

# HOUSE BILL No. 4326

February 19, 1991, Introduced by Reps. Griffin, Niederstadt and O'Neill and referred to the Committee on Judiciary.

A bill to amend sections 31 and 32 of Act No. 165 of the Public Acts of 1954, entitled "Probate judges retirement act," section 31 as amended by Act No. 508 of the Public Acts of 1982, being sections 38.931 and 38.932 of the Michigan Compiled Laws; and to add sections 16a, 16b, and 16c.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. Sections 31 and 32 of Act No. 165 of the Public  
2 Acts of 1954, section 31 as amended by Act No. 508 of the Public  
3 Acts of 1982, being sections 38.931 and 38.932 of the Michigan  
4 Compiled Laws, are amended and sections 16a, 16b, and 16c are  
5 added to read as follows:

6 SEC. 16A. (1) EFFECTIVE OCTOBER 1, 1992, THE ANNUITY  
7 PAYABLE TO A RETIRANT OR BENEFICIARY OF A DECEASED RETIRANT WHOSE

1 EFFECTIVE DATE OF RETIREMENT WAS BEFORE JANUARY 1, 1987 IS  
2 SUPPLEMENTED AS FOLLOWS:

3	EFFECTIVE DATE OF RETIREMENT	PERCENT OF INCREASE
4	JANUARY 1, 1986 TO DECEMBER 31, 1986	8
5	JANUARY 1, 1985 TO DECEMBER 31, 1985	10
6	JANUARY 1, 1984 TO DECEMBER 31, 1984	12
7	JANUARY 1, 1983 TO DECEMBER 31, 1983	14
8	JANUARY 1, 1982 TO DECEMBER 31, 1982	16
9	JANUARY 1, 1981 TO DECEMBER 31, 1981	18
10	JANUARY 1, 1980 TO DECEMBER 31, 1980	20
11	JANUARY 1, 1979 TO DECEMBER 31, 1979	22
12	JANUARY 1, 1978 TO DECEMBER 31, 1978	24
13	JANUARY 1, 1977 TO DECEMBER 31, 1977	26
14	JANUARY 1, 1976 TO DECEMBER 31, 1976	28
15	JANUARY 1, 1975 TO DECEMBER 31, 1975	30
16	JANUARY 1, 1974 TO DECEMBER 31, 1974	32
17	JANUARY 1, 1973 TO DECEMBER 31, 1973	34
18	JANUARY 1, 1972 TO DECEMBER 31, 1972	36
19	JANUARY 1, 1971 TO DECEMBER 31, 1971	38
20	JANUARY 1, 1970 TO DECEMBER 31, 1970	40
21	JANUARY 1, 1969 TO DECEMBER 31, 1969	42
22	JANUARY 1, 1968 TO DECEMBER 31, 1968	44
23	JANUARY 1, 1967 TO DECEMBER 31, 1967	46
24	BEFORE JANUARY 1, 1967	48

1 (2) THE RECALCULATED ANNUITY SHALL BE THE BASIS ON WHICH  
2 FUTURE ADJUSTMENTS TO THE ANNUITY ARE CALCULATED.

3 (3) THE SUPPLEMENT PROVIDED BY THIS SECTION SHALL BE CALCU-  
4 LATED PURSUANT TO SUBSECTION (1) AND SHALL BE PAID BY JANUARY 1,  
5 1993. IF A RETIRANT DIES BEFORE JANUARY 1, 1993 AND NO BENEFITS  
6 BECOME PAYABLE UNDER SECTION 17 OR 20(3), THE RETIRANT'S ANNUITY  
7 SHALL NOT BE SUPPLEMENTED UNDER THIS SECTION.

8 SEC. 16B. (1) THE ANNUITY PAYABLE TO A RETIRANT OR BENEFI-  
9 CIARY OF A DECEASED RETIRANT SHALL BE INCREASED EACH OCTOBER 1  
10 BEGINNING WITH THE LATER OF OCTOBER 1, 1992 OR THE FIRST  
11 OCTOBER 1 THAT IS AT LEAST 36 MONTHS AFTER THE EFFECTIVE DATE OF  
12 RETIREMENT. THE AMOUNT OF THE ANNUAL INCREASE SHALL BE EQUAL TO  
13 3% OF THE ANNUITY THAT WOULD BE PAYABLE AS OF THE DATE OF THE  
14 INCREASE WITHOUT APPLICATION OF THIS SECTION. THE ANNUAL  
15 INCREASE SHALL NOT EXCEED \$600.00.

16 (2) THE PERCENTAGE OF FINAL SALARY LIMITATIONS ON THE ANNU-  
17 ITY PROVIDED BY SECTION 16 DO NOT APPLY TO THE ANNUITY AS  
18 INCREASED BY THIS SECTION.

19 SEC. 16C. (1) BEGINNING JANUARY 1, 1992, THE RETIREMENT  
20 SYSTEM SHALL PAY 75% OF THE INSURANCE PREMIUM FOR HOSPITALIZATION  
21 AND MEDICAL COVERAGE, DENTAL COVERAGE, VISION COVERAGE, HEARING  
22 COVERAGE, OR A COMBINATION OF THESE BENEFITS FOR A RETIRANT OR  
23 FOR HIS OR HER BENEFICIARY AND HIS OR HER SPOUSE AND DEPENDENTS  
24 WHO ELECT COVERAGE UNDER THE STATE GROUP HEALTH INSURANCE PLAN OR  
25 PLANS UNDER THIS SECTION. COVERAGE UNDER THE STATE GROUP HEALTH  
26 INSURANCE PLAN OR PLANS SHALL BE THE SAME AS THE COVERAGE  
27 PROVIDED FOR RETIRANTS, BENEFICIARIES, AND DEPENDENTS UNDER

1 SECTION 20D OF THE STATE EMPLOYEES' RETIREMENT ACT, ACT NO. 240  
2 OF THE PUBLIC ACTS OF 1943, BEING SECTION 38.20D OF THE MICHIGAN  
3 COMPILED LAWS.

4 (2) A MEMBER WHO RETIRES ON OR AFTER JANUARY 1, 1992 OR A  
5 BENEFICIARY OF THAT RETIRANT MAY ELECT COVERAGE UNDER THE STATE  
6 GROUP HEALTH INSURANCE PLAN OR PLANS UNDER SUBSECTION (1).  
7 HOWEVER, IF THE MEMBER WHO RETIRES ON OR AFTER JANUARY 1, 1992 OR  
8 A BENEFICIARY OF THAT RETIRANT ELECTS COVERAGE UNDER THE STATE  
9 GROUP HEALTH INSURANCE PLAN OR PLANS, HE OR SHE SHALL CANCEL COV-  
10 ERAGE UNDER ANY GROUP HEALTH INSURANCE PLAN OR PLANS PROVIDED BY  
11 ANOTHER PUBLICLY SUPPORTED RETIREMENT SYSTEM.

12 (3) A MEMBER WHO RETIRED BEFORE JANUARY 1, 1992 OR A BENEFI-  
13 CIARY OF THAT RETIRANT MAY ELECT COVERAGE UNDER THE STATE GROUP  
14 HEALTH INSURANCE PLAN OR PLANS UNDER SUBSECTION (1) BEFORE  
15 JULY 1, 1992. HOWEVER, IF A MEMBER WHO RETIRED BEFORE JANUARY 1,  
16 1992 OR A BENEFICIARY OF THAT RETIRANT ELECTS COVERAGE UNDER THE  
17 STATE GROUP HEALTH INSURANCE PLAN OR PLANS, HE OR SHE SHALL  
18 CANCEL COVERAGE UNDER ANY GROUP HEALTH INSURANCE PLAN OR PLANS  
19 PROVIDED BY ANOTHER PUBLICLY SUPPORTED RETIREMENT SYSTEM.

20 Sec. 31. At the time of filing a petition in the probate  
21 court for any of the following matters, there shall be paid to  
22 the register of the court by the moving party, except ~~when~~ IF  
23 the moving party is the attorney general, the department of trea-  
24 sury, the department of social services, the state public admin-  
25 istrator of the state of Michigan, or the administrator of veter-  
26 ans affairs of the United States veterans administration, the sum  
27 of ~~\$15.00~~ \$30.00 as a filing fee for each of the following:

1 (a) Administration of a small estate, whether testate or  
2 intestate, if the value of the property involved exceeds  
3 ~~\$2,500.00~~ \$5,000.00.

4 (b) Independent probate of either a testate or intestate  
5 estate.

6 (c) Supervision in an independent probate proceeding if the  
7 petition is filed by a person other than the independent personal  
8 representative of the estate to which the proceeding relates.

9 (d) Administration of the estate of a person dying  
10 intestate.

11 (e) Admission of a will to probate, whether the decedent is  
12 a resident of this state or a nonresident.

13 (f) Local administration of the estate of a nonresident  
14 decedent by a foreign fiduciary.

15 (g) Appointment of a conservator or other protective order.

16 (h) Appointment or removal of a trustee.

17 (i) Construction of a trust or a declaration of rights under  
18 a trust.

19 (j) Appointment of a temporary fiduciary other than a  
20 guardian.

21 (k) Determination of heirs.

22 (l) Commencing any matter over which the probate court has  
23 exclusive jurisdiction or is granted concurrent jurisdiction pur-  
24 suant to section 22 of THE REVISED PROBATE CODE, Act No. 642 of  
25 the Public Acts of 1978, as amended, being section 700.22 of the  
26 Michigan Compiled Laws, if that matter is ancillary to the  
27 settlement of an estate of a decedent, ward, or trust.

1 (m) The change of name of an adult.

2 (n) Adoption.

3 Sec. 32. (1) The register of probate, ~~shall,~~ on or before  
4 the 5th day of the month following THE receipt of ~~said~~ fees  
5 UNDER SECTION 31, SHALL pay ~~over~~ to the county treasurer all OF  
6 THOSE fees ~~so~~ received ~~by him~~ during the preceding month. ~~7~~  
7 ~~and the~~ THE county treasurer, ~~shall,~~ within 5 days  
8 ~~thereafter~~ AFTER THE RECEIPT OF THE FEES, SHALL transmit ~~said~~  
9 ~~amount of fees so collected to the executive secretary of the~~  
10 ~~retirement system all~~ THE FEES IN THE MANNER PROVIDED IN  
11 SUBSECTION (2), in accordance with the established rules and reg-  
12 ulations governing accounting procedures for counties. ~~The~~  
13 ~~executive secretary shall deposit said fees with the treasurer of~~  
14 ~~the state of Michigan as provided in section 22(c) of this act.~~

15 (2) BEGINNING JANUARY 1, 1992, 50% OF THE FEES COLLECTED  
16 SHALL BE TRANSMITTED EACH MONTH TO THE STATE TREASURER FOR  
17 DEPOSIT IN THE LEGAL AID SOCIETIES FUND CREATED BY SECTION 2530C  
18 OF THE REVISED JUDICATURE ACT OF 1961, ACT NO. 236 OF THE PUBLIC  
19 ACTS OF 1961, BEING SECTION 600.2530C OF THE MICHIGAN COMPILED  
20 LAWS. THE REMAINING PORTION OF THE FEES COLLECTED SHALL BE  
21 TRANSMITTED EACH MONTH TO THE EXECUTIVE SECRETARY OF THE RETIRE-  
22 MENT SYSTEM FOR REMITTAL TO THE STATE TREASURER AS PROVIDED IN  
23 SECTION 22(5).

24 Section 2. This amendatory act shall take effect January 1,  
25 1992.

1 Section 3. This amendatory act shall not take effect unless  
2 all of the following bills of the 86th Legislature are enacted  
3 into law:

4 (a) Senate Bill No. \_\_\_\_\_ or House Bill No. 4327 (request  
5 no. 01943'91).

6 (b) Senate Bill No. \_\_\_\_\_ or House Bill No. 4325 (request  
7 no. 01945'91).