

1 H BILL NO. 406
 2 INTRODUCED BY William Kulis
 3 BY REQUEST OF THE DEPARTMENT OF LABOR

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR
 6 TERMINATION OF AGRICULTURAL AND DOMESTIC EMPLOYMENT;
 7 AMENDING SECTION 87-110, R.C.M. 1947."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 87-110, R.C.M. 1947, is amended to
 11 read as follows:

12 "87-110. Period, election and termination of
 13 employer's coverage. (a) Any employing unit which is or
 14 becomes an employer subject to this act within any calendar
 15 year, shall be subject to this act during the whole of such
 16 calendar year, except that this subsection shall not apply
 17 to an employing unit electing coverage as provided for in
 18 subsection (c) of this section.

19 (c) Except as otherwise provided in subsection (c) of
 20 this section an employing unit shall cease to be an employer
 21 subject to this act only as of the first day of January, of
 22 any calendar year, only if it files with the division prior
 23 to the last day of February, of such year, a written
 24 application for termination of coverage, and the division
 25 finds that the total wages payable for employment by said

1 employer in the preceding calendar year did not exceed five
 2 hundred dollars--(\$500), except as provided in 87-148(i), (A)
 3 and (B). For the purpose of this subsection, the two (2) or
 4 more employing units mentioned in paragraph (2) or (3) of
 5 section 87-148(i) shall be treated as a single employing
 6 unit.

7 (c) An employing unit not otherwise subject to this
 8 act, or any employing unit for which services are performed
 9 that do not constitute employment as defined in this act,
 10 may file with the division, a written election that all such
 11 services performed by individuals in its employ in one (1)
 12 or more distinct establishments or places of business shall
 13 be deemed to constitute employment for all purposes of this
 14 act for not less than two--(2) calendar years. Upon the
 15 written approval of such election by the division, such
 16 services shall be deemed to constitute employment subject to
 17 this act from and after the date stated in such approval.
 18 Such services shall cease to be deemed employment subject
 19 hereto as of January 1, of any calendar year subsequent to
 20 such two--(2) calendar years only if at least thirty--(30)
 21 days prior to such first day of January such employing unit
 22 has filed with the division a written notice to that
 23 effect."

-End-

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17 to an employing unit electing coverage as provided for in
18 subsection (c) of this section.

19 (b) Except as otherwise provided in subsection (c) of
20 this section an employing unit shall cease to be an employer
21 subject to this act only as of the first day of January, of
22 any calendar year, only if it files with the division prior
23 to the last day of February, of such year, a written
24 application for termination of coverage, and the division
25 finds that the total wages payable for employment by said

1 employer in the preceding calendar year did not exceed five
2 hundred dollars ~~(\$500)~~, except as provided in 87-148(i), (A)
3 and (B). For the purpose of this subsection, the two ~~(2)~~ or
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15 written approval of such election by the division, such
16 services shall be deemed to constitute employment subject to
17 this act from and after the date stated in such approval.
18 Such services shall cease to be deemed employment subject
19 hereto as of January 1, of any calendar year subsequent to
20 such two ~~(2)~~ calendar years only if at least thirty ~~(30)~~
21 days prior to such first day of January such employing unit
22 has filed with the division a written notice to that
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