

1 House BILL NO. 815
 2 INTRODUCED BY [Redacted] Lohr committee
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW PUBLIC
 5 EMPLOYEES WHO ARE ABSENT FROM WORK BECAUSE OF
 6 EMPLOYMENT-RELATED INJURY TO CONTINUE PAYMENTS TO THE
 7 RETIREMENT SYSTEM AND TO PROVIDE FOR PAYMENT OF EMPLOYER
 8 RETIREMENT CONTRIBUTIONS DURING THE ABSENCE; AMENDING
 9 SECTION 68-1606, R.C.M. 1947."
 10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 68-1606, R.C.M. 1947, is amended to
 13 read as follows:
 14 "68-1606. Absence due to illness or injury. (1) Time
 15 during which a member is absent from service by reason of
 16 injury or illness determined within one (1) year after the
 17 end of such absence as arising out of and in the course of
 18 his employment shall be considered as spent in service for
 19 the purpose of qualification for retirement benefits or
 20 survivorship allowances, but not for the calculation of such
 21 benefits, unless the member complies with subsections (2)
 22 through (4) of this section, in which case the absence shall
 23 be considered as time spent in service for all purposes.
 24 (2) Any member absent because of an employment-related
 25 injury which entitles him to workers' compensation payments

1 may contribute to the retirement system, either during his
 2 period of absence or upon his return to service, amounts
 3 equal to the contributions which would have been made by him
 4 to the system on the basis of his compensation at the
 5 commencement of his absence. Whenever a member elects to
 6 continue his contributions, the employer shall contribute an
 7 amount equal to what its employer contributions would have
 8 been had the member not been absent from service.
 9 (3) A member must file with the board, within 6 months
 10 after he returns to service, a written notice of his intent
 11 to pay the contributions under subsection (2). The employer
 12 shall provide the employee with written notice of the
 13 provisions of this section and the necessary forms upon his
 14 return to service.
 15 (4) Payment of the employee's contributions which are
 16 due because of the period of absence may be made in one sum
 17 at the time of filing the notice or on an installment basis
 18 not to exceed 24 monthly payments.
 19 (5) A member so absent loses his right to contribute
 20 under this section if all of his accumulated normal
 21 contributions are refunded pursuant to 68-1905."

-End-

HB 815

Approved by Committee
on Labor & Employment
Relations

1 HOUSE BILL NO. 815
2 INTRODUCED BY LABOR COMMITTEE
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13 provisions of this section and the necessary forms upon his
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15 RETURNED TO THE EMPLOYER, WHO SHALL PROVIDE A COPY TO THE
16 BOARD.

17 (4) Payment of the employee's contributions which are
18 due because of the period of absence may be made in one sum
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-End-

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INTRODUCED BY LABOR COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW PUBLIC EMPLOYEES WHO ARE ABSENT FROM WORK BECAUSE OF EMPLOYMENT-RELATED INJURY TO CONTINUE PAYMENTS TO THE RETIREMENT SYSTEM AND TO PROVIDE FOR PAYMENT OF EMPLOYER RETIREMENT CONTRIBUTIONS DURING THE ABSENCE; AMENDING SECTION 68-1606, R.C.M. 1947."

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

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(2) Any member absent because of an employment-related injury which entitles him to workers' compensation payments

may contribute to the retirement system, either during his period of absence or upon his return to service, amounts equal to the contributions which would have been made by him to the system on the basis of his compensation at the commencement of his absence. Whenever a member elects to continue his contributions, the employer shall contribute an amount equal to what its employer contributions would have been had the member not been absent from service.

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(5) A member so absent loses his right to contribute under this section if all of his accumulated normal contributions are refunded pursuant to 68-1905."

-End-

March 18, 1977

SENATE
COMMITTEE OF THE WHOLE

That House Bill No. 815 be amended as follows:

1. Amend page 1, section 1, line 14.
Following: "Time"
Insert: ", not to exceed 5 years,"

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"68-1606. Absence due to illness or injury. (1) Time, NOT TO EXCEED 5 YEARS, during which a member is absent from service by reason of injury or illness determined within one (1) year after the end of such absence as arising out of and in the course of his employment shall be considered as spent in service for the purpose of qualification for retirement benefits or survivorship allowances, but not for the calculation of such benefits, unless the member complies with subsections (2) through (4) of this section, in which case the absence shall be considered as time spent in service for all purposes BOTH THE CALCULATION AND QUALIFICATION OF BENEFITS.

(2) Any member absent because of an employment-related injury which entitles him to workers' compensation payments may contribute to the retirement system, either during his period of absence or upon his return to service, amounts equal to the contributions which would have been made by him to the system on the basis of his compensation at the commencement of his absence. Whenever a member elects to continue his contributions, the employer shall contribute an amount equal to what its employer contributions would have been had the member not been absent from service.

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(4) Payment of the employee's contributions which are due because of the period of absence may be made in one sum at the time of filing the notice or on an installment basis not to exceed 24 monthly payments.

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-End-

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REFERENCE BILL

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~~(1) Any member absent because of an employment-related injury which entitles him to workers' compensation payments may contribute to the retirement system, either during his period of absence or upon his return to service, amounts equal to the contributions which would have been made by him to the system on the basis of his compensation at the commencement of his absence, whenever a member elects to continue his contributions, the employer shall contribute an amount equal to what its employer contributions would have been had the member not been absent from service.~~

~~(2) A member must file with the board, within 6 months after he returns to service, a written notice of his intent to pay the contributions under subsection (1). The employer shall provide the employee with written notice of the provisions of this section and the necessary forms upon his return to service WHICH SHALL BE SIGNED BY THE EMPLOYEE AND RETURNED TO THE EMPLOYER, WHO SHALL PROVIDE A COPY TO THE BOARD.~~

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-End-

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Corrected Copy