

1 H BILL NO. 612
 2 INTRODUCED BY Brand
 3 BY REQUEST OF THE GOVERNOR

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE MEANING
 6 OF PERSONAL STAFF EXEMPTED FROM THE STATE CLASSIFICATION AND
 7 COMPENSATION PLAN; AMENDING SECTION 59-903, R.C.M. 1947."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 59-903, R.C.M. 1947, is amended to
 11 read as follows:

12 "59-903. Definitions. ~~For the purposes of this act~~ As
 13 used in this chapter, the following definitions apply:

14 (1) "Agency" means ~~any~~ a department, board,
 15 commission, office, bureau, institution or unit of state
 16 government recognized in the state budget.

17 (2) "Department" means the department of
 18 administration.

19 ~~(3) "Personal staff" means those positions occupied by~~
 20 ~~employees appointed by an elected official or board or~~
 21 ~~commission that are approved by the department for exemption~~
 22 ~~according to criteria developed by the department.~~

23 ~~(3)(4)~~ "Program" means a combination of planned
 24 efforts to provide a service.

25 ~~(4)(5)~~ "Position" means a collection of duties and

1 responsibilities currently assigned or delegated by
 2 competent authority, requiring the full-time, part-time or
 3 intermittent employment of one person."

-End-

Approved by
Select Comm. on Employee Comp.

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SECOND READING

HB 612

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-End-

March 17, 1977

SENATE
COMMITTEE OF THE WHOLE

That House Bill No. 612 be amended as follows:

1. Amend Standing Committee Report Amendment No. 1.

Strike: amendment No. 1 in its entirety

2. Amend page 1, section 1, line 20.

Following: "by"

Strike: "an"

3. Amend page 1, section 1, line 20.

Following: "elected"

Strike: "official or board or commission"

Insert: "officials enumerated in 59-904 (8) not to exceed 10 in number for each of said officials; said officials may have staff exempted in excess of 10 in number."

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 20 employees appointed by an elected official or board or
 21 commission OFFICIALS ENUMERATED IN 59-904(18) NOT TO EXCEED
 22 10 IN NUMBER FOR EACH OF SAID OFFICIALS; SAID OFFICIALS MAY
 23 HAVE STAFF EXEMPTED IN EXCESS OF 10 IN NUMBER that are
 24 approved by the department for exemption according to
 25 criteria developed by the department AFTER CONSULTATION WITH

REFERENCE BILL

1 ~~THE ELECTED OFFICIAL, BOARD OR COMMISSION.~~
 2 (4) "Program" means a combination of planned
 3 efforts to provide a service.
 4 (5) "Position" means a collection of duties and
 5 responsibilities currently assigned or delegated by
 6 competent authority, requiring the full-time, part-time or
 7 intermittent employment of one person."

-End-

HOUSE BILL NO. 612

INTRODUCED BY BRAND

BY REQUEST OF THE GOVERNOR

A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE MEANING OF PERSONAL STAFF EXEMPTED FROM THE STATE CLASSIFICATION AND COMPENSATION PLAN; AMENDING SECTION SECTIONS 59-903 AND 59-904, R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 59-903, R.C.M. 1947, is amended to read as follows:

"59-903. Definitions. For the purposes of this act as used in this chapter, the following definitions apply:

(1) "Agency" means any a department, board, commission, office, bureau, institution or unit of state government recognized in the state budget.

(2) "Department" means the department of administration.

(3) "Personal staff" means those positions occupied by employees appointed by an elected official or board or commission OFFICIALS ENUMERATED IN 59-904(9) NOT TO EXCEED 10 IN NUMBER FOR EACH OF SAID OFFICIALS; SAID OFFICIALS MAY HAVE STAFF EXEMPTED IN EXCESS OF 10 IN NUMBER OFFICIAL OR BOARD OR COMMISSION that are approved by the department for

~~exemption according to criteria developed by the department THE ELECTED OFFICIALS ENUMERATED IN 59-904(9). THE PERSONAL STAFF OF EACH OF THE ELECTED OFFICIALS MAY NOT EXCEED 10 UNLESS OTHERWISE APPROVED BY THE DEPARTMENT ACCORDING TO CRITERIA DEVELOPED BY THE DEPARTMENT AFTER CONSULTATION WITH THE ELECTED OFFICIAL, BOARD OR COMMISSION.~~

{3}(4) "Program" means a combination of planned efforts to provide a service.

{4}(5) "Position" means a collection of duties and responsibilities currently assigned or delegated by competent authority, requiring the full-time, part-time or intermittent employment of one person."

SECTION 2. SECTION 59-904, R.C.M. 1947, IS AMENDED TO READ AS FOLLOWS:

"59-904. Officers and employees excepted from provisions of act. This act does not apply to the following positions in state government:

(1) elected officials and their chief deputy and executive secretary;

(2) officers and employees of the legislative branch;

(3) judges and employees of the judicial branch;

(4) members of boards and commissions appointed by the governor, appointed by the legislature or appointed by other elected state officials;

(5) officers or members of the militia;

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ADOPTED BY HOUSE OF REPRESENTATIVES AND SENATE

- 1 (6) agency heads appointed by the governor;
- 2 (7) academic and professional administrative personnel
- 3 with individual contracts under the authority of the board
- 4 of regents of higher education;
- 5 (8) academic and professional administrative personnel
- 6 who have entered into individual contracts with the state
- 7 school for the deaf and blind under the authority of the
- 8 state board of public education;
- 9 (9) personal staff of the elected officials enumerated
- 10 in Article VI, section 1, of the constitution of Montana are
- 11 exempt from sections 59-909, 59-910, and 59-911 of this act,
- 12 and section 82A-1014*;
- 13 ~~(10) legal services staff and the special assistant~~
- 14 ~~attorneys general under the direct control of the attorney~~
- 15 ~~general."~~

-End-