

*2011*  
*2009 Proposal #1*

**Proposal for Retirement Plan Legislation**

(for the 2009 Legislative Session)

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**1. what is the problem or issue?**

MCA 19-13-104 (c) Compensation for full-paid and part-paid firefighters does not include:

(i) overtime, holiday payments, shift differential payments, compensatory time payments, and payments in lieu of sick leave.  
(ii) maintenance, allowances, and expenses

This also exists in MPORS, MCA 19-9-104

**2. what do you want the legislation to do?**

The legislation should be changed to make all retirement systems equal when defining compensation for purposes of retirement.

**3. If possible, please list the MCA (Montana Code Annotated) sections that would need to be amended.**

MCA 19-13-104  
MCA 19-9-104

**4. which retirement plan or plans would be covered by the legislation? (If the proposal is limited to certain plans, please indicate why.)**

FURS and MPORS

(over)

Proposal for Retirement Plan Legislation

Page 2

5. If the proposed change requires additional funding, what funding sources do you propose (e.g., an increase in employer contributions, employee contributions, or both)?

Current formulas would remain in place, though there would be increased payments into the system by all three parties (employee, employer, state) due to additional definition of compensation.

6. Has similar legislation been requested in the past, been introduced in another state, or provided as a model act? If so, please provide a citation, reference, or point of contact.

This has been before the legislature many times. HB 426 and SB 491, 2005 Legislature. Once again, all other retirement systems in Montana Government include the items of pay in question.

7. If you are a holdover senator or a legislative candidate running unopposed, do you want the Legislative Services Division staff to consider this a bill draft request?  
PLEASE RETURN THIS FORM BY APRIL 4, 2008

SAVA\Form for Retirement Plan Proposal.wpd  
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