 Section 3. Effective date. This act is effective upon
 21 its passage and approval.

-End-

INTRODUCED BILL

HB 804

STATE OF MONTANA

REQUEST NO. 586 -77

FISCAL NOTE

Form BD-15

In compliance with a written request received February 18, 19 77, there is hereby submitted a Fiscal Note for House Bill 804 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:

An act to permit legislators to continue to participate in public retirement systems while serving in the Montana legislature, providing an immediate effective date and retroactive application to January 1, 1977.

ASSUMPTIONS:

1. This bill is to permit legislators to continue their participation in state administered retirement plans.
2. There will be no cost to any retirement system.
3. Payments from legislative appropriation will be offset by savings in employer payments to retirement systems.

FISCAL IMPACT:

None.

Richard L. Dewey for
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-23-77

Approved by Committee
on State Administration

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THIRD READING

-2-

HB 804

1 HOUSE BILL NO. 804

2 INTRODUCED BY STATE ADMINISTRATION COMMITTEE

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REFERENCE BILL