

Amendments to House Bill No. 213
1st Reading Copy

Requested by Representative Dave Gallik

For the House State Administration Committee

Prepared by Sheri Heffelfinger
March 22, 2005 (12:03pm)

1. Title, page 1, line 23.

Strike: "CORRECTING INTERNAL REFERENCES TO"

Insert: "REVISING THE ELECTION OF"

2. Title, page 2, line 6.

Strike: "19-5-502, 19-5-601,"

Strike: "19-5-802"

Insert: "19-5-902"

3. Page 7, line 2.

Strike: "(b)"

4. Page 46, line 28 through page 47, line 4.

Strike: section 39 in its entirety

Renumber: subsequent sections

5. Page 47, line 6 through line 14.

Strike: section 40 in its entirety

Renumber: subsequent sections

6. Page 49, line 8 through line 21.

Strike: section 42 in its entirety

Insert: "**Section 40.** Section 19-5-902, MCA, is amended to read:

"**19-5-902. Election -- guaranteed annual benefit adjustment.** (1) Subject to subsection (2), on January 1 of each year, the permanent monthly benefit payable during the preceding January to each recipient who is eligible under subsection (3) must be increased by 3%.

(2) (a) If a recipient's benefit payable during the preceding January has been increased by one or more adjustments not provided for in this section and the adjustments amount to less than a 3% annualized increase, then the recipient's benefit must be adjusted by an amount that will provide a total annualized increase of 3% in the benefit paid since the preceding January.

(b) If a recipient's benefit payable during the preceding January has been increased by one or more adjustments not

provided for in this section and the increases amount to more than a 3% annualized increase, then the benefit increase provided under this section must be 0%.

(3) A benefit recipient is eligible for and must receive the minimum annual benefit adjustment provided for in this section if:

(a) the benefit's commencement date is at least 12 months prior to January 1 of the year in which the adjustment is to be made; and

(b) the member either:

(i) first became an active member on or after July 1, 1997;

or

(ii) filed a voluntary, irrevocable election to be covered under this section. The election:

~~(A) must be filed with the board prior to December 1, 2001 2005; and~~

~~(B) requires an active member to pay an increased or revised contribution rate from January 1, 2002, forward.~~

(4) The board shall may adopt rules to administer the provisions of this section.

(5) The decision of a member who previously elected to participate under 19-5-901 or this section remains valid. The decision of a member who previously elected not to participate under 19-5-901 or this section may be reversed under this section."

{Internal References to 19-5-902: None.}"

Renumber: subsequent sections

- END -