

CHAPTER NO. 122.

HOUSE BILL NO. 300

INTRODUCED BY QUILICI, MENAHAN, DAILY, HARRINGTON,
PAVLOVICH, KANDUCH

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

IN THE HOUSE

January 22, 1979	Introduced and referred to Committee on State Administration.
January 25, 1979	Committee recommend bill do pass. Report adopted.
January 26, 1979	Printed and placed on members' desks.
January 27, 1979	Second reading, do pass.
January 29, 1979	Considered correctly engrossed.
January 30, 1979	Third reading, passed. Transmitted to second house.

IN THE SENATE

January 31, 1979	Introduced and referred to Committee on Local Government.
February 28, 1979	Committee recommend bill be concurrent in. Report adopted.
March 2, 1979	Second reading, concurred in.
March 6, 1979	Third reading, concurred in.

IN THE HOUSE

March 7, 1979	Returned from second house. Concurred in. Sent to enrolling. Reported correctly enrolled.
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1 House BILL NO. 300
 2 INTRODUCED BY Suplier, Menahan, Daily
 3 Harrington, Carlomb, Landrum
 4 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE COORDINATION
 6 OF BENEFITS FOR LAW ENFORCEMENT OFFICERS WHO HAVE COMBINED
 7 SERVICE IN THE SHERIFFS' RETIREMENT SYSTEM AND THE MUNICIPAL
 8 POLICE OFFICERS' RETIREMENT SYSTEM AS A RESULT OF A
 9 CITY-COUNTY CONSOLIDATION; PROVIDING FOR RETROACTIVE
 10 APPLICATION; AND AN IMMEDIATE EFFECTIVE DATE."

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

13 Section 1. Service under municipal police officers'
 14 retirement system prior to or following city-county
 15 consolidation. (1) A law enforcement officer who has not
 16 changed his employment but who has, because of a city-county
 17 consolidation, been transferred either from a city police
 18 force to a county sheriff's department or from a county
 19 sheriff's department to a city police force as a law
 20 enforcement officer is eligible for a service retirement
 21 benefit if his combined service in the sheriffs' retirement
 22 system and the municipal police officers' retirement system
 23 satisfies the minimum membership service requirement of the
 24 system to which he last made contributions. A sheriff who
 25 has elected to continue membership in the public employees'

1 retirement system under 19-7-301 may continue his election.
 2 However, credit for service in the PERS which has not been
 3 transferred prior to January 1, 1979, may not be
 4 transferred.

5 (2) Eligibility for disability retirement, death
 6 benefits, and a refund of contributions is governed by the
 7 provisions of the retirement system to which the officer
 8 last made contributions.

9 (3) The service retirement benefit of an officer
 10 described in subsection (1) shall be calculated separately
 11 for each system based on the service credited under each
 12 system. The final salary or final average salary for each
 13 calculation shall be based on the highest salary earned
 14 while a member of either system. Each system shall pay its
 15 proportionate share, based on the number of years of service
 16 credited, of the combined benefit. The combined benefit may
 17 not exceed 60% of the final salary or final average salary.

18 Section 2. Service under sheriffs' retirement system
 19 prior to or following city-county consolidation. A law
 20 enforcement officer who has combined service in the
 21 municipal police officers' retirement system and the
 22 sheriffs' retirement system because of a city-county
 23 consolidation, as provided in [section 1], is eligible for
 24 benefits as provided in [section 1].

25 Section 3. Codification. Section 1 of this act shall

-2- HB 300
 INTRODUCED BILL

1 be codified in chapter 7, Title 19, MCA, and all references
2 in the MCA to such chapter 7 include section 1. Section 2
3 shall be codified in chapter 9, Title 19, MCA, and all
4 references in the MCA to such chapter 9 include section 2.

5 Section 4. Retroactive application. This act applies
6 retroactively to January 1, 1979.

7 Section 5. Effective date. This act is effective
8 retroactively to January 1, 1979.

-End-

Approved by Committee
on State Administration

House BILL NO. 300

INTRODUCED BY *Stephen Menahan Daily*
Hanington *Carlson* *Randall*
BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

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 3 Hanington, Carbone, Condit
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