

SENATE BILL NO. 216

INTRODUCED BY STIMATZ

BY REQUEST OF THE PUBLIC EMPLOYEES' RETIREMENT DIVISION

IN THE SENATE

January 19, 1983	Introduced and referred to Committee on State Administration.
January 27, 1983	Committee recommend bill do pass. Report adopted.
January 28, 1983	Bill printed and placed on members' desks.
January 29, 1983	Second reading, do pass.
January 31, 1983	Correctly engrossed.
February 1, 1983	Third reading, passed. Ayes, 48; Noes, 0. Transmitted to House.

IN THE HOUSE

February 2, 1983	Introduced and referred to Committee on State Administration.
February 19, 1983	Committee recommend bill be concurred in. Report adopted.
March 2, 1983	Second reading, concurred in.
March 3, 1983	Third reading, concurred in.

IN THE SENATE

March 4, 1983

Returned to Senate. Sent
to enrolling.

Reported correctly enrolled.

1 Senate BILL NO. 216
 2 INTRODUCED BY Strom
 3 BY REQUEST OF THE PUBLIC EMPLOYEES' RETIREMENT DIVISION
 4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A CONSISTENT
 6 EFFECTIVE DATE FOR SERVICE RETIREMENT BENEFITS PAID TO
 7 MEMBERS OF THE PUBLIC EMPLOYEES', HIGHWAY PATROLMEN'S,
 8 SHERIFFS', GAME WARDENS', MUNICIPAL POLICE OFFICERS', AND
 9 FIREFIGHTERS' UNIFIED RETIREMENT SYSTEMS; CLARIFYING
 10 PROVISIONS CONCERNING THE GAME WARDENS' RETIREMENT SYSTEM;
 11 AMENDING SECTIONS 19-3-903, 19-6-501, 19-7-501, 19-8-601,
 12 19-8-604, 19-9-801, AND 19-13-701, MCA; REPEALING SECTION
 13 19-8-602, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
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 15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 16 Section 1. Section 19-3-903, MCA, is amended to read:
 17 "19-3-903. Time of commencement of allowance. The
 18 board shall grant a retirement allowance to any member who
 19 has fulfilled the eligibility requirements of 19-3-901 or
 20 19-3-902 and filed the appropriate written application. The
 21 retirement allowance shall must commence on the first day of
 22 the month following the member's last day of membership
 23 service ~~or on the first day of the month in which his~~
 24 ~~application is filed with the board, whichever is later.~~"
 25 Section 2. Section 19-6-501, MCA, is amended to read:

1 "19-6-501. Eligibility and application for service
 2 retirement allowance ~~-- commencement of allowance.~~ (1) A
 3 member in service who has completed at least 20 years of
 4 creditable service may retire on a service retirement
 5 allowance upon written application to the department setting
 6 forth at what time he desires to be retired, not less than
 7 30 days or more than 90 days subsequent to the filing
 8 thereof.
 9 (2) The retirement allowance must commence on the
 10 first day of the month following the member's last day of
 11 covered employment."
 12 Section 3. Section 19-7-501, MCA, is amended to read:
 13 "19-7-501. Eligibility and application for service
 14 retirement ~~-- commencement of allowance.~~ (1) A sheriff in
 15 service who has completed at least 25 years of service and
 16 who has reached the age of 55 years may retire on a service
 17 retirement allowance upon written application to the board,
 18 submitted not less than 30 days or more than 90 days from
 19 the desired date of retirement. ~~The application must state~~
 20 ~~the date he desires to be retired.~~
 21 (2) Retirement is compulsory for any nonelected
 22 sheriff at age 65, except in the case of undersheriffs.
 23 (3) The retirement allowance must commence on the
 24 first day of the month following the member's last day of
 25 membership service."

INTRODUCED BILL

SB 216

Section 4. Section 19-8-601, MCA, is amended to read:

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

(2) Retirement shall be compulsory at age 60.

~~(3) The retirement allowance must commence on the first day of the month following the member's last day of covered employment."~~

Section 5. Section 19-8-604, MCA, is amended to read:

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

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

(2) a retirement allowance beginning on his 55th birthday calculated under the provisions of ~~19-8-602~~ 19-8-603."

Section 6. Section 19-9-801, MCA, is amended to read:

"19-9-801. Eligibility for service retirement ==

commencement of allowance. Members are eligible for retirement and shall retire as provided in this section:

(1) A member who was employed by an employer as a police officer on July 1, 1975, is eligible to receive a service retirement allowance when he has completed 20 years or more in the aggregate as a probationary officer, a regular officer, or a special officer, in any capacity or rank.

(2) A member who was or is first employed by an employer as a police officer after July 1, 1975, is eligible to receive a service retirement allowance when he has reached the age of 50 and has completed 20 years or more in the aggregate as a probationary officer, a regular officer, or a special officer, in any capacity or rank.

(3) Police officers, whether first employed before or after July 1, 1975, who reach the age of 65 while in active service shall retire.

~~(4) The retirement allowance must commence on the first day of the month following the member's last day of membership service."~~

Section 7. Section 19-13-701, MCA, is amended to read:

"19-13-701. Eligibility for service retirement ~~== commencement of allowance.~~ (1) The following members are eligible for service retirement:

~~(1)(a)~~ a member who has reached age 50 and has

1 completed 10 years or more in the aggregate as a firefighter
2 in any capacity or rank;

3 ~~(2)(b)~~ a member who has reached mandatory retirement
4 age under 19-13-702 regardless of his number of years of
5 service.

6 (2) The retirement allowance must commence on the
7 first day of the month following the member's last day of
8 membership service."

9 NEW SECTION. Section 8. Repealer. Section 19-8-602,
10 MCA, is repealed.

11 NEW SECTION. Section 9. Effective date. This act is
12 effective on passage and approval.

-End-

Approved by Committee
on State Administration

1 Senate BILL NO. 216
2 INTRODUCED BY Donahoe
3 BY REQUEST OF THE PUBLIC EMPLOYEES' RETIREMENT DIVISION
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5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A CONSISTENT
6 EFFECTIVE DATE FOR SERVICE RETIREMENT BENEFITS PAID TO
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9 FIREFIGHTERS' UNIFIED RETIREMENT SYSTEMS; CLARIFYING
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11 AMENDING SECTIONS 19-3-903, 19-6-501, 19-7-501, 19-8-601,
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18 board shall grant a retirement allowance to any member who
19 has fulfilled the eligibility requirements of 19-3-901 or
20 19-3-902 and filed the appropriate written application. The
21 retirement allowance ~~shall~~ must commence on the first day of
22 the month following the member's last day of membership
23 service ~~or on the first day of the month in which his~~
24 ~~application is filed with the board, whichever is later.~~
25 Section 2. Section 19-6-501, MCA, is amended to read:

1 "19-6-501. Eligibility and application for service
2 retirement allowance ~~— commencement of allowance.~~ (1) A
3 member in service who has completed at least 20 years of
4 creditable service may retire on a service retirement
5 allowance upon written application to the department setting
6 forth at what time he desires to be retired, not less than
7 30 days or more than 90 days subsequent to the filing
8 thereof.
9 (2) The retirement allowance must commence on the
10 first day of the month following the member's last day of
11 covered employment."
12 Section 3. Section 19-7-501, MCA, is amended to read:
13 "19-7-501. Eligibility and application for service
14 retirement ~~— commencement of allowance.~~ (1) A sheriff in
15 service who has completed at least 25 years of service and
16 who has reached the age of 55 years may retire on a service
17 retirement allowance upon written application to the board,
18 submitted not less than 30 days or more than 90 days from
19 the desired date of retirement. ~~The application must state~~
20 ~~the date he desires to be retired.~~
21 (2) Retirement is compulsory for any unelected
22 sheriff at age 65, except in the case of undersheriffs.
23 (3) The retirement allowance must commence on the
24 first day of the month following the member's last day of
25 membership service."

Section 4. Section 19-8-601, MCA, is amended to read:

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

(2) Retirement shall be compulsory at age 60.

(3) The retirement allowance must commence on the first day of the month following the member's last day of covered employment."

Section 5. Section 19-8-604, MCA, is amended to read:

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

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

(2) a retirement allowance beginning on his 55th birthday calculated under the provisions of 19-8-602 19-8-603."

Section 6. Section 19-9-801, MCA, is amended to read:

"19-9-801. Eligibility for service retirement --

commencement of allowance. Members are eligible for retirement and shall retire as provided in this section:

(1) A member who was employed by an employer as a police officer on July 1, 1975, is eligible to receive a service retirement allowance when he has completed 20 years or more in the aggregate as a probationary officer, a regular officer, or a special officer, in any capacity or rank.

(2) A member who was or is first employed by an employer as a police officer after July 1, 1975, is eligible to receive a service retirement allowance when he has reached the age of 50 and has completed 20 years or more in the aggregate as a probationary officer, a regular officer, or a special officer, in any capacity or rank.

(3) Police officers, whether first employed before or after July 1, 1975, who reach the age of 65 while in active service shall retire.

(4) The retirement allowance must commence on the first day of the month following the member's last day of membership service."

Section 7. Section 19-13-701, MCA, is amended to read:

"19-13-701. Eligibility for service retirement -- commencement of allowance. (1) The following members are eligible for service retirement:

~~(1)~~(a) a member who has reached age 50 and has

1 completed 10 years or more in the aggregate as a firefighter
2 in any capacity or rank;

3 ~~(2)(b)~~ a member who has reached mandatory retirement
4 age under 19-13-702 regardless of his number of years of
5 service.

6 ~~(2) The retirement allowance must commence on the~~
7 ~~first day of the month following the member's last day of~~
8 ~~membership service."~~

9 NEW SECTION. Section 8. Repealer. Section 19-8-602,
10 MCA, is repealed.

11 NEW SECTION. Section 9. Effective date. This act is
12 effective on passage and approval.

-End-

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2 INTRODUCED BY *Honorable*
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12 effective on passage and approval.

-End-

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BY REQUEST OF THE PUBLIC EMPLOYEES' RETIREMENT DIVISION

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A CONSISTENT EFFECTIVE DATE FOR SERVICE RETIREMENT BENEFITS PAID TO MEMBERS OF THE PUBLIC EMPLOYEES', HIGHWAY PATROLMEN'S, SHERIFFS', GAME WARDENS', MUNICIPAL POLICE OFFICERS', AND FIREFIGHTERS' UNIFIED RETIREMENT SYSTEMS; CLARIFYING PROVISIONS CONCERNING THE GAME WARDENS' RETIREMENT SYSTEM; AMENDING SECTIONS 19-3-903, 19-6-501, 19-7-501, 19-8-601, 19-8-604, 19-9-801, AND 19-13-701, MCA; REPEALING SECTION 19-8-602, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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"19-7-501. Eligibility and application for service retirement ~~== commencement of allowance.~~ (1) A sheriff in service who has completed at least 25 years of service and who has reached the age of 55 years may retire on a service retirement allowance upon written application to the board, submitted not less than 30 days or more than 90 days from the desired date of retirement. ~~The application must state the date he desires to be retired.~~

(2) Retirement is compulsory for any nonelected sheriff at age 65, except in the case of undersheriffs.

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Section 7. Section 19-13-701, MCA, is amended to read:

"19-13-701. Eligibility for service retirement == ~~commencement of allowance.~~ (1) The following members are eligible for service retirement:

~~((1))~~ a member who has reached age 50 and has

1 completed 10 years or more in the aggregate as a firefighter
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