

**Proposal for Legislation -- 2009**  
(for the 2009 Legislative Session)

RETURN TO: Dave Bohyer, Research Director  
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[http://test.leg.mt.gov/css/committees/interim/2007\\_2008/st\\_admin\\_vet\\_affairs/default.asp](http://test.leg.mt.gov/css/committees/interim/2007_2008/st_admin_vet_affairs/default.asp)

PROPOSER'S NAME/TITLE: ***Public Employees' Retirement Board  
Roxanne Minnehan, Executive Director***  
ORGANIZATION: ***MPERA***  
ADDRESS: ***100 N PARK AVE, STE 200  
PO BOX 200131  
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1. What is the problem or issue?  
***The Board is required to administer the plan in the manner required to satisfy the applicable qualification requirements for a qualified governmental plan, as provided in the Internal Revenue Code (19-2-1010, MCA). MPERA is preparing to submit our plan documents to the IRS for qualification determination letters. Plan documents include the applicable chapters in Title 19 governing each retirement system administered by the PERB. With help from our tax counsel we have identified required amendments to ensure the statutes address IRS qualification issues.***
2. What do you want the legislation to do?  
***Update retirement statutes to reflect changes in applicable retirement and tax laws required to ensure a favorable determination letter and to ensure qualification of our plans as required by Montana statute.***
3. If possible, please list the MCA (Montana Code Annotated) sections that would need to be amended.  
***Please see the attached table.***
4. If the proposed change requires additional funding, what funding sources do you propose (e.g., an increase in or both)?  
***Not applicable – federal requirement.***

5. 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.
  
6. 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 YOUR PROPOSAL FOR LEGISLATION by May 30, 2008**