

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

March 7, 1985

The thirty-seventh meeting of the State Administration Committee was called to order by Vice-Chairman Les Hirsch in Room 331, Capitol, at 10 a.m. on Thursday, March 7, 1985.

ROLL CALL: All the members were present with Senator Haffey, Senator Conover and Senator Tveit arriving late.

CONSIDERATION OF HOUSE BILL 197: Representative Joe Quilici, House District 71, is the sponsor of this bill entitled, "AN ACT INCREASING THE AMOUNT IN PENSION BENEFITS THAT MAY BE PAID TO A VOLUNTEER FIREFIGHTER'S SURVIVING SPOUSE OR DEPENDENT CHILD UNDER THE VOLUNTEER FIREFIGHTERS' COMPENSATION ACT; AMENDING SECTION ..., MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." Representative Quilici said that this bill is to increase the total amount of benefits paid to firefighters and their spouses and children. As you can see, there is no fiscal impact. Representative Quilici said that this states that benefits are set on 95% of growth of the assets in the fund. The proposed legislation would allow the total amount of benefits to rise to \$4,000 per year from \$2,000 but the increase would only materialize if the growth of the fund allowed benefits to total more than \$2,000.

PROPOSERS: Art Korn, Secretary-Treasurer of Montana State Volunteer Fire Association, supports this bill. Mr. Korn said that they thought the \$2,000 was an adequate figure for burial and a few doctor bills, but costs have gone way up. Mr. Korn asked the Committee to please pass this bill.

R. A. Ellis, West Helena, Volunteer Fire Association, supports this bill. Mr. Ellis said he was in favor of this bill for all the reasons listed by Mr. Korn plus he felt this increase was one more incentive for the volunteers to keep serving.

Anne Brodsky, Women's Lobbyist Group, supports this bill.

Ross Fitzgerald, Montana State Volunteer Fire Association, supports this bill. (See Exhibit "1" attached hereto.)

Larry Nachtsheim, Public Employees Retirement System, said that they did not have a position on this bill. He said they would simply figure 95% of the assets of that fund and recalculate for all the members. He said this bill allowed them to redistribute for a longer period of time.

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OPPONENTS: There were no opponents.

COMMITTEE QUESTIONS: There were no committee questions.

Representative Quilici closed by saying that this is a straight forward bill. HOUSE BILL 197 is closed.

EXECUTIVE ACTION ON HOUSE BILL 197: (Senator Lynch said that he would carry this to the floor of the Senate.) Senator Lynch made a motion that HOUSE BILL 197 be concurred in. Question was called and the Committee voted unanimously that HOUSE BILL 197 BE CONCURRED IN.

CONSIDERATION OF HOUSE BILL 150: Representative Toni Bergene, House District 41, Great Falls, is the sponsor of this bill entitled, "AN ACT TO PROVIDE THAT THE FEES COLLECTED FOR FILING OF DOCUMENTS RELATING TO ASSUMED BUSINESS NAMES, TRADEMARKS, NONPROFIT CORPORATIONS, AND CHAPTER 9 OF THE UNIFORM COMMERCIAL CODE BE ESTABLISHED BY THE SECRETARY OF STATE COMMENSURATE WITH COSTS; AMENDING SECTIONS ..., MCA." Representative Bergene said that this bill gives the Secretary of State authority to set filing fees. Her bill addresses a list of three kinds of business filings that remain that are still set by statute, and we are talking about assumed business names, trademarks and nonprofit corporations. Representative Bergene said that it was better to set these by rule rather than statutorily.

PROPOSERS: Larry Akey, Chief Deputy, Secretary of State, supports this bill. Mr. Akey said this bill provides the authority to set filing fees by rule for nonprofit corporations, assumed business names, trademarks and UCC's. This concept currently exists for profit corporations and limited partnerships and has since the 1981 session with the adoption of the model acts. Public hearings are held prior to the adoption of the proposed rules. Almost all of the fees for profit corporations decreased after our cost study and the adoption of the fees currently charged for profit corporations are limited partnerships. The fees have remained quite constant. Mr. Akey also said that the fees go into the general fund, so no-one is setting up a "slush fund." (See Exhibits "2" and "3" attached hereto and by this reference made a part hereof.)

OPPONENTS: There were no opponents.

COMMITTEE QUESTIONS: Senator Mohar asked if the fees would go up or down. Mr. Akey said that most of the high volume fees that they set went down.

Representative Bergene closed by saying that to summarize she wanted to restate that they were not creating a "slush fund," and that all the fees would go into the general fund. Representative Bergene believes that House Bill 150 contains plenty of safeguards

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to ensure that the fees are reasonable. She believes with the Secretary of State setting the fees that they will be more uniform and the discrepancies will no longer exist. HOUSE BILL 150 is closed.

EXECUTIVE ACTION ON HOUSE BILL 150: (Senator Mohar will carry this bill to the floor of the Senate.) Senator Mohar made a motion that HOUSE BILL 150 be concurred in. Question was called, and the Committee voted unanimously that HOUSE BILL 150 BE CONCURRED IN.

CONSIDERATION OF HOUSE BILL 146: Representative Earl Lory, House District 59, Missoula, is the sponsor of this bill entitled, "AN ACT TO GENERALLY REVISE THE LAWS RELATING TO THE DEPARTMENT OF ADMINISTRATION'S POWERS AND DUTIES CONCERNING THE SUPERVISION OF CONSTRUCTION OF STATE BUILDINGS; AUTHORIZING THE DEPARTMENT TO DELEGATE CERTAIN OF THOSE POWERS AND DUTIES TO OTHER STATE AGENCIES; RAISING REMOVING THE NUMBER-OF REQUIREMENT FOR DEPARTMENTAL CONCURRENCE ON CERTAIN PROJECTS HANDLED-INFORMALLY; AMENDING SECTION ..., MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE. Representative Lory said that he carried this on behalf of the Architects and Engineers office. He said this bill covers mostly repair and maintenance programs and would allow them to be handled on a project-by-project basis, and eliminate the requirement for Department of Administration to concur on projects costing between \$5,000 and \$25,000. However, the Department of Administration would retain control because it determines whether to delegate, and if so, the conditions of delegation. Representative Lory said that most agencies have people qualified to take care of these matters within the agencies. With this bill, the Architects and Engineers office staff would not have to be increased.

PROPONENTS: Barbara Martin, Staff Researcher for Governor's Council on Buildings, supports this bill. This bill would be helpful to the Department of Administration because the Architecture & Engineering Division (A/E) has only 13 staff members to manage all state building projects. Nine of these have design or construction training, and only two staff members are available for construction inspection. If these activities could be delegated to agencies that have qualified staff, it may help reduce the A/E workload. It may also improve monitoring of projects outside of Helena by using qualified staff near the location of the project. Since delegation would be based on the current capabilities to handle the work, no increases in staff are anticipated. Ms. Martin said that mostly small projects will be delegated, but these sometimes take as much or more time than the larger projects. (See Exhibit "4" attached hereto.)

Phil Hauck, State Architect, supports this bill. He said that Representative Lory and Ms. Martin had covered this matter very well and he would agree with what they have said. He felt this

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would make things move faster.

Ralph DeCunzo, Military Affairs, supports this bill.

OPPONENTS: There were no opponents.

COMMITTEE QUESTIONS: Senator Farrell asked if they would explain the technical note on the bottom of the fiscal note. Phil Hauck said that that section in the statute stops the Fish, Wildlife and Parks from procuring plans for projects under \$5,000. Senator Haffey wanted to know if this limitation might be controlling. Valencia Lane, staff Attorney, said yes. Senator Mohar said if that was the case, possibly this section should be amended if we want them to have this option. Valencia Lane, staff Attorney said that this could be done if that was the Committee's wish. Senator Mohar asked Representative Lory if there was any problem with them amending. Representative Lory replied that there was none.

HOUSE BILL 146 is closed.

EXECUTIVE ACTION ON HOUSE BILL 146: Executive action will be deferred until tomorrow, March 8, 1985.

CONSIDERATION OF HOUSE BILL 153: Representative Dorothy Bradley, House District 79, is the sponsor of this bill entitled, "AN ACT TO ENTITLE STATE EMPLOYEES IN A JOB-SHARING STATUS TO THE SAME BENEFITS THAT PERMANENT PART-TIME EMPLOYEES RECEIVE; AMENDING SECTION ..., MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE. Representative Bradley said that this bill treats job share people to the same benefits that permanent part-time employees are entitled to. She felt that this would increase the people that would be willing to job share. She said job share positions are better and that they cover all positions instead of just clerical. She said until the current law came into effect, the job share was treated as one full time position, and only one person of the two received benefits. Representative Bradley said that there was hardly any fiscal impact, but that as job sharing increased, there would be a little more. She felt that this bill would decrease the inequities in the system.

PROPONENTS: Representative Bob Marks, House District 75, supports this bill. He said this is a good bill. Representative Marks said that he had not signed this bill, but he wished that he had.

Sara Parker, Director of State Library, supports this bill. Ms. Parker told the Committee that the job-share jobs that she had witnessed did not bring friends together to share a job, but usually were two people like the ones in her employ: an older woman who was dedicated to working with the blind, and a young mother who needed to work certain hours in order to be home with her children. Ms. Parker said that it was very hard to explain to her employees the difference in benefits for a permanent part-time employee and a job-share employee. (See Exhibit "7")

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Rhonda Boyle, Interdepartmental Coordinating Committee for Women (ICCW), supports this bill. Ms. Boyle said this bill will provide the same benefits for State employees in job-sharing positions as those in permanent part-time positions. Any existing discrimination of benefits will be eliminated with the passage of HB 153. (Exhibit "5" attached hereto and by this reference made a part hereof.)

Tom Schneider, Montana Public Employees' Association, supports this bill. Mr. Schneider said that it isn't just women that job share. Mr. Schneider said that management makes the final decision on job share and that it doesn't cost the agencies any money. He also feels that it isn't fair for these people to not get health benefits when they are working the same hours as permanent part-time people.

Anne Brodsky, Women's Lobbyist Fund, supports this bill. Ms. Brodsky said that they strongly endorsed the work share bill in the last session because it gives the employee an opportunity to both participate in the work force and participate in other activities, such as raising a family or pursuing educational opportunities. She said the benefits of job sharing are equally great for the employer--increased productivity and creativity, while absenteeism falls. Ms. Brodsky believes this bill will do away with the disincentive to job share--namely, no health benefits. (See Exhibit "6" attached hereto and by this reference made a part hereof.)

Eileen Robbins, Montana Nursing Association, supports this bill.

Frank Crowley, Assistant Attorney General, supports this bill. Mr. Crowley told about how he used to job share with another attorney while he was writing his thesis. He said only one of them could receive the benefits and he happened to be the one that received them. Consequently, the other man, who had a family, had to resign, and this drove him out of the job. He said he felt the department had benefited from their arrangement.

OPPONENTS: There were no opponents.

COMMITTEE QUESTIONS: Senator Lynch asked Mr. Crowley if it would not have been possible for them to both opt for permanent-part time positions. Mr. Crowley said no because in that case they would have gone with one FTE. Senator Lynch asked Representative Bradley about the hours, and Representative Bradley said that if you worked less than 20 hours, you received no benefits. Senator Lynch asked Dennis Taylor if there were

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permanent-part time employees working less than 20 hours and Mr. Taylor said yes there were, but they received no benefits. Mr. Taylor said the way the law reads now, the job share employees that work less than 20 hours, their benefits are prorated, but they receive no health benefits. Senator Hirsch asked if each person will get 100% of the benefits. Representative Bradley replied that they will be pro-rated. Representative Bradley explained that if the job was split 30-60, the 30% person would get nothing. Mr. Schneider explained that health benefits are different because for 20 hours or more you get full health care coverage.

Representative Bradley closed by saying that job sharing was better than permanent-part time. She said that job sharing goes all the way up the ladder and can be split with one person working 30% of the time and the other working 70% of the time. She said job share was for everyone in the employment picture of the state.

HOUSE BILL 153 is closed.

EXECUTIVE ACTION ON HOUSE BILL 153: (Senator Lynch will carry this to the floor.) Senator Lynch moved that HOUSE BILL 153 be concurred in. Question was called and the Committee voted unanimously that HOUSE BILL 153 BE CONCURRED IN.

CONSIDERATION OF HOUSE BILL 163: Representative Mary Ellen Connelly, House District 8, Flathead County, is the sponsor of this bill entitled, "AN ACT INCREASING THE TIME PERIOD FOR WHICH THE STATE CAN CONTRACT FOR THE LEASE OR PURCHASE OF DATA PROCESSING THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES MEDICAID MANAGEMENT INFORMATION SYSTEMS SYSTEM (MMIS) FROM 3 YEARS TO 10 YEARS; AMENDING SECTION ..., MCA." Representative Connelly said that this bill would extend contract for data processing system. She said the SRS must rebid every three years and this would extend that time frame.

PROPONENTS: Jack Ellery, Administrator of Economic Securities Division, SRS, supports this bill. He said this bill is important in order for Montana to be flexible. He said the longer we allow them to do their duties the more money we save, and by doing this, we will be in a position to save dollars and become more efficient.

OPPONENTS: There were no opponents.

COMMITTEE QUESTIONS: There were no committee questions.

Representative Connelly closed by reiterating that this will save money for the state. HOUSE BILL 163 is closed.

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EXECUTIVE ACTION ON HOUSE BILL 163: Senator Manning made a motion that HOUSE BILL 163 be concurred in. Question was called and the Committee voted unanimously that HOUSE BILL 163 BE CONCURRED IN. (Senator Manning will carry this to the floor.)

The meeting was adjourned at 10:55 a.m.



SENATOR JACK HAFLEY CHAIRMAN

ROLL CALL

STATE ADMINISTRATION

COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 3-7-85

NAME	PRESENT	ABSENT	EXCUSE
SENATOR JACK HAFLEY, Chairman	Late		
SENATOR LES HIRSCH, Vice-Chairman	✓		
SENATOR JOHN ANDERSON	✓		
SENATOR MAX CONOVER	Late		
SENATOR WILLIAM FARRELL	✓		
SENATOR ETHEL HARDING	✓		
SENATOR J. D. LYNCH	✓		
SENATOR DICK MANNING			✓
SENATOR JOHN MOHAR	✓		
SENATOR LARRY TVEIT	Late		✓
			✓

DATE March 7, 1984

COMMITTEE ON

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
ART KORN	Mt. St Vol. Fire Assn	HB 197	✓	
ROSS H. FITZGERALD	" " " " "	HB 197	✓	
R. D. Ellis	West Helena Vol Fire Dist	HB 197	✓	
Arthur	Legis	HB 197	✓	
Chas Palmer	Administrator	HB 163	✓	
Tom Schauder	MPEK	HB 153	✓	
Barbara Martin	Governors State Bldg Comm	HB 146		
Anne Gooding	WILF	HB 197 HB 153	✓ ✓	
LARRY ALLEY	SECRETARY OF STATE	HB 150	✓	
Sara Parker	State Library	HB 153	✓	
Jack Elsey	SRS	HB 113	✓	
Earl	Ref # 59	HB 146	✓	
Rep M. E. Connelly		HB 163	✓	
Barbara B. P. Robbins	Montana Lumber Assoc	HB 153	✓	

(Please leave prepared statement with Secretary)

Exhibit 41
3-7-85

06 MARCH, 1985

SENATOR JACK HAFEEY
CHAIRMAN,
STATE ADMINISTRATION COMMITTEE
MONTANA SENATE
CAPITOL STATION
HELENA, MONTANA 59601

MR. CHAIRMAN:

The Montana Volunteer Firefighters Association goes on record as supporting HOUSE BILL NO. 197, " AN ACT INCREASING THE AMOUNT IN PENSION BENEFITS THAT MAY BE PAID TO A FIREFIGHTER'S SURVIVING SPOUSE OR DEPENDENT CHILD UNDER THE VOLUNTEER FIREFIGHTERS' COMPENSATION ACT; AMENDING SECTION 19-12-405, MCA, AND PROVIDING AN EFFECTIVE DATE.

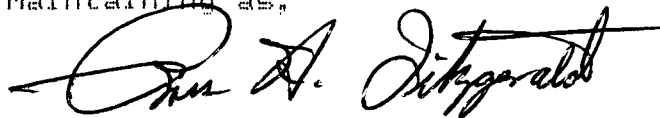
Reasons of Support:

1. Current costs of funeral arrangements have soared which creates an immediate need for funds. Presently \$2000.00 is paid out beginning August of the next fiscal year and can be a long wait for that enduring liability to the firefighter's family. The immediate bulk payment of the proposed increase of \$2000.00 would afford the decedent's family settlement of at least the internment costs.
2. There are no changes regarding the qualification for the pension benefits and the fund shows the ability for this modification increase. Projected draw from the calculated pension would be from \$8,000.00 to \$12,000.00 depending on the year, but certainly would be affordable to our system.
3. The general fund would experience no fiscal impact as stated in the fiscal note requested by the House.

We would appreciate your positive consideration for a do-pass recommendation on HB 197.

THANK YOU.

Maintaining as,



ROSS H. FITZGERALD
LOBBYIST,
MT. ST. VOL. FIREFIGHTERS ASS'N
R.R. # 5929
GREAT FALLS, MONTANA 59401
453-6431 (home), 463-2343 (farm)

LYLE NAGEL
LOBBYIST,
MT. ST. VOL. FIREFIGHTERS ASS'N
P.O. BOX 93
SIMMS, MONTANA 59477
264-5151

Exhibit "a"
3-7-85

SECRETARY OF STATE

STATE OF MONTANA

Jim Waltermire
Secretary of State



State Capitol
Helena, Montana 59620

House Bill No. 150 only provides the authority to set filing fees by rule for nonprofit corporations, assumed business names, trademarks and UCC's. This concept currently exists for profit corporations and limited partnerships and has since the 1981 session with the adoption of the model acts. Public hearings are held prior to the adoption of the proposed rules. Almost all of the fees for profit corporations decreased after our cost study and the adoption of the fees currently charged for profit corporations and limited partnerships. The fees have also remained quite constant.

All fees collected go directly to the general fund. The general fund pays for all expenses associated with the program. No money goes to any special fund.

The cost of fees set by rule does include all costs associated with the filing of each document, including administrative time, rent, supplies, salaries, etc. The intent of the office is to administer the program to recover the complete cost of filing but no more than that.

Exhibit 3
SB-150
3-7-85

TESTIMONY SUPPORTING HOUSE BILL 150

House Bill 150 gives the Secretary of State authority to set the filing fees commensurate with costs for certain types of business filings by administrative rule. The business filings affected by HB 150 include those for non-profit corporations, assumed business names, trademarks and UCC's.

During the 1981 Session, the Legislature gave the Secretary of State authority to set fees by rule for profit corporations and limited partnerships. So, for the last four years, the Secretary of State has been setting part of the fees by rule for these two categories of filings without any problems. HB 150 just extends that authority to the categories I mentioned earlier.

Let me give you some examples of why I think we need to pass HB 150. Right now, the Secretary of State charges \$15 to file Articles of Incorporation for a profit corporation. The Secretary of State set that fee by rule. After a thorough study of all the costs of processing a document, and after a public hearing under the Administrative Procedures Act, that's how much he determined it cost to process articles of incorporation.

But the law requires the Secretary to charge \$20 to file articles of incorporation for a non-profit corporation. So now you have the Secretary of State charging two different fees -- \$15 for a profit corporation, \$20 for a non-profit -- to file the same kind of document. That just doesn't make sense.

On the other hand, there are some types of documents that are more complex to process -- name reservations for example -- where the fee set by statute is much less than what it actually costs to process. HB 150 would allow the Secretary of State to set fees commensurate with costs.

In the area of the Uniform Commerical Code, the existing law is even more of a mess. For example, somebody wanting to file a UCC with the Secretary of State and in several county courthouses might be charged two or three different fees for filing the exact same document because of differing interpretations of the law. This leads to rejection of documents for improper filing fees which, in turn, results in fouling up perfection of security interests and general frustration on the part of the user.

There's no real reason to continue setting these filing fees by statute. HB 150 contains plenty of safeguards to ensure fees aren't changed willy-nilly or set arbitrarily high. HB 150 requires the Secretary of State to set fees by administrative rule so there is public notice and public hearing before any fee changes. HB 150 clearly requires fees be set commensurate with costs. And HB 150 requires the Secretary to maintain records sufficient to support the fees he sets. All of these are a lot tighter than much of the fee setting authority the Legislature has granted to other agencies.

Moreover, all the money goes to the general fund. HB 150 clearly does not create any kind of slush fund for the Secretary of State. All the money he collects goes directly to the general fund. The only money he can spend is what the Legislature appropriates out of the general fund. So there's no reason to increase fees above what is commensurate with costs.

Let me summarize: There's no real reason to continue setting fees for non-profit corporations, assumed business names, trademarks and UCCs by statute. The Secretary of State already sets many of his filing fees by rule and there has been no problem.

There are good reasons for adopting HB 150. It will restore equity to the filing fee structure so non-profit corporations don't have to pay more for filing than a profit corporation. And it will significantly reduce the confusion around the UCC process.

HB 150 contains plenty of safeguards to ensure the fees are reasonable. All the money collected goes directly into the general fund, so there's no chance of creating a slush fund.

I think HB 150 is a good bill and urge Senate concurrence.

Exhibit 4
SB-146
3-7-85

TESTIMONY - HB146

Currently, state law requires the Department of Administration to concur on projects costing between \$5,000 and \$25,000. The law also prohibits the department from delegating any administrative duties on projects over \$25,000. These administrative duties include: review of plans, solicitation of bids, bid openings, contract awards, and inspection, all of which must be done by the Department of Administration for any construction project over \$25,000.

This bill would allow the Department of Administration to delegate any or all of the duties involved in supervision of construction of buildings costing more than \$25,000 on a project-by-project basis, and eliminate the requirement for Department of Administration to concur on projects costing between \$5,000 and \$25,000. However, the Department of Administration would retain control because it determines whether to delegate, and if so, the conditions of delegation.

This bill would be helpful to the Department of Administration because the Architecture & Engineering Division (A/E) has only 13 staff members to manage all state building projects. Nine of these have design or construction training, and only two staff members are available for construction inspection. If these activities could be delegated to agencies that have qualified staff, it may help reduce the A/E workload. It may also improve monitoring of projects outside of Helena by using qualified staff near the location of the project. Since delegation would be based on the current capabilities to handle the work, no increases in staff are anticipated.

It is anticipated that smaller projects will be delegated in most cases, but these often take as much time to administer as large projects. Any duties that can be delegated on smaller projects leaves more time available for A/E to work on the larger projects.

The Department of Administration's responsibility for coordinating and administering the Long Range Building Program is not affected by this bill.

(This sheet to be used by those testifying on a bill.)

Exhibit 45
SB-153
3-7-85

NAME: Rhonda Boyle DATE: 3/7/85

ADDRESS: Helena

PHONE: 458-6188

REPRESENTING WHOM? ICCW

APPEARING ON WHICH PROPOSAL: HB 153

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENT:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

INTERDEPARTMENTAL COORDINATING COMMITTEE FOR WOMEN

March 7, 1985

TESTIMONY - HB 153


For the record, I am Rhonda Boyle. I represent the Interdepartmental Coordinating Committee for Women known as ICCW.

ICCW supports HB 153. This bill will provide the same benefits for State employees in job-sharing positions as those in permanent part-time positions. Any existing discrimination of benefits will be eliminated with the passage of HB 153.

ICCW asks that you please support HB 153.

WOMEN'S LOBBYIST FUND

Box 1099
Helena, MT 59624
449-7917

Exhibit "6"
SB-153
3-7-85


March 7, 1985

TESTIMONY IN SUPPORT OF HB 153

Mr. Chairman and members of the Senate State Administration Comm.:

My name is Anne Brodsky and I am speaking on behalf of the Women's Lobbyist Fund (WLF) in support of HB 153. The WLF gave strong endorsement in the 1983 Legislature to what is now Montana's job sharing law, § 2-18-107, MCA. Our endorsement for the availability of the option of job sharing is given because this option provides employees with greater flexibility in their career choices. For example, having the choice of job sharing gives the employee an opportunity to both participate in the work force and participate in other activities, such as raising a family or pursuing educational opportunities.

The benefits of job sharing are equally great for the employer. Employers and employees attest to the increased productivity of employees who job share. Studies have shown that employee productivity and creativity rise while absenteeism falls when employees opt to job share.

As the testimony has indicated, however, the choice to job share has not been actively pursued by state employees in Montana. It is probable that this is because the current law contains a disincentive to job sharing: the health benefits granted to employees who job share are less than the health benefits awarded to those who are part-time employees. As a former part-time employee, I was very much aware of that disparity.

As a matter of fairness, the WLF believes that the Legislature should remove the discrimination that now exists between the health benefits awarded to those who job share and those who are part-time employees. While there will be a slight cost to the state, such impact will be mitigated by the incentive for employees to job share and the increased productivity of those who choose this option.

For consistency with the spirit of the job sharing law, to promote job sharing, and out of equal treatment to state employees, the WLF urges you to pass HB 153.

Exhibit "7"
SB-146
3-7-85

MONTANA STATE LIBRARY



TED SCHWINDEN, GOVERNOR

1515 E. 6TH AVENUE

STATE OF MONTANA

(406) 444-3115

HELENA, MONTANA 59620

This is to offer testimony in support of HB 153 on the revision of job share policies. The Montana State Library Commission and the Montana State Library has in place policies which supplement those of Montana State Government and which provide for the active encouragement of job sharing as a means of providing a more flexible working environment to employees and to gain the advantages of job share arrangements, including greater creativity, stronger programs, increased productivity and enhanced employment opportunities. During our long-standing commitment to job sharing, we have gained experience as an agency managing positions in which jobs are shared. It has taken some time to educate staff to differences between job sharing and two permanent half-time positions. There is no way to explain to employees why the latter allows each employee to receive the full share of benefits and the former does not.

Our job share supplemental policies are committed to the continuation of the job-shared position as a full-time position. We believe this is necessary for the strongest provision of services and programs and to ensure smooth transition when one employee may wish to end the job share. Contrary to popular belief, people sharing jobs are often not close personal friends who go on to share child care arrangements and other things. Our experience is that job sharing is often two people who do not know each other. We have had experiences of recruiting to find a new job share partner. It is the advice of our attorney that job share cannot be used sequentially to set up a favored hiring situation without open and fair recruitment. I, as an administrator, do not want to be unfair to employees; nor do I want to be under pressure to change a full-time position to two permanent part-time positions.

In understanding how inequitable and unfair the situation is, I would tell you our current job share position is a combination of an older woman who wants to work only part-time and a young mother who needs to work part-time. The older woman has her own insurance coverage and does not wish to exercise that part of her fringe benefit. The young mother badly needs the coverage, but even though the portion is unused, she is not permitted to have the extra part of that insurance package.

As manager and director of an agency, I urge your passage of HB 153.

A handwritten signature in cursive script, appearing to read "Sara Parker".

Sara Parker
State Librarian

STANDING COMMITTEE REPORT

March 7 1985

MR. PRESIDENT

We, your committee on **STATE ADMINISTRATION**

having had under consideration **HOUSE BILL** No. **197**

third reading copy (**blue**)
color

(Senator Lynch will carry)

INCREASING PENSION PAID TO VOL. FIREFIGHTER'S SPOUSE & DEPENDENT CHILDREN

Respectfully report as follows: That **HOUSE BILL** No. **197**

BE CONCURRED IN

XXXXXX

XXXXXXXX

Chairman.

STANDING COMMITTEE REPORT

March 7 1985

MR. PRESIDENT

We, your committee on **STATE ADMINISTRATION**

having had under consideration **HOUSE BILL** No. **163**

third reading copy (**blue**)

color

(Senator Manning will carry)

**ALLOW STATE TO CONTRACT FOR DATA PROCESSING MANAGEMENT SYSTEMS
UP TO 10 YE**

Respectfully report as follows: That **HOUSE BILL** No. **163**

BE CONCURRED IN

~~DEPAX~~

~~DEMONPAX~~

Chairman.

STANDING COMMITTEE REPORT

March 7 19 85

MR. PRESIDENT

We, your committee on **STATE ADMINISTRATION**

having had under consideration **HOUSE BILL** No. **150**

third reading copy (blue)
color

(Senator Mohar will carry)

SECRETARY OF STATE TO SET CERTAIN FEES BY RULE COMMENSURATE WITH COSTS

Respectfully report as follows: That **HOUSE BILL** No. **150**

BE CONCURRED IN

~~XXXXXX~~

~~XXXXXXXXXX~~
DO NOT PASS

Chairman.

STANDING COMMITTEE REPORT

March 7 19 85

MR. PRESIDENT

We, your committee on **STATE ADMINISTRATION**

having had under consideration **HOUSE BILL** No. **153**

third reading copy (**blue**)
color

(Senator Lynch will carry)

JOB-SHARING EMPLOYEE BENEFITS SAME AS PERMANENT PART-TIME EMPLOYEE

Respectfully report as follows: That **HOUSE BILL** No. **153**

BE CONCURRED IN

~~DO NOT PASS~~

~~DO NOT PASS~~

Chairman.