

HOUSE BILL NO. 226

INTRODUCED BY SPAETH, HARPER, GRADY, MILES, DONALDSON
BY REQUEST OF THE PUBLIC EMPLOYEES' RETIREMENT BOARD

IN THE HOUSE

JANUARY 15, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
JANUARY 20, 1987	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 21, 1987	PRINTING REPORT.
JANUARY 22, 1987	SECOND READING, DO PASS.
JANUARY 23, 1987	ENGROSSING REPORT.
	THIRD READING, PASSED.
	TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 26, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
JANUARY 31, 1987	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
FEBRUARY 4, 1987	SECOND READING, CONCURRED IN.
FEBRUARY 6, 1987	THIRD READING, CONCURRED IN. AYES, 49; NOES, 0.
	RETURNED TO HOUSE.

IN THE HOUSE

FEBRUARY 9, 1987	RECEIVED FROM SENATE. SENT TO ENROLLING.
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1 HB BILL NO. 226
 2 INTRODUCED BY Speeth, Hagen, Dandy, Miller,
 3 Donder
 4 BY REQUEST OF THE PUBLIC EMPLOYEES' RETIREMENT BOARD

5 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE PUBLIC
 6 EMPLOYEES' RETIREMENT BOARD TO MODIFY CERTAIN DISABILITY
 7 RETIREMENTS; AMENDING SECTION 19-3-1103, MCA; AND PROVIDING
 8 AN IMMEDIATE EFFECTIVE DATE."
 9

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

11 Section 1. Section 19-3-1103, MCA, is amended to read:
 12 "19-3-1103. Disability allowance reduced by earnings
 13 -- change in retirement status. (1) (a) Should the
 14 recipient of a retirement allowance because of disability
 15 engage in a gainful occupation during any month other than
 16 as an employee as defined in 19-3-104, the amount of his
 17 retirement allowance for that month shall be reduced to an
 18 amount which, when added to the compensation earned by him
 19 in that occupation, shall not exceed the amount of his
 20 monthly compensation at the time of his retirement.

21 (b) For the purpose of calculating a reduction under
 22 subsection (1)(a), the board, at the request of a recipient
 23 of a disability retirement allowance, may adjust the
 24 recipient's monthly compensation at the time of retirement
 25 by an inflationary factor if he has been receiving a

1 disability retirement allowance for more than 36 consecutive
 2 months.

3 (2) At the request of a recipient of a disability
 4 retirement allowance who is age 60 or older, the board may
 5 grant service retirement status to the recipient without
 6 recalculating his monthly allowance.

7 (3) Benefit adjustments granted by the legislature
 8 may not be included in calculations required under this
 9 section."

10 NEW SECTION. Section 2. Extension of authority. Any
 11 existing authority of the public employees' retirement board
 12 to make rules on the subject of the provisions of this act
 13 is extended to the provisions of this act.

14 NEW SECTION. Section 3. Effective date. This act is
 15 effective on passage and approval.

-End-



APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

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 3 BY REQUEST OF Donahoe THE PUBLIC EMPLOYEES' RETIREMENT BOARD

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(b) For the purpose of calculating a reduction under subsection (1)(a), the board, at the request of a recipient of a disability retirement allowance, may adjust the recipient's monthly compensation at the time of retirement by an inflationary factor if he has been receiving a

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