# HOUSE BILL NO. 794

## INTRODUCED BY MCCULLOCH, HARP

# IN THE HOUSE

FEBRUARY 12, 1991 INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.

FEBRUARY 13, 1991 FIRST READING.

FEBRUARY 26, 1991 COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.

PRINTING REPORT.

SECOND READING, DO PASS.

FEBRUARY 27, 1991 ENGROSSING REPORT.

THIRD READING, PASSED. AYES, 95; NOES, 5.

TRANSMITTED TO SENATE.

## IN THE SENATE

MARCH 4, 1991

INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.

FIRST READING.

MARCH 14, 1991 COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

POSTED ON CONSENT CALENDAR.

MARCH 16, 1991 CONSENT CALENDAR, QUESTIONS AND ANSWERS.

MARCH 18, 1991 THIRD READING, CONCURRED IN. AYES, 49; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 19, 1991

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

INTRODUCED BY Melalle Harp 1 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE 4 5 DEFINITION OF A PAID HOLIDAY; AND AMENDING SECTION 2-18-601, 6 MCA." 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 2-18-601, MCA, is amended to read: 10 \*2-18-601. Definitions. For the purpose of this part, except 2-18-620, the following definitions apply: 11 12 (1) "Agency" means any legally constituted department, 13 board, or commission of state, county, or city government or 14 any political subdivision thereof. 15 (2) "Employee" means any person employed by an agency except elected state, county, 16 and city officials, 17 schoolteachers, and persons contracted as independent 18 contractors or hired under personal services contracts. 19 (3) "Permanent employee" means an employee who is 20 assigned to a position designated as permanent on the appropriate list of authorized positions referenced in 21 22 2-18-206 and approved as such in the biennium budget. 23 (4) "Part-time employee" means an employee who normally 24 works less than 40 hours a week. 25 (5) "Full-time employee" means an employee who normally Montana Legislative Council

1	works 40 hours a week.
2	(6) "Temporary employee" means an employee assigned to
3	a position designated as temporary on the appropriate agency
4	list of authorized positions referenced in 2-18-206, created
5	for a definite period of time not to exceed 9 months.
6	(7) "Seasonal employee" means an employee assigned to a
7	position designated as seasonal on the appropriate agency
8	list of authorized positions referenced in 2-18-206 and for
9	which the agency has a permanent need but which is
10	interrupted by the seasonal nature of the assignment.
11	(8) "Holiday" means a scheduled day off with pay to
12	observe a legal holiday, as specified in 1-1-216 or
13	20-1-305, except Sundays.
14	<pre>(9) "Vacation leave" means a leave of absence with</pre>
15	pay for the purpose of rest, relaxation, or personal
16	business at the request of the employee and with the
17	concurrence of the employer.
18	<del>())</del> "Sick leave" means a leave of absence with pay
19	for a sickness suffered by an employee or his immediate
20	family.
21	<del>(10)</del> "Sick-pay plan" means a plan that:
22	(a) provides for an agency to make payments in lieu of
23	wages to employees on account of sickness or accident
24	disability; and
25	(b) meets the requirements of 42 U.S.C. 409(b) or (d).
	INTRODUCED BILL

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HB 794

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(11) (12) "Transfer" means a change of employment from
 one agency to another agency in the same jurisdiction
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4 (12)(13) "Continuous employment" means working within
5 the same jurisdiction without a break in service of more
6 than 5 working days or without a continuous absence without
7 pay of more than 15 working days.

8 (13)(14) "Break in service" means a period of time in
9 excess of 5 working days when the person is not employed and
10 that severs continuous employment."

-End-

52nd Legislature

### LC 1883/01 APPROVED BY COMMITTEE ON STATE ADMINISTRATION INTRODUCED BY Michiel HARP 1 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE 4 DEFINITION OF A PAID HOLIDAY; AND AMENDING SECTION 2-18-601. 5 6 MCA." 7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 8 9 Section 1. Section 2-18-601, MCA, is amended to read: 10 2-18-601. Definitions. For the purpose of this part, 11 except 2-18-620, the following definitions apply: 12 (1) "Agency" means any legally constituted department, 13 board, or commission of state, county, or city government or 14 any political subdivision thereof. 15 (2) "Employee" means any person employed by an agency 16 except elected state, county, and city officials, 17 schoolteachers, and persons contracted as independent 18 contractors or hired under personal services contracts. 19 (3) "Permanent employee" means an employee who is

20 assigned to a position designated as permanent on the 21 appropriate list of authorized positions referenced in 22 2-18-206 and approved as such in the biennium budget.

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LC 1883/01

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(7) "Seasonal employee" means an employee assigned to a 6 7 position designated as seasonal on the appropriate agency list of authorized positions referenced in 2-18-206 and for 9 which the agency has a permanent need but which is 10 interrupted by the seasonal nature of the assignment.

11 (8) "Holiday" means a scheduled day off with pay to observe a legal holiday, as specified in 1-1-216 or 12 13 20-1-305, except Sundays.

14  $(\theta)$  (9) "Vacation leave" means a leave of absence with 15 pay for the purpose of rest, relaxation, or personal 16 business at the request of the employee and with the 17 concurrence of the employer.

18 (10) "Sick leave" means a leave of absence with pay 19 for a sickness suffered by an employee or his izzaediate 20 family.

21 (10) "Sick-pay plan" means a plan that:

22 (a) provides for an agency to make payments in lieu of 23 wages to employees on account of sickness or accident 24 disability; and

25 (b) meets the requirements of 42 C.S.C. 409(b) or (d).

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SECOND READING HB 794

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-End-

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#### 52nd Legislature

#### HB 0794/02

HOUSE BILL NO. 794 1 INTRODUCED BY MCCULLOCH, HARP 2 3 "AN ACT CLARIFYING THE A BILL FOR AN ACT ENTITLED: 4 DEFINITION OF A PAID HOLIDAY; AND AMENDING SECTION 2-18-601, 5 MCA." 6 7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 8 Section 1. Section 2-18-601, MCA, is amended to read: 9 \*2-18-601. Definitions. For the purpose of this part, 10 11 except 2-18-620, the following definitions apply: (1) "Agency" means any legally constituted department, 12 board, or commission of state, county, or city government or 13 any political subdivision thereof. 14 15 (2) "Employee" means any person employed by an agency except elected state, county, and city officials, 16 schoolteachers, and persons contracted as independent 17 contractors or hired under personal services contracts. 18 (3) "Permanent employee" means an employee who is 19 20 assigned to a position designated as permanent on the appropriate list of authorized positions referenced in 21 22 2-18-206 and approved as such in the biennium budget. (4) "Part-time employee" means an employee who normally 23 works less than 40 hours a week. 24

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HB 0794/02

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REFERENCE BILL CONSENT CALENDAR

HB 794

### HB 0794/02

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