

HOUSE BILL NO. 97

INTRODUCED BY FEDA

BY REQUEST OF THE PUBLIC EMPLOYEES' RETIREMENT BOARD

IN THE HOUSE

January 7, 1981	Introduced and referred to Committee on State Administration.
January 14, 1981	Committee recommend bill do pass as amended. Report adopted.
January 15, 1981	Bill printed and placed on members' desks.
January 16, 1981	Second reading, do pass.
January 17, 1981	Correctly engrossed. Third reading, passed. Transmitted to Senate.

IN THE SENATE

January 19, 1981	Introduced and referred to Committee on State Administration.
March 26, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 28, 1981	Second reading, concurred in.
March 30, 1981	Motion pass consideration
March 31, 1981	On motion rules suspended. Bill allowed to be transmitted on 71st legislative day. Motion adopted. Third reading, concurred in as amended. Ayes, 50; Noes, 0.

IN THE HOUSE

April 1, 1981 Returned from Senate with amendments.

April 8, 1981 Second reading, amendments concurred in.

April 9, 1981 Third reading, amendments concurred in. Ayes 95; Noes, 2.
Sent to enrolling.

April 13, 1981 Correctly enrolled.

April 14, 1981 Signed by Speaker.

April 15, 1981 Signed by President.
Delivered to Governor.

April 20, 1981 Returned from Governor with recommended amendments.

April 22, 1981 Second reading, Governor's amendments concurred in.
On motion rules suspended and bill placed on third reading this day.
Third reading, Governor's amendments concurred in. Ayes, 85; Noes, 7. Transmitted to Senate.

IN THE SENATE

April 23, 1981 Second reading, Governor's amendments concurred in.
Third reading, Governor's amendments concurred in. Ayes, 38; Noes, 2.

IN THE HOUSE

April 23, 1981

Returned from Senate. Sent
to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 97

2 INTRODUCTION BY

3 BY REQUEST OF THE PUBLIC EMPLOYEES' RETIREMENT BOARD

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY AND REVISE
6 THE DEFINITIONS AND THE PROCEDURES FOR REFUNDING MEMBERS'
7 CONTRIBUTIONS AND FOR PAYMENT OF INVOLUNTARY RETIREMENT
8 ALLOWANCES USED IN THE MONTANA STATE GAME WARDENS'
9 RETIREMENT SYSTEM; AMENDING SECTIONS 19-8-101, 19-8-503, AND
10 19-3-604, MCA."

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

13 Section 1. Section 19-8-101, MCA, is amended to read:

14 "19-8-101. Definitions. Unless the context requires
15 otherwise, the following definitions apply in this chapter:

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

18 (2) "Accumulated deductions ~~or accumulated~~
19 ~~contributions~~" means the ~~sum of all contributions total of~~
20 ~~the amount deducted from the salary of a contributory paid~~
21 ~~into the account and~~ standing to his ~~the~~ credit ~~in the~~
22 ~~account of a member's individual account~~ together with the
23 regular interest thereon.

24 (3) "Actuarial equivalent" means a benefit of equal
25 value when computed upon the basis of the actuarial tables

1 in use by the system.

2 (4) "Beneficiary" means a person nominated to receive
3 benefits under this chapter by a member's written
4 designation, duly acknowledged and filed with the board.

5 (5) "Board" means the public employees' retirement
6 board.

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

9 (7) "Final salary" means the average annual
10 compensation received by a contributor, before any
11 deductions have been made and exclusive of maintenance,
12 allowances, and expenses, for any 3 years of continuous
13 service upon which contributions have been made or, in the
14 event a member has not served 3 years, the total retirement
15 compensation earned divided by the number of years served.
16 Lump-sum payments for sick leave and annual leave paid to an
17 employee upon termination of employment may be used in the
18 calculation of a retirement allowance only to the extent
19 that they are used to replace, on a month for month basis,
20 the normal compensation for a month or months included in
21 the calculation of the final salary. A lump-sum payment may
22 not be added to a single month's compensation.

23 (8) "Involuntary retirement" means a retirement not
24 for cause and before retirement age.

25 (9) "Member's annuity" means payments for life derived

1 from contributions made by the contributor.

2 ~~{10}-"Optional retirement age" means the age at which a~~
3 ~~contributor may retire after 20 years service or more~~
4 ~~provided that the contributor has reached the age of 55~~
5 ~~years.~~

6 ~~{11}{10}~~ "Retired state game warden" means any person
7 in receipt of a retirement allowance under this chapter.

8 ~~{12}-"Retirement age" means the age at which a member~~
9 ~~retires as prescribed in 19-8-601.~~

10 ~~{13}{11}~~ "Retirement allowance" means the state annuity
11 plus the member's annuity.

12 ~~{14}{12}~~ "State annuity" means payments for life
13 derived from contributions made by the state from department
14 of fish, wildlife, and parks moneys.

15 ~~{15}{13}~~ "State game warden" means all state fish and
16 game wardens hired by the department of fish, wildlife, and
17 parks and includes all warden supervisory personnel whose
18 salaries or compensation is paid out of the department of
19 fish, wildlife, and parks moneys."

20 Section 2. Section 19-8-503, MCA, is amended to read:

21 "19-8-503. Refund of member's contribution. When a
22 contributor resigns of his own volition or is discharged for
23 cause before becoming entitled to a retirement allowance,
24 then the deductions standing to his credit shall be paid to
25 him. Upon termination of the employment of an active member

1 prior to his retirement date, he shall withdraw the amount
2 of his member contributions in lieu of all other benefits
3 under the plan. If he has 10 years or more of service, the
4 amount paid shall include regular interest, at a rate to be
5 determined by the board, on such amounts. If he has less
6 than 10 years of service, he shall receive only the amount
7 paid through salary deductions, without interest."

8 Section 3. Section 19-8-604, MCA, is amended to read:

9 "19-8-604. Involuntary retirement allowance. If a
10 contributor is involuntarily discontinued from service after
11 having completed 10 years of total service but before
12 reaching retirement age, he shall, upon filing a written
13 application with the board, be paid whichever in one of the
14 following ~~allowances~~ ways that he elects:

- 15 (1) the full amount of his accumulated deductions; or
- 16 (2) ~~a member's annuity which is the actuarial~~
17 ~~equivalent of his accumulated deductions plus an annuity~~
18 ~~which is the actuarial equivalent of the present value of~~
19 ~~the state annuity a retirement allowance beginning on his~~
20 55th birthday calculated under the provisions of 19-3-602."

-End-

Approved by Committee
on State Administration

1 HOUSE BILL NO. 97
2 INTRODUCED BY FEBA
3 BY REQUEST OF THE PUBLIC EMPLOYEES' RETIREMENT BOARD
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY AND REVISE
6 THE DEFINITIONS AND THE PROCEDURES FOR REFUNDING MEMBERS'
7 CONTRIBUTIONS AND FOR PAYMENT OF INVOLUNTARY RETIREMENT
8 ALLOWANCES USED IN THE MONTANA STATE GAME WARDENS'
9 RETIREMENT SYSTEM; AMENDING SECTIONS 19-8-101, 19-8-503,
10 ~~19-8-601~~, AND 19-8-604, MCA."
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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13 Section 1. Section 19-8-101, MCA, is amended to read:
14 "19-8-101. Definitions. Unless the context requires
15 otherwise, the following definitions apply in this chapter:
16 (1) "Account" means the Montana state game wardens'
17 retirement account in the agency fund.
18 (2) "Accumulated deductions ~~or accumulated~~
19 ~~contributions~~" means the ~~sum of all contributions total~~ of
20 ~~the amount deducted from the salary of a contributor, paid~~
21 ~~into the account, and standing to his the credit in the~~
22 ~~account of a member's individual account~~ together with the
23 regular interest thereon.
24 (3) "Actuarial equivalent" means a benefit of equal
25 value when computed upon the basis of the actuarial tables

1 in use by the system.
2 (4) "Beneficiary" means a person nominated to receive
3 benefits under this chapter by a member's written
4 designation, duly acknowledged and filed with the board.
5 (5) "Board" means the public employees' retirement
6 board.
7 (6) "Contributor" means any person who has accumulated
8 deductions in the account standing to his credit.
9 (7) "Final salary" means the average annual
10 compensation received by a contributor, before any
11 deductions have been made and exclusive of maintenance,
12 allowances, and expenses, for any 3 years of continuous
13 service upon which contributions have been made or, in the
14 event a member has not served 3 years, the total retirement
15 compensation earned divided by the number of years served.
16 Lump-sum payments for sick leave and annual leave paid to an
17 employee upon termination of employment may be used in the
18 calculation of a retirement allowance only to the extent
19 that they are used to replace, on a month for month basis,
20 the normal compensation for a month or months included in
21 the calculation of the final salary. A lump-sum payment may
22 not be added to a single month's compensation.
23 ~~(8) "Involuntary retirement" means a retirement not~~
24 ~~for cause and before retirement age.~~
25 ~~(9)(a)~~ "Member's annuity" means payments for life

1 derived from contributions made by the contributor.

2 ~~{10} "Optional retirement age" means the age at which a~~
 3 ~~contributor may retire after 20 years service or more~~
 4 ~~provided that the contributor has reached the age of 55~~
 5 ~~years.~~

6 ~~{11}{10}(2)~~ "Retired state game warden" means any
 7 person in receipt of a retirement allowance under this
 8 chapter.

9 ~~{12} "Retirement age" means the age at which a member~~
 10 ~~retires as prescribed in 19-8-601.~~

11 ~~{13}{11}(10)~~ "Retirement allowance" means the state
 12 annuity plus the member's annuity.

13 ~~{14}{12}(11)~~ "State annuity" means payments for life
 14 derived from contributions made by the state from department
 15 of fish, wildlife, and parks moneys.

16 ~~{15}{13}(12)~~ "State game warden" means all state fish
 17 and game wardens hired by the department of fish, wildlife,
 18 and parks and includes all warden supervisory personnel
 19 whose salaries or compensation is paid out of the department
 20 of fish, wildlife, and parks moneys."

21 Section 2. Section 19-8-503, MCA, is amended to read:
 22 "19-8-503. Refund of member's contribution. When--a
 23 contributor resigns of his own volition or is discharged for
 24 cause--before--becoming--entitled--to--a--retirement--allowance,
 25 then--the--deductions--standing--to--his--credit--shall--be--paid--to

1 ~~him.~~ Upon termination of the employment of an active member
 2 prior to his retirement date, he shall withdraw the amount
 3 of his member contributions in lieu of all other benefits
 4 under the plan. If he has 10 years or more of service, the
 5 amount paid shall include regular interest, at a rate to be
 6 determined by the board, on such amounts. If he has less
 7 than 10 years of service, he shall receive only the amount
 8 paid through salary deductions, without interest."

9 SECTION 3. SECTION 19-8-601, MCA, IS AMENDED TO READ:
 10 "19-8-601. Time of retirement. (1) Any member in
 11 service who has completed at least 25 20 years of creditable
 12 service and who has reached the age of 55 years may retire
 13 on service retirement allowance upon written application to
 14 the board setting forth at what time, not less than 30 days
 15 or more than 90 days subsequent to the filing thereof, he
 16 desires to be retired.

17 (2) Retirement shall be compulsory at age 60."

18 Section 4. Section 19-8-604, MCA, is amended to read:
 19 "19-8-604. Involuntary retirement allowance. If a
 20 contributor is involuntarily discontinued from service after
 21 having completed 10 years of total service but before
 22 reaching retirement age, he shall, upon filing a written
 23 application with the board, be paid whichever in one of the
 24 following allowances may that he elects:
 25 (1) the full amount of his accumulated deductions; or

1 (2) ~~a member's annuity which is the actuarial~~
2 ~~equivalent of his accumulated deductions plus an annuity~~
3 ~~which is the actuarial equivalent of the present value of~~
4 ~~the state annuity~~ a retirement allowance beginning on his
5 55th birthday calculated under the provisions of 19-8-602."

-End-

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17 retirement account in the agency fund.

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19 ~~contributions~~" means the ~~sum of all contributions total--of~~
20 ~~the--amount--deducted--from--the--salary--of--a--contributory--paid~~
21 ~~into--the--account--and~~ standing to his ~~the~~ credit in ~~the~~
22 ~~account of a member's individual account~~ together with the
23 regular interest thereon.

24 (3) "Actuarial equivalent" means a benefit of equal
25 value when computed upon the basis of the actuarial tables

1 in use by the system.

2 (4) "Beneficiary" means a person nominated to receive
3 benefits under this chapter by a member's written
4 designation, duly acknowledged and filed with the board.

5 (5) "Board" means the public employees' retirement
6 board.

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

9 (7) "Final salary" means the average annual
10 compensation received by a contributor, before any
11 deductions have been made and exclusive of maintenance,
12 allowances, and expenses, for any 3 years of continuous
13 service upon which contributions have been made or, in the
14 event a member has not served 3 years, the total retirement
15 compensation earned divided by the number of years served.
16 Lump-sum payments for sick leave and annual leave paid to an
17 employee upon termination of employment may be used in the
18 calculation of a retirement allowance only to the extent
19 that they are used to replace, on a month for month basis,
20 the normal compensation for a month or months included in
21 the calculation of the final salary. A lump-sum payment may
22 not be added to a single month's compensation.

23 (8) ~~"involuntary retirement" means a retirement not~~
24 ~~for-cause-and-before-retirement-age~~

25 (9) (b) "Member's annuity" means payments for life

1 derived from contributions made by the contributor.

2 ~~{10}-"Optional-retirement-age"-means-the-age-at-which-a~~
 3 ~~contributor-may-retire-after-20-years-service-or-more~~
 4 ~~provided-that-the-contributor-has-reached-the-age-of-55~~
 5 ~~years~~

6 ~~{11}{10}{11}~~ "Retired state game warden" means any
 7 person in receipt of a retirement allowance under this
 8 chapter.

9 ~~{12}-"Retirement-age"-means-the-age-at-which-a-member~~
 10 ~~retires-as-prescribed-in-19-8-601~~

11 ~~{13}{11}{10}~~ "Retirement allowance" means the state
 12 annuity plus the member's annuity.

13 ~~{14}{12}{11}~~ "State annuity" means payments for life
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 15 of fish, wildlife, and parks moneys.

16 ~~{15}{13}{12}~~ "State game warden" means all state fish
 17 and game wardens hired by the department of fish, wildlife,
 18 and parks and includes all warden supervisory personnel
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 23 ~~contributor-resigns-of-his-own-volition-or-is-discharged-for~~
 24 ~~cause-before-becoming-entitled-to-a-retirement-allowance~~
 25 ~~then-the-deductions-standing-to-his-credit-shall-be-paid-to~~

1 ~~him~~ Upon termination of the employment of an active member
 2 prior to his retirement date, he shall withdraw the amount
 3 of his member contributions in lieu of all other benefits
 4 under the plan. If he has 10 years or more of service, the
 5 amount paid shall include regular interest, at a rate to be
 6 determined by the board, on such amounts. If he has less
 7 than 10 years of service, he shall receive only the amount
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9 SECTION 3. SECTION 19-8-601, MCA, IS AMENDED TO READ:
 10 "19-8-601. Time of retirement. (1) Any member in
 11 service who has completed at least 25 20 years of creditable
 12 service and who has reached the age of 55 years may retire
 13 on service retirement allowance upon written application to
 14 the board setting forth at what time, not less than 30 days
 15 or more than 90 days subsequent to the filing thereof, he
 16 desires to be retired.

17 (2) Retirement shall be compulsory at age 60."

18 Section 4. Section 19-8-604, MCA, is amended to read:
 19 "19-8-604. Involuntary retirement allowance. If a
 20 contributor is involuntarily discontinued from service after
 21 having completed 10 years of total service but before
 22 reaching retirement age, he shall, upon filing a written
 23 application with the board, be paid ~~whichever~~ in one of the
 24 following ~~allowances~~ ways that he elects:
 25 (1) the full amount of his accumulated deductions; or

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2 ~~equivalent of his accumulated deductions plus an annuity~~
3 ~~which is the actuarial equivalent of the present value of~~
4 ~~the state annuity~~ a retirement allowance beginning on his
5 55th birthday calculated under the provisions of 19-2-602."

-End-

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17 retirement account in the agency fund.

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19 contributions" means the sum of all contributions total of
20 the amount deducted from the salary of a contributor paid
21 into the account and standing to his the credit in the
22 account of a member's individual account together with the
23 regular interest thereon.

24 (3) "Actuarial equivalent" means a benefit of equal
25 value when computed upon the basis of the actuarial tables

1 in use by the system.

2 (4) "Beneficiary" means a person nominated to receive
3 benefits under this chapter by a member's written
4 designation, duly acknowledged and filed with the board.

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6 board.

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

9 (7) "Final salary" means the average annual
10 compensation received by a contributor, before any
11 deductions have been made and exclusive of maintenance,
12 allowances, and expenses, for any 3 years of continuous
13 service upon which contributions have been made or, in the
14 event a member has not served 3 years, the total retirement
15 compensation earned divided by the number of years served.
16 Lump-sum payments for sick leave and annual leave paid to an
17 employee upon termination of employment may be used in the
18 calculation of a retirement allowance only to the extent
19 that they are used to replace, on a month for month basis,
20 the normal compensation for a month or months included in
21 the calculation of the final salary. A lump-sum payment may
22 not be added to a single month's compensation.

23 ~~(8) "Involuntary retirement" means a retirement not~~
24 ~~for cause and before retirement age.~~

25 ~~(9)~~ (8) "Member's annuity" means payments for life

1 derived from contributions made by the contributor.

2 ~~{10} "Optional retirement age" means the age at which a~~
3 ~~contributor may retire after 20 years service or more,~~
4 ~~provided that the contributor has reached the age of 55~~
5 ~~years.~~

6 ~~{11}{10}(9) "Retired state game warden" means any~~
7 ~~person in receipt of a retirement allowance under this~~
8 ~~chapter.~~

9 ~~{12} "Retirement age" means the age at which a member~~
10 ~~retires as prescribed in 19-8-601.~~

11 ~~{13}{11}(10) "Retirement allowance" means the state~~
12 ~~annuity plus the member's annuity.~~

13 ~~{14}{12}(11) "State annuity" means payments for life~~
14 ~~derived from contributions made by the state from department~~
15 ~~of fish, wildlife, and parks moneys.~~

16 ~~{15}{13}(12) "State game warden" means all state fish~~
17 ~~and game wardens hired by the department of fish, wildlife,~~
18 ~~and parks and includes all warden supervisory personnel~~
19 ~~whose salaries or compensation is paid out of the department~~
20 ~~of fish, wildlife, and parks moneys."~~

21 Section 2. Section 19-8-503, MCA, is amended to read:

22 "19-8-503. Refund of member's contribution. ~~When a~~
23 ~~contributor resigns of his own volition or is discharged for~~
24 ~~cause before becoming entitled to a retirement allowance,~~
25 ~~then the deductions standing to his credit shall be paid to~~

1 ~~him. Upon termination of the employment of an active member~~
2 ~~prior to his retirement date, he shall withdraw the amount~~
3 ~~of his member contributions in lieu of all other benefits~~
4 ~~under the plan. If he has 10 years or more of service, the~~
5 ~~amount paid shall include regular interest, at a rate to be~~
6 ~~determined by the board, on such amounts. If he has less~~
7 ~~than 10 years of service, he shall receive only the amount~~
8 ~~paid through salary deductions, without interest."~~

9 SECTION 3. SECTION 19-8-601, MCA, IS AMENDED TO READ:

10 "19-8-601. Time of retirement. (1) Any member in
11 service who has completed at least 25 20 years of creditable
12 service and who has reached the age of 55 years may retire
13 on service retirement allowance upon written application to
14 the board setting forth at what time, not less than 30 days
15 or more than 90 days subsequent to the filing thereof, he
16 desires to be retired.

17 (2) Retirement shall be compulsory at age 60."

18 Section 4. Section 19-8-604, MCA, is amended to read:

19 "19-8-604. Involuntary retirement allowance. If a
20 contributor is involuntarily discontinued from service after
21 having completed 10 years of total service but before
22 reaching retirement age, he shall, upon filing a written
23 application with the board, be paid whichever in one of the
24 following allowances ways that he elects:

25 (1) the full amount of his accumulated deductions; or

1 (2) ~~a member's annuity which is the actuarial~~
2 ~~equivalent of his accumulated deductions plus an annuity~~
3 ~~which is the actuarial equivalent of the present value of~~
4 ~~the state annuity~~ a retirement allowance beginning on his
5 55th birthday calculated under the provisions of 19-8-602."

6 SECTION 5. APPLICABILITY. THE AMENDMENTS TO SECTIONS
7 2, 3, AND 4 OF THIS ACT APPLY ONLY TO PERSONS WHO JOIN THE
8 REIREMENT SYSTEM FOLLOWING THE EFFECTIVE DATE OF THIS ACT.

-End-

March 26, 1981

SENATE STANDING COMMITTEE REPORT
(State Administration)

That House Bill No. 97 be amended as follows:

1. Page 5

Following: line 5

Insert: "Section 4. Applicability. The amendments to sections 2, 3, and 4 of this act apply only to persons who join the retirement system following the effective date of this act."

April 20, 1981

GOVERNOR'S PROPOSED AMENDMENTS TO HOUSE BILL NO. 97;
REFERENCE COPY; AS FOLLOWS:

1. Page 5, Line 6
Following: "AMENDMENTS"
Strike: "TO"
Insert: "made by"

HOUSE BILL NO. 97

INTRODUCED BY FEBA

BY REQUEST OF THE PUBLIC EMPLOYEES' RETIREMENT BOARD

A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY AND REVISE THE DEFINITIONS AND THE PROCEDURES FOR REFUNDING MEMBERS' CONTRIBUTIONS AND FOR PAYMENT OF INVOLUNTARY RETIREMENT ALLOWANCES USED IN THE MONTANA STATE GAME WARDENS' RETIREMENT SYSTEM; AMENDING SECTIONS 19-8-101, 19-8-503, 19-8-601, AND 19-8-604, MCA."

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

(2) "Accumulated deductions" or "accumulated contributions" means the sum of all contributions total--of the--amount--deducted--from--the--salary--of--a--contributor--paid into--the--account--and standing to his the credit in--the account of a member's individual account together with the regular interest thereon.

(3) "Actuarial equivalent" means a benefit of equal value when computed upon the basis of the actuarial tables

in use by the system.

(4) "Beneficiary" means a person nominated to receive benefits under this chapter by a member's written designation, duly acknowledged and filed with the board.

(5) "Board" means the public employees' retirement board.

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

(7) "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 3 years of continuous service upon which contributions have been made or, in the event a member has not served 3 years, the total retirement compensation earned divided by the number of years served. Lump-sum payments for sick leave and annual leave paid to an employee upon termination of employment may be used in the calculation of a retirement allowance only to the extent that they are used to replace, on a month for month basis, the normal compensation for a month or months included in the calculation of the final salary. A lump-sum payment may not be added to a single month's compensation.

~~(8) "Involuntary retirement" means a retirement not for-cause-and-before-retirement-age.~~

~~(9)~~(8) "Member's annuity" means payments for life

1 derived from contributions made by the contributor.

2 ~~{10}-"Optional retirement age" means the age at which a~~
 3 ~~contributor may retire after 28 years service or more~~
 4 ~~provided that the contributor has reached the age of 55~~
 5 ~~years.~~

6 ~~{11}{10}(9)~~ "Retired state game warden" means any
 7 person in receipt of a retirement allowance under this
 8 chapter.

9 ~~{12}-"Retirement age" means the age at which a member~~
 10 ~~retires as prescribed in 19-8-601.~~

11 ~~{13}{11}(10)~~ "Retirement allowance" means the state
 12 annuity plus the member's annuity.

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22 "19-8-503. Refund of member's contribution. When a
 23 contributor resigns of his own volition or is discharged for
 24 cause before becoming entitled to a retirement allowance,
 25 then the deductions standing to his credit shall be paid to

1 ~~him.~~ Upon termination of the employment of an active member
 2 prior to his retirement date, he shall withdraw the amount
 3 of his member contributions in lieu of all other benefits
 4 under the plan. If he has 10 years or more of service, the
 5 amount paid shall include regular interest, at a rate to be
 6 determined by the board, on such amounts. If he has less
 7 than 10 years of service, he shall receive only the amount
 8 paid through salary deductions, without interest."

9 SECTION 3. SECTION 19-8-601, MCA, IS AMENDED TO READ:

10 "19-8-601. Time of retirement. (1) Any member in
 11 service who has completed at least 25 20 years of creditable
 12 service and who has reached the age of 55 years may retire
 13 on service retirement allowance upon written application to
 14 the board setting forth at what time, not less than 30 days
 15 or more than 90 days subsequent to the filing thereof, he
 16 desires to be retired.

17 (2) Retirement shall be compulsory at age 60."

18 Section 4. Section 19-8-604, MCA, is amended to read:

19 "19-8-604. Involuntary retirement allowance. If a
 20 contributor is involuntarily discontinued from service after
 21 having completed 10 years of total service but before
 22 reaching retirement age, he shall, upon filing a written
 23 application with the board, be paid whichever in one of the
 24 following allowances ways that he elects:

25 (1) the full amount of his accumulated deductions; or

1 (2) ~~a--member's--annuity--which---is---the---actuarial~~
2 ~~equivalent--of--his--accumulated--deductions--plus--an--annuity~~
3 ~~which--is--the--actuarial--equivalent--of--the--present--value--of~~
4 ~~the--state--annuity~~ a retirement allowance beginning on his
5 55th birthday calculated under the provisions of 19-8-602."

6 SECTION 5. APPLICABILITY. THE AMENDMENTS TO MADE BY
7 SECTIONS 2, 3, AND 4 OF THIS ACT APPLY ONLY TO PERSONS WHO
8 JOIN THE RETIREMENT SYSTEM FOLLOWING THE EFFECTIVE DATE OF
9 THIS ACT.

-End-



State of Montana
Office of the Governor
Helena 59620

TED SCHWINDEN
GOVERNOR

April 20, 1981

The Honorable Jean A. Turnage
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable Robert L. Marks
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Turnage and Representative Marks:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 97, "AN ACT TO CLARIFY AND REVISE THE DEFINITIONS AND THE PROCEDURES FOR REFUNDING MEMBERS' CONTRIBUTIONS AND FOR PAYMENT OF INVOLUNTARY RETIREMENT ALLOWANCES USED IN THE MONTANA STATE GAME WARDENS' RETIREMENT SYSTEM; AMENDING SECTIONS 19-8-101, 19-8-503, 19-8-601, AND 19-8-604, MCA," without my signature and recommend the attached amendment.

My proposed amendment is to clarify the applicability section.

I urge your concurrence in this amendment.

Sincerely,

A handwritten signature in cursive script that reads "Ted Schwinden".

TED SCHWINDEN
Governor