CHAPTER NO. 512.

HOUSE BILL NO. 886

INTRODUCED BY THE STATE ADMINISTRATION COMMITTEE

IN THE HOUSE

February 20, 1979 Introduced and referred to Committee on State Administration. Committee recommend bill do pass. Report adopted. February 22, 1979 Second reading, do pass as amended. February 23, 1979 Correctly engrossed. Third reading, passed. Transmitted to second house. IN THE SENATE February 23, 1979 Introduced and referred to Committee on State Administration. March 22, 1979 Committee recommend bill be concurred in. Report adopted. March 24, 1979 Second reading, concurred in. Third reading, concurred in. March 27, 1979 IN THE HOUSE Returned from second house. March 28, 1979 Concurred in. Sent to enrolling.

Reported correctly enrolled.

LC 1926/01

House BILL NO. 886 1 1 INTRODUCED BY the State Administration Comm. 2 2 3 З A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAWS 4 RELATING TO EMPLOYEE EXEMPTIONS FROM THE STATE PAY PLAN: 5 AMENDING SECTIONS 2-18-101+ 2-18-103+ 2-18-104+ AND 6 6 7 2-18-201+ MCA." 7 я ۹ g BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: q 10 Section 1. Section 2-18-101, MCA, is amended to read: 10 #2-18-101. Definitions. As used in parts 1 through 3 11 11 12 12 of this chapter, the following definitions apply: (1) "Agency" means a department, board, commission, 13 13 office, bureau, institution, or unit of state government 14 14 recognized in the state budget. 15 15 (2) "Compensation" means the annual wage or salary 16 16 plus the annual state contribution of health insurance 17 17 premiums under provisions of 2-18-703-18 18 19 (3) "Department" means the department ٥f 19 20 20 administration. (4) Except in 2-18-306, "employee" means any state 21 21 22 employee other than an employee excepted under 2-18-103 or 22 2-19-104 from the statewide classification system. 23 23 (5) "Personal staff" means those positions occupied by 24 24 25 employees appointed by the elected officials enumerated in 25

2-18-183+189 Article VI: section 1. of the Montana constitution or by the public service commission as a whole. (6) "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. (7) *Program* means a combination of planned efforts to provide a service." Section 2. Section 2-18-103, MCA, is amended to read: "2-18-103. Officers and employees excepted. Parts 1 and 2 do not apply to the following positions in state government: (1) elected officials and--their--chief--deputy--and executive-secretory; (2) county assessors and their deputies: f2f(3) officers and employees of the legislative branch; f3f(4) judges and employees of the judicial branch; +++151 members of boards and commissions appointed by the governor, appointed by the legislature, or appointed by other elected state officials; +5+161 officers or members of the militia; +6+111 agency heads appointed by the governor; (7) academic and professional administrative personnel with individual contracts under the authority of

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1	the board of regents of higher education;
2	<pre>{8+191 academic and professional administrative</pre>
3	personnel who have entered into individual contracts with
4	the state school for the deaf and blind under the authority
5	of the state board of public education;
5	<pre>f91(10) teachers under the authority of the department</pre>
7	of institutionsta
8	{18;-persona}-staff-of-the-elected-officials-enumerated
9	in-Article-Viv-section-iv-of-the-constitution-of-Montone-are
10	exempt-from2-10-204+2-10-205+2-10-207+and2-10-1011
11	through-2-2023t
12	{ii:
13	ettorneys-general-under-the-direct-control-ofthesttorney
14	generatu"
15	Section 3. Section 2-18-104, MCA, is amended to read:
16	#2-18-104. Personal Exemption for personal staff of
17	efectedofficials limit. <u>(1) Subject to the limitations</u>
18	in_subsections_(2)_and_(3);_members_of_a_personal_staffare
19	<pre>sxempt_from_the_application_of_2=18=204+_2=18=205+_2=18=207+</pre>
20	and 2-18-1011 through 2-18-1013.
21	<u>121</u> The personal staff of-reach-oftheelected
22	officiols who are exempted by subsection [1] may not exceed
23	10 unless otherwise approved by the department according to
24	criteria developed by the department. <u>Under no circumstances</u>
25	may the total exemptions of each elected official exceed 15.

1 (3) The number of members of the personal staff of the public service commission who are exempted by subsection (1) Z may not exceed 5 and must be approved by the department 3 according to criteria approved by the department." 4 Section 4. Section 2-18-201, MCA, is amended to read: 5 "Z-18-201. Development of personnel classification 6 The department shall develop a personnel 7 plan. classification plan for all state positions and classes of 8 positions in state service following hearings involving 9

9 positions in state service following hearings involving
10 affected employees and employee organizations, except those
11 exempt in 2-18-103 and 2-18-104.**

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1	HOUSE BILL NO. 886	1	2-18-103(10) ArticleVISection_l.of_the_Montana
2	INTRODUCED BY THE STATE ADMINISTRATION COMMITTEE	2	constitution or by the public service commission as a whole-
3		3	{6} "Position" means a collection of duties and
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAWS	4	responsibilities currently assigned or delegated by
5	RELATING TO EMPLOYEE EXEMPTIONS FROM THE STATE PAY PLAN;	5	competent authority, requiring the full-time, part-time, or
6	AMENDING SECTIONS 2-18-101, 2-18-103, 2-18-104, AND	6	intermittent employment of one person.
7	2-18-201, MCA."	7	(7) "Program" means a combination of planned efforts
8		8	to provide a service."
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	9	Section 2. Section 2-18-103. MCA, is amended to read:
10	Section 1. Section 2-18-101, MCA, is amended to read:	10	"2-18-103. Officers and employees excepted. Parts 1
11	"2-18-101。 Definitions。 As used in parts 1 through 3	11	and 2 do not apply to the following positions in state
12	of this chapter, the following definitions apply:	12	government:
13	(1) "Agency" means a department, board, commission,	13	(1) elected officials andtheirchiefdeputyand
14	office, bureau, institution, or unit of state government	14	executive-secretory;
15	recognized in the state budget.	15	121County_assessors_and_their deputies CHIEEDEPUTY:
16	(2) "Compensation" means the annual wage or salary	16	<pre>t2)(3) officers and employees of the legislative</pre>
17	plus the annual state contribution of health insurance	17	branch;
18	premiums under provisions of 2-18-703.	18	<pre>tates judges and employees of the judicial branch;</pre>
19	(3) "Department" means the department of	19	<pre>f4+(5) wembers of boards and commissions appointed by</pre>
20	administration.	20	the governor, appointed by the legislature, or appointed by
21	(4) Except in 2-18-306, "employee" m eans any state	21	other elected state officials;
22	employee other than an employee excepted under 2-18-103 <u>or</u>	22	<pre>t5tibl officers or members of the militia;</pre>
23	2-18-104 from the statewide classification system.	23	<pre>{61[7] agency heads appointed by the governor;</pre>
24	(5) "Personal staff" means those positions occupied by	24	(7)[8] academic and professional administrative
25	employees appointed by the elected officials enumerated in	25	personnel with individual contracts under the authority of
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1	the board of regents of higher education;
2	(0)[9] academic and professional administrative
3	personnel who have entered into individual contracts with
4	the state school for the deaf and blind under the authority
5	of the state board of public education;
6	{9}<u>{10</u>] teachers under the author∔ty of the department
7	of institutionsta
8	(10)-personal-staff-of-the-elected-officials-enumerated
9	in-Article-Viv-section-ly-of-the-constitution-of-Montane-are
10	exemptfrom2-18-204y2-18-205y2-18-207yond-2-18-1011
11	through-2-28-28139
12	{}}}-legel-services-stoffendthespecielassistant
13	attorneysgeneralunder-the-direct-control-of-the-attorney
14	generals"
15	Section 3. Section 2-18-104, MCA, is amended to read:
16	#2-18-104. Personal <u>Exemption for personal</u> staff of
17	efected-officials limit. (1) Subject to the limitations
18	insubsections_(2)_and_(3):_members_of_a_personal_staff_are
19	<u>exempt_from_the_application_of_2~18-205x_2-18-205x_2-18-207x</u>
20	and 2-18-1011 through 2-18-1013.
21	(2) The personal staff ofeachoftheelected
22	officials who are exempted by subsection [1] may not exceed
23	10 unless otherwise approved by the department according to
24	criteria developed by the department. <u>Under no circumstances</u>
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Z	public_service_commission_who_are_exempted_by_subsection_(1)
3	may_not_exceed_5_and_must_be_approved_by_the_department
4	according to criteria approved by the department."
5	Section 4. Section 2-18-201, MCA, is amended to read:
6	#2-18-201. Development of personnel classification
7	plan. The department shall develop a personnel
8	classification plan for all state positions and classes of
9	positions in state service following hearings involving
10	affected employees and employee organizations, except those
11	exempt in 2-18-103 <u>and 2-18-104</u> ."

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2	INTRODUCED BY THE STATE ADMINISTRATION COMMITTEE	2	constitution or by the public service commission as a whole.
	INTRODUCED BY THE STATE ADDITION AND CONTINUES	3	(6) "Position" means a collection of duties and
3	A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAWS	4	responsibilities currently assigned or delegated by
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5	RELATING TO EMPLOYEE EXEMPTIONS FROM THE STATE PAY PLAN;	-	competent authority, requiring the full-time, part-time, or
6	AMENDING SECTIONS 2-18-101, 2-18-103, 2-18-104, AND	6	intermittent employment of one person.
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15	recognized in the state budget.	15	[2]county_assessors_and_their deputies CHIEE_DEPUTY:
16	(2) "Compensation" means the annual wage or salary	16	<pre>t2t131 officers and employees of the legislative</pre>
17	plus the annual state contribution of health insurance	17	branch;
18	premiums under provisions of 2-18-703.	18	{3}[<u>4]</u> judges and employees of the judicial branch;
19	(3) "Department" means the department of	19	<pre>t4<u>}151</u> members of boards and commissions appointed by</pre>
20	administration.	20	the governor, appointed by the legislature, or appointed by
21	(4) Except in 2-18-306, "employee" means any state	21	other elected state officials;
22	employee other than an employee excepted under 2-18-103 or	22	<pre>t5t(6) officers or members of the militia;</pre>
23	<u>2-18-104</u> from the statewide classification system.	23	<pre>t6tll agency heads appointed by the governor;</pre>
24	(5) "Personal staff" means those positions occupied by	24	<pre>{7}[8] academic and professional administrative</pre>
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REFERENCE BILL

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8	ti0;-persona}-staff-of-the- elected-officials-enumerated
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10	exemptfrom2-18-204v2-18-285v2-18-287vond-2-18-1811
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15	Section 3. Section 2-18-104, MCA, is amended to read:
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-End-

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