

SENATE BILL NO. 49
INTRODUCED BY RASMUSSEN
BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

IN THE SENATE

JANUARY 3, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
	FIRST READING.
JANUARY 13, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 14, 1989	PRINTING REPORT.
JANUARY 16, 1989	SECOND READING, DO PASS.
JANUARY 17, 1989	ENGROSSING REPORT.
JANUARY 18, 1989	THIRD READING, PASSED. AYES, 47; NOES, 1.
	TRANSMITTED TO SENATE.

IN THE HOUSE

JANUARY 18, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON LABOR.
FEBRUARY 20, 1989	FIRST READING.
MARCH 1, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 4, 1989	PASSED CONSIDERATION FOR THE DAY.
MARCH 6, 1989	SECOND READING, CONCURRED IN.
MARCH 7, 1989	THIRD READING, CONCURRED IN. AYES, 93; NOES, 0.
	RETURNED TO HOUSE.

MARCH 8, 1989

IN THE SENATE

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 SENATE BILL NO. 49
2 INTRODUCED BY RASMUSSEN
3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THAT
6 SEASONAL AND TEMPORARY PART-TIME STATE EMPLOYEES WHO
7 REGULARLY WORK LESS THAN 20 HOURS A WEEK ARE NOT ELIGIBLE
8 FOR THE STATE GROUP BENEFITS PLAN; AMENDING SECTIONS
9 2-18-701 AND 2-18-703, MCA; AND PROVIDING AN IMMEDIATE
10 EFFECTIVE DATE."
11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13 **Section 1.** Section 2-18-701, MCA, is amended to read:
14 "2-18-701. Definitions. In this part, as it applies to
15 a person employed in the executive, judicial, or legislative
16 branches of state government, "employee" means:
17 (1) a permanent full-time employee defined, as
18 provided in 2-18-601;
19 (2) a part-time permanent part-time employee, as
20 defined provided in 2-18-601, who is regularly scheduled to
21 work a-regular-schedule-of 20 hours or more a week;
22 (3) a seasonal full-time employee, as defined provided
23 in 2-18-601, who is regularly scheduled to work 6 months or
24 more a year or who works for a continuous period of more
25 than 6 months a year although not regularly scheduled to do

1 so;
2 (4) a seasonal part-time employee, as provided in
3 2-18-601, who is regularly scheduled to work 20 hours or
4 more a week for 6 months or more a year or who works 20
5 hours or more a week for a continuous period of more than 6
6 months a year although not regularly scheduled to do so;
7 ~~(4)~~(5) elected officials;
8 ~~(5)~~(6) officers and permanent employees of the
9 legislative branch;
10 ~~(6)~~(7) judges and permanent employees of the judicial
11 branch;
12 ~~(7)~~(8) academic, professional, and administrative
13 personnel having individual contracts under the authority of
14 the board of regents of higher education or the state board
15 of public education; and
16 ~~(8)~~(9) a temporary full-time employees employee, as
17 defined provided in 2-18-601:
18 (a) who ~~are~~ is regularly scheduled to work more than 6
19 months a year; or
20 (b) who work works for a continuous period of more
21 than 6 months a year although not regularly scheduled to do
22 so; or
23 (c) whose temporary status is defined through
24 collective bargaining; and
25 (10) a temporary part-time employee, as provided in

1 2-18-601:

2 (a) who is regularly scheduled to work 20 hours or
3 more a week for 6 months or more a year;

4 (b) who works 20 hours or more a week for a continuous
5 period of more than 6 months a year although not regularly
6 scheduled to do so; or

7 (c) whose temporary status is defined through
8 collective bargaining."

9 **Section 2.** Section 2-18-703, MCA, is amended to read:

10 **"2-18-703. Contributions.** (1) Each agency, as defined
11 in 2-18-601, shall contribute the amount specified in this
12 section towards the group benefits cost.

13 (2) For employees defined in 2-18-701, other than
14 members of collective bargaining units, and for members of
15 the legislature, the employer contribution for group
16 benefits shall be \$115 per month for the fiscal years ending
17 June 30, 1988, and June 30, 1989, and \$115 per month for
18 each fiscal year thereafter. Permanent part-time, seasonal
19 part-time, and temporary part-time employees who are
20 regularly scheduled to work less than 20 hours a week are
21 not eligible for the group benefit contribution. An employee
22 who elects not to be covered by a state-sponsored group
23 benefit plan may not receive the state contribution as
24 wages. A portion of the employer contribution for group
25 benefits may be applied to an employee's costs for

1 participation in Part B of medicare under Title XVIII of the
2 Social Security Act of 1965, as amended, if the state group
3 benefit plan is the secondary payer and medicare the primary
4 payer.

5 (3) For employees of elementary and high school
6 districts and of local government units, the employer's
7 premium contributions may exceed but may not be less than
8 \$10 per month.

9 (4) Unused employer contributions for any state
10 employee shall be transferred to an account established for
11 this purpose by the department of administration and upon
12 such transfer may be used to offset losses occurring to the
13 group of which the employee is eligible to be a member."

14 **Section 3. Extension of authority.** Any existing
15 authority to make rules on the subject of the provisions of
16 [this act] is extended to the provisions of [this act].

17 **Section 4. Effective date.** [This act] is effective on
18 passage and approval.

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

SENATE BILL NO. 49

INTRODUCED BY RASMUSSEN

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THAT SEASONAL AND TEMPORARY PART-TIME STATE EMPLOYEES WHO REGULARLY WORK LESS THAN 20 HOURS A WEEK ARE NOT ELIGIBLE FOR THE STATE GROUP BENEFITS PLAN; AMENDING SECTIONS 2-18-701 AND 2-18-703, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 2-18-701, MCA, is amended to read:

"2-18-701. Definitions. In this part, as it applies to a person employed in the executive, judicial, or legislative branches of state government, "employee" means:

(1) a permanent full-time employee defined, as provided in 2-18-601;

(2) a part-time permanent part-time employee, as defined provided in 2-18-601, who is regularly scheduled to work a-regular-schedule-of 20 hours or more a week;

(3) a seasonal full-time employee, as defined provided in 2-18-601, who is regularly scheduled to work 6 months or more a year or who works for a continuous period of more than 6 months a year although not regularly scheduled to do

so;

(4) a seasonal part-time employee, as provided in 2-18-601, who is regularly scheduled to work 20 hours or more a week for 6 months or more a year or who works 20 hours or more a week for a continuous period of more than 6 months a year although not regularly scheduled to do so;

(5) elected officials;

(6) officers and permanent employees of the legislative branch;

(7) judges and permanent employees of the judicial branch;

(8) academic, professional, and administrative personnel having individual contracts under the authority of the board of regents of higher education or the state board of public education; and

(9) a temporary full-time employees employee, as defined provided in 2-18-601;

(a) who are is regularly scheduled to work more than 6 months a year; or

(b) who work works for a continuous period of more than 6 months a year although not regularly scheduled to do so; or

(c) whose temporary status is defined through collective bargaining; and

(10) a temporary part-time employee, as provided in

2-18-601:

(a) who is regularly scheduled to work 20 hours or more a week for 6 months or more a year;

(b) who works 20 hours or more a week for a continuous period of more than 6 months a year although not regularly scheduled to do so; or

(c) whose temporary status is defined through collective bargaining."

Section 2. Section 2-18-703, MCA, is amended to read:

"2-18-703. Contributions. (1) Each agency, as defined in 2-18-601, shall contribute the amount specified in this section towards the group benefits cost.

(2) For employees defined in 2-18-701, other than members of collective bargaining units, and for members of the legislature, the employer contribution for group benefits shall be \$115 per month for the fiscal years ending June 30, 1988, and June 30, 1989, and \$115 per month for each fiscal year thereafter. Permanent part-time, seasonal part-time, and temporary part-time employees who are regularly scheduled to work less than 20 hours a week are not eligible for the group benefit contribution. An employee who elects not to be covered by a state-sponsored group benefit plan may not receive the state contribution as wages. A portion of the employer contribution for group benefits may be applied to an employee's costs for

participation in Part B of medicare under Title XVIII of the Social Security Act of 1965, as amended, if the state group benefit plan is the secondary payer and medicare the primary payer.

(3) For employees of elementary and high school districts and of local government units, the employer's premium contributions may exceed but may not be less than \$10 per month.

(4) Unused employer contributions for any state employee shall be transferred to an account established for this purpose by the department of administration and upon such transfer may be used to offset losses occurring to the group of which the employee is eligible to be a member."

Section 3. Extension of authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act].

Section 4. Effective date. [This act] is effective on passage and approval.

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9 legislative branch;
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11 branch;
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13 personnel having individual contracts under the authority of
14 the board of regents of higher education or the state board
15 of public education; and
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21 than 6 months a year although not regularly scheduled to do
22 so; or
23 (c) whose temporary status is defined through
24 collective bargaining; and
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19 part-time, and temporary part-time employees who are
20 regularly scheduled to work less than 20 hours a week are
21 not eligible for the group benefit contribution. An employee
22 who elects not to be covered by a state-sponsored group
23 benefit plan may not receive the state contribution as
24 wages. A portion of the employer contribution for group
25 benefits may be applied to an employee's costs for

1 participation in Part B of medicare under Title XVIII of the
2 Social Security Act of 1965, as amended, if the state group
3 benefit plan is the secondary payer and medicare the primary
4 payer.

5 (3) For employees of elementary and high school
6 districts and of local government units, the employer's
7 premium contributions may exceed but may not be less than
8 \$10 per month.

9 (4) Unused employer contributions for any state
10 employee shall be transferred to an account established for
11 this purpose by the department of administration and upon
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13 group of which the employee is eligible to be a member."

14 **NEW SECTION. Section 3.** Extension of authority. Any
15 existing authority to make rules on the subject of the
16 provisions of [this act] is extended to the provisions of
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18 **NEW SECTION. Section 4.** Effective date. [This act] is
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