

HOUSE BILL NO. 584

INTRODUCED BY ELLISON, DUSSAULT

BY REQUEST OF THE OFFICE OF PUBLIC INSTRUCTION

IN THE HOUSE

January 30, 1981	Introduced and referred to Committee on State Administration.
February 18, 1981	Committee recommend bill do pass. Report adopted.
February 19, 1981	Bill printed and placed on members' desks.
February 21, 1981	Second reading, do pass.
February 23, 1981	Considered correctly engrossed.
February 24, 1981	Third reading, passed. Ayes, 99; Noes, 0. Transmitted to Senate.

IN THE SENATE

March 2, 1981	Introduced and referred to Committee on State Administration.
March 18, 1981	Committee recommend bill be concurred in. Report adopted.
March 20, 1981	Second reading, concurred in.
March 23, 1981	Third reading, concurred in. Ayes, 49; Noes, 0.

IN THE HOUSE

March 24, 1981	Returned from Senate. Concurred in. Sent to enrolling. Reported correctly enrolled.
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HOUSE BILL NO. 584

INTRODUCED BY E. Ross Anderson
BY REQUEST OF THE OFFICE OF PUBLIC INSTRUCTION

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 19-4-302, MCA, TO ALLOW PARTICIPATION IN THE TEACHERS' RETIREMENT SYSTEM BY PERSONS EMPLOYED AS TEACHERS BY SPECIAL EDUCATION COOPERATIVES."

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

Section 1. Section 19-4-302, MCA, is amended to read: "19-4-302. Active membership. (1) Unless otherwise provided by this chapter, the following persons must be active members of the retirement system, with the exception that those persons who became eligible for membership on September 1, 1937, or on September 1, 1939, and who elected not to become members under the provisions of the law at that time are not required to be members:

- (a) any person who is a teacher, principal, or district superintendent as defined in 20-1-101;
- (b) any person who is an administrative officer or a member of the instructional or scientific staff of a unit of the Montana university system, except as provided in 19-4-305;
- (c) any person employed in an instructional services

capacity by the office of the superintendent of public instruction, the office of a county superintendent, a ~~special education cooperative~~, a public institution of the state of Montana, the Montana state school for the deaf and blind, or a school district;

- (d) any person who has elected not to become a member of the retirement system and is reentering service in a capacity prescribed by (a), (b), or (c) of subsection (1);
- (e) any person who has elected not to become a member of the retirement system, who has been continuously employed in a capacity prescribed by (a), (b), or (c) of subsection (1) since the time of such election, and who may thereafter elect to become a member of the retirement system.

(2) In order to be eligible for active membership, any person described in subsection (1) must:

- (a) be employed in the capacity prescribed for his eligibility for at least 30 days in any fiscal year; and
- (b) have the compensation for his creditable service totally paid by an employer as defined herein.
- (3) At any time a person's eligibility to become a member of the retirement system is in doubt, the retirement board shall determine his eligibility for membership. All persons in similar circumstances shall be treated alike."

-End-

INTroduced Bill
-2- HB 584

1 HOUSE BILL NO. 584

2 INTRODUCED BY Ellison Sureson

3 BY REQUEST OF THE OFFICE OF PUBLIC INSTRUCTION

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16 September 1, 1937, or on September 1, 1939, and who elected
17 not to become members under the provisions of the law at
18 that time are not required to be members:

19 (a) any person who is a teacher, principal, or
20 district superintendent as defined in 20-1-101;

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22 member of the instructional or scientific staff of a unit of
23 the Montana university system, except as provided in
24 19-4-305;

25 (c) any person employed in an instructional services

1 capacity by the office of the superintendent of public
2 instruction, the office of a county superintendent, a
3 ~~special education cooperative~~, a public institution of the
4 state of Montana, the Montana state school for the deaf and
5 blind, or a school district;

6 (d) any person who has elected not to become a member
7 of the retirement system and is reentering service in a
8 capacity prescribed by (a), (b), or (c) of subsection (1);

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12 (1) since the time of such election, and who may thereafter
13 elect to become a member of the retirement system.

14 (2) In order to be eligible for active membership, any
15 person described in subsection (1) must:

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19 totally paid by an employer as defined herein.

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21 member of the retirement system is in doubt, the retirement
22 board shall determine his eligibility for membership. All
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-End-

-2- THIRD READING
HB 584

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