

SENATE BILL NO. 196

INTRODUCED BY B. BROWN

BY REQUEST OF THE BOARD OF PUBLIC EDUCATION

IN THE SENATE

JANUARY 22, 1987                   INTRODUCED AND REFERRED TO COMMITTEE  
ON EDUCATION & CULTURAL RESOURCES.

FEBRUARY 4, 1987                   COMMITTEE RECOMMEND BILL  
DO PASS. REPORT ADOPTED.

FEBRUARY 5, 1987                   PRINTING REPORT.

FEBRUARY 7, 1987                   SECOND READING, DO PASS.

FEBRUARY 9, 1987                   ENGROSSING REPORT.

FEBRUARY 10, 1987                  THIRD READING, PASSED.  
AYES, 50; NOES, 0.

TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 18, 1987                  INTRODUCED AND REFERRED TO COMMITTEE  
ON EDUCATION & CULTURAL RESOURCES.

MARCH 13, 1987                   COMMITTEE RECOMMEND BILL BE  
CONCURRED IN AS AMENDED. REPORT  
ADOPTED.

MARCH 17, 1987                   SECOND READING, CONCURRED IN.

MARCH 18, 1987                   THIRD READING, CONCURRED IN.  
AYES, 89; NOES, 3.

RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

MARCH 21, 1987                   RECEIVED FROM HOUSE.

SECOND READING, AMENDMENTS  
CONCURRED IN.

MARCH 23, 1987

THIRD READING, AMENDMENTS  
CONCURRED IN.

SENT TO ENROLLING.

1 *Senate* BILL NO. *196*  
 2 INTRODUCED BY Bob Brown  
 3 BY REQUEST OF THE BOARD OF PUBLIC EDUCATION

4  
 5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING CERTAIN  
 6 PROFESSIONALS TO BECOME MEMBERS OF THE TEACHERS' RETIREMENT  
 7 SYSTEM; AMENDING SECTION 19-4-302, MCA; AND PROVIDING AN  
 8 EFFECTIVE DATE."

9  
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 19-4-302, MCA, is amended to read:

12 "19-4-302. Active membership. (1) Unless otherwise  
 13 provided by this chapter, the following persons must be  
 14 active members of the retirement system, with the exception  
 15 that those persons who became eligible for membership on  
 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;

21 (b) any person who is an administrative officer or a  
 22 member of the instructional or scientific staff of a unit of  
 23 the Montana university system;

24 (c) any person employed as a speech therapist, school  
 25 nurse, or school psychologist or in an instructional

1 services capacity by the office of the superintendent of  
 2 public 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 is an administrative officer or a  
 7 member of the instructional staff of the board of public  
 8 education;

9 ~~(d)~~(e) any person who has elected not to become a  
 10 member of the retirement system and is reentering service in  
 11 a capacity prescribed by (a), (b), or (c), or (d) of this  
 12 subsection (1);

13 ~~(e)~~(f) any person who has elected not to become a  
 14 member of the retirement system, who has been continuously  
 15 employed in a capacity prescribed by (a), (b), or (c), or  
 16 (d) of this subsection (1) since the time of such election,  
 17 and who may thereafter elect to become a member of the  
 18 retirement system.

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

21 (a) be employed in the capacity prescribed for his  
 22 eligibility for at least 30 days in any fiscal year; and

23 (b) have the compensation for his creditable service  
 24 totally paid by an employer as defined herein.

25 (3) At any time a person's eligibility to become a



1 member of the retirement system is in doubt, the retirement  
2 board shall determine his eligibility for membership. All  
3 persons in similar circumstances shall be treated alike."

4 NEW SECTION. Section 2. Extension of authority. Any  
5 existing authority of the teachers' retirement board to make  
6 rules on the subject of the provisions of this act is  
7 extended to the provisions of this act.

8 NEW SECTION. Section 3. Effective date. This act is  
9 effective July 1, 1987.

-End-

APPROVED BY COMM. ON EDUCATION AND CULTURAL RESOURCES

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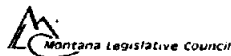
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8 NEW SECTION. Section 3. Effective date. This act is  
9 effective July 1, 1987.

10 NEW SECTION. SECTION 4. APPLICABILITY. THIS ACT  
11 APPLIES TO ANY SPEECH THERAPIST, SCHOOL NURSE, OR SCHOOL  
12 PSYCHOLOGIST WHO WAS HIRED ON OR AFTER JULY 1, 1987.

-End-

STANDING COMMITTEE REPORT

HOUSE

MARCH 13, 19 87

Mr. Speaker: We, the committee on EDUCATION AND CULTURAL RESOURCES

report SENATE BILL NO. 196

do pass  
 do not pass

be concurred in  
 be not concurred in

as amended  
 statement of intent attached

*Jack Sands*  
REP. JACK SANDS, Chairman

REQUIRE PUBLIC EDUCATION BOARD STAFF TO JOIN TEACHERS' RETIREMENT SYSTEM

1. Page 1, line 8.  
Following: "DATE"  
Insert: "AND AN APPLICABILITY DATE"

2. Page 3.  
Following: line 9  
Insert: "NEW SECTION. Section 4. Applicability. This act applies to any speech therapist, school nurse, or school psychologist who was hired on or after July 1, 1987."

REP. EUDAILY WILL CARRY THIS BILL IN THE HOUSE OF REPRESENTATIVES

THIRD reading copy (BLUE color)

*B*

*ms.*