



**Montana Legislative Services Division**  
**Legal Services Office**

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**TO:** State Administration and Veterans' Affairs Interim Committee  
**FROM:** K. Virginia Aldrich  
**DATE:** October 18, 2013  
**RE:** Legislative Administrative Rule Review Report

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Pursuant to 5-5-228, MCA, the State Administration and Veterans' Affairs Interim Committee is responsible for reviewing administrative rules within its jurisdiction. Staff for the State Administration and Veterans' Affairs Interim Committee has prepared this report for informational purposes only. This report does not represent any action or opinion of the State Administration and Veterans' Affairs Interim Committee and does not preclude additional action that may be taken by the State Administration and Veterans' Affairs Interim Committee pursuant to its authority under the Montana Administrative Procedure Act (Title 2, chapter 4, MCA).

**MAR NOTICE NUMBER:** 2-43-498

**AGENCY/BOARD:** Public Employees' Retirement Board of the State of Montana

**RULE CLASSIFICATION:** (e.g. substantive/interpretative/emergency/temporary): Substantive

**SUBJECT:** Notice of Public Hearing on Proposed Amendment - Operation of the Retirement Systems and Plans Administered by the Montana Public Employees' Retirement Board

**NOTICE DESCRIPTION:** (e.g. proposal notice/adoption notice):  
Notice of proposed amendment

**SUMMARY OF RULE(S):**

The Public Employees' Retirement Board of the State of Montana is proposing to amend eleven rules. The proposed amendments update current rules to bring them into compliance with other statutes, standardize gender references, change terminology to match current practices, update citations for correctness and compliance with directives issued by the Secretary of State, update rules to accommodate electronic transmission of certain information, and delete outdated IRS practices. In addition, one rule is amended to add a requirement that a retirement system member who changes his or her name must submit a name change form. One rule is amended to allow employers to verify a member's service for service purchases, rather than requiring the employee to submit paperwork.

Lastly, one rule is amended to delete a requirement that MPERA collect designations of beneficiaries by contingent annuitants of retirees. Staff has contacted MPERA concerning the application of this rule since, in at least once case in statute, the Legislature contemplated that contingent annuitants *could* name a beneficiary (although the Legislature did not appear to prescribe the designation).

**NOTES:** (e.g. hearing dates)

A public hearing is scheduled on the above-referenced rules on November 7, 2013, at 10:00 a.m., in Room 201, 100 N. Park Avenue, Helena, Montana. The public comment period ends on November 14, 2013.