

HOUSE BILL NO. 292

INTRODUCED BY O'CONNELL, JACK MOORE, KEYSER, BLAYLOCK,  
LYBECK, ZABROCKI, C. SMITH, HARRINGTON, BERGENE,  
CHRISTIAENS, BARDANOUE, MILLER, VAN VALKENBURG, LORY,  
HART, MENAHAN, JONES, MCCORMICK, B. WILLIAMS, PECK,  
J. HAMMOND, REAM, HARP, HARBIN, BACHINI, O'HARA, KOEHNKE,  
BRADLEY, SPAETH, FRITZ, MANUEL, NISBET, DRISCOLL, ADDY,  
QUILICI, KRUEGER, D. BROWN, SCHYE, SWIFT, CONNELLY,  
PISTORIA, MANNING, MARKS, PAVLOVICH, LYNCH, HARDING,  
GARCIA, E. SMITH, HIRSCH, BOYLAN, JACOBSON, H. HAMMOND,  
STIMATZ, HAND, J. BROWN, KADAS, HOWE, KENNERLY,  
VINCENT, KEENAN, MILES, ABRAMS, DONALDSON

IN THE HOUSE

January 21, 1985	Introduced and referred to Committee on State Administration.
January 23, 1985	Fiscal Note requested.
January 25, 1985	Fiscal Note returned.
February 1, 1985	Committee recommend bill do pass as amended. Report adopted.
February 2, 1985	Bill printed and placed on members' desks.
February 4, 1985	Second reading, do pass.  Considered correctly engrossed.
February 5, 1985	Third reading, passed. Ayes, 95; Noes, 3.  Transmitted to Senate.

IN THE SENATE

February 7, 1985

Introduced and referred to  
Committee on State  
Administration.

March 21, 1985

Committee recommend bill be  
concurrred in. Report adopted.

March 23, 1985

Second reading, concurred in.

March 26, 1985

Third reading, concurred in.  
Ayes, 48; Noes, 1.

Returned to House.

IN THE HOUSE

March 27, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

*Montoya*  
*Carlson*  
*Heppich*  
*Smith*  
*Harvey*  
*Benjamin*  
*Jackson*  
*Williams*  
*Stevens*  
*Fell*  
*D. Brown*  
*Wright*  
*Winn*  
*Vannoy*  
*Keenan*  
*Hill*  
*Johnson*

*Smith*

HOUSE BILL NO. 292

INTRODUCED BY

*Ristoria Hainault*  
*Richard Manning*  
*Thomas*  
*Walters*

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A MINIMUM MONTHLY BENEFIT ALLOWANCE FOR CERTAIN RETIRED HIGHWAY PATROLMEN AND THEIR BENEFICIARIES; PROVIDING FUNDING FOR THE MINIMUM MONTHLY BENEFIT ALLOWANCE THROUGH INCREASED EMPLOYEE AND EMPLOYER CONTRIBUTIONS; AMENDING SECTIONS 19-6-402 AND 19-6-404, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. Section 1. Minimum monthly benefit

allowance. (1) Subject to the limitations contained in subsection (2), the following retired highway patrolmen and their beneficiaries are eligible to receive a monthly benefit allowance of not less than 2% multiplied by the patrolman's creditable years of service multiplied by the current base salary received by a probationary highway patrolman:

- (a) a retired patrolman who is 55 years of age or older, or his beneficiary, who is receiving a service retirement allowance;
- (b) a retired patrolman, or his beneficiary, who is receiving a disability retirement allowance; and
- (c) a beneficiary receiving a survivorship allowance.

(2) (a) The maximum monthly benefit allowance paid under subsection (1) may not exceed 60% of the current base salary of a probationary highway patrolman.

(b) The annual increase in a monthly benefit allowance under subsection (1) may not exceed 5% of the current monthly benefit allowance paid to a retired highway patrolman or his beneficiary.

Section 2. Section 19-6-402, MCA, is amended to read:

"19-6-402. Member's contribution. Every member shall be required to contribute into the account a sum equal to 6-1/2% 7% of his monthly salary, which sum shall be deducted from his salary and deposited to his credit in the account."

Section 3. Section 19-6-404, MCA, is amended to read:

"19-6-404. State's contribution. The state of Montana shall annually contribute to the account an amount equal to 16.57% 24.74% of the salaries paid to the highway patrolmen who are covered by this account from the general fund."

NEW SECTION. Section 4. Extension of authority. Any

existing authority of the Public Employees' Retirement Board to make rules on the subject of the provisions of this act is extended to the provisions of this act.

NEW SECTION. Section 5. Codification instruction.

Section 1 is intended to be codified as an integral part of Title 19, chapter 6, part 7, and the provisions of Title 19, chapter 6, apply to section 1.

LC 0548/01

1        NEW SECTION. Section 6. Effective date. This act is  
2        effective July 1, 1985.

-End-

## STATE OF MONTANA

## FISCAL NOTE

REQUEST NO. FNN 168-85Form BD-15

In compliance with a written request received January 23, 1985, there is hereby submitted a Fiscal Note for House Bill 292 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 292 is an act providing a minimum monthly benefit allowance for certain Highway Patrolmen and their beneficiaries, providing funding for the minimum benefit allowance through increased employees and employer contributions.

ASSUMPTION:

1. Assume that salaries will increase 2% in FY 1986 and FY 1987.
2. Although 19-6-404 directs the employer's contribution to be paid from the general fund, it is assumed that the impact will be against the state special revenue fund since this has been and presumably will be the funding source for Patrol salaries.
3. The number of Highway Patrol Officers and federal funding for the Patrol will remain constant.

FISCAL IMPACT:

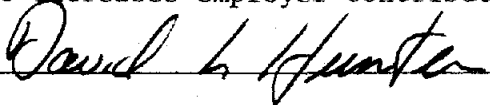
	<u>FY 1986</u>	<u>FY 1987</u>
Expenditure Impact:		
State Special Revenue (Highway)	\$430,260	\$438,865
Federal Special	6,495	6,625

LONG-RANGE IMPACT:

This legislation will permanently increase the employer contributions for the Highway Patrol Retirement System by 8.17% of all future salaries.

TECHNICAL NOTE:

This legislation does not include a coordination section with HB 291 which also increases employer contributions by 2.01%.

  
 BUDGET DIRECTOR  
 Office of Budget and Program Planning

Date: Jan 25, 1985HB 292

APPROVED BY COMMITTEE  
ON STATE ADMINISTRATION

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14 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A MINIMUM  
15 MONTHLY BENEFIT ALLOWANCE FOR CERTAIN RETIRED HIGHWAY  
16 PATROLMEN AND THEIR BENEFICIARIES; PROVIDING FUNDING FOR THE  
17 MINIMUM MONTHLY BENEFIT ALLOWANCE THROUGH INCREASED EMPLOYEE  
18 AND EMPLOYER CONTRIBUTIONS; AMENDING SECTIONS 19-6-402 AND  
19 19-6-404, MCA; AND PROVIDING AN EFFECTIVE DATE."  
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21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

22 NEW SECTION. Section 1. Minimum monthly benefit  
23 allowance. (1) Subject to the limitations contained in  
24 subsection (2), the following retired highway patrolmen and  
25 their beneficiaries are eligible to receive a monthly

1 benefit allowance of not less than 2% multiplied by the  
2 patrolman's creditable years of service multiplied by the  
3 current base salary received by a probationary highway  
4 patrolman:

5 (a) a retired patrolman who is 55 years of age or  
6 older, EXCEPT AS PROVIDED IN SUBSECTION (3), or his  
7 beneficiary, who is receiving a service retirement  
8 allowance;

9 (b) a retired patrolman, or his beneficiary, who is  
10 receiving a disability retirement allowance; and

11 (c) a beneficiary receiving a survivorship allowance.

12 (2) (a) The maximum monthly benefit allowance paid  
13 under subsection (1) may not exceed 60% of the current base  
14 salary of a probationary highway patrolman.

15 (b) The annual increase in a monthly benefit allowance  
16 under subsection (1) may not exceed 5% of the current  
17 monthly benefit allowance paid to a retired highway  
18 patrolman or his beneficiary.

19 (3) A RETIRED PATROLMAN OTHERWISE QUALIFIED UNDER  
20 SUBSECTION (1)(A) WHO IS EMPLOYED IN A POSITION COVERED BY A  
21 RETIREMENT SYSTEM UNDER TITLE 19, CHAPTERS 3 THROUGH 13, IS  
22 INELIGIBLE TO RECEIVE THE MINIMUM MONTHLY BENEFIT ALLOWANCE  
23 PROVIDED FOR IN THIS SECTION UNTIL HIS EMPLOYMENT IN THE  
24 COVERED POSITION IS TERMINATED.

25 Section 2. Section 19-6-402, MCA, is amended to read:

1 "19-6-402. Member's contribution. Every member shall  
 2 be required to contribute into the account a sum equal to  
 3 ~~6-1/2%~~ 7 1/2% of his monthly salary, which sum shall be  
 4 deducted from his salary and deposited to his credit in the  
 5 account."

6 Section 3. Section 19-6-404, MCA, is amended to read:

7 "19-6-404. State's contribution. The state of Montana  
 8 shall annually contribute to the account an amount equal to  
 9 ~~16.57%~~ 24.74% of the salaries paid to the highway patrolmen  
 10 who are covered by this account from the general fund."

11 NEW SECTION. Section 4. Extension of authority. Any  
 12 existing authority of the public employees' retirement board  
 13 to make rules on the subject of the provisions of this act  
 14 is extended to the provisions of this act.

15 NEW SECTION. SECTION 5. COORDINATION SECTION. IF  
 16 BOTH THIS ACT AND HOUSE BILL NO. 291 ARE PASSED AND  
 17 APPROVED, THE PERCENTAGE AMOUNT CONTAINED IN 19-6-402 MUST  
 18 REFLECT THE SUM OF THE INCREASES IN THE MEMBER'S  
 19 CONTRIBUTION PROVIDED IN HOUSE BILL NO. 291 AND THIS ACT,  
 20 AND THE PERCENTAGE AMOUNT CONTAINED IN 19-6-404 MUST REFLECT  
 21 THE SUM OF THE INCREASES IN THE STATE'S CONTRIBUTION  
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23 NEW SECTION. Section 6. Codification instruction.  
 24 Section 1 is intended to be codified as an integral part of  
 25 Title 19, chapter 6, part 7, and the provisions of Title 19,

1 chapter 6, apply to section 1.

2 NEW SECTION. Section 7. Effective date. This act is  
 3 effective July 1, 1985.

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