

SENATE BILL 3

Introduced by Farrell, et al.

7/07	Introduced
7/07	Referred to Finance & Claims
7/07	Fiscal Note Requested
7/07	First Reading
7/10	Hearing
7/13	Fiscal Note Received
7/13	Fiscal Note Printed
7/15	Motion to Adopt Minority Committee Report (That Bill Do Pass) Rejected
7/15	Adverse Committee Report Adopted

1 Senate BILL NO. 3  
2 INTRODUCED BY James R. Burnett

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT CLOSING ALL  
5 NONESSENTIAL STATE GOVERNMENT OFFICES FOR 1 DAY A WEEK;  
6 LIMITING THE HOURS STATE EMPLOYEES MAY WORK IN A WEEK;  
7 AMENDING SECTION 2-16-117, MCA; AND PROVIDING AN IMMEDIATE  
8 EFFECTIVE DATE AND A TERMINATION DATE."

9  
10 WHEREAS, Article VIII, section 9, of the Montana  
11 Constitution prohibits the Legislature from appropriating  
12 funds in excess of the anticipated revenue of the state; and

13 WHEREAS, the Office of Budget and Program Planning has  
14 projected that revenue collections for fiscal years 1992 and  
15 1993 will be \$115.8 million less than estimated by the  
16 Legislature in House Joint Resolution No. 1, Special Laws of  
17 January 1992; and

18 WHEREAS, given the magnitude of the fiscal crisis facing  
19 the State of Montana and given the Legislature's  
20 constitutional responsibility to balance the budget, it is  
21 in the best interests of the state to close all nonessential  
22 state government offices 1 day a week in order to reduce  
23 state expenditures.

24 THEREFORE, the Legislature finds it appropriate to close  
25 all nonessential state government offices 1 day a week.

1  
2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

3 NEW SECTION. Section 1. Closure of nonessential  
4 governmental offices one day a week -- exceptions --  
5 limitation on hours worked by state employees. (1) Except as  
6 provided in subsection (4), each office of state government,  
7 including units of the Montana university system, may be  
8 open for business only on Monday through Thursday.

9 (2) Except as required under subsection (4), an  
10 employee of the state may work or be paid for only 4 days  
11 during a workweek, may not work or be paid for more than 32  
12 hours in 4 days during a workweek, and may not accrue  
13 compensatory time off or overtime in a workweek.

14 (3) This section may not impair any contract or  
15 collective bargaining agreement that by its terms precludes  
16 the state from reducing the wages of or hours to be worked  
17 by state employees who are part of a collective bargaining  
18 unit.

19 (4) The following institutions and facilities shall  
20 maintain around-the-clock services to residents, patients,  
21 or inmates:

- 22 (a) Montana state prison;
- 23 (b) Swan River forest camp;
- 24 (c) Montana women's correctional center;
- 25 (d) Montana state hospital;



SB 3  
INTRODUCED BILL

- 1 (e) Montana center for the aged;  
 2 (f) Montana developmental center;  
 3 (g) Eastmont human services center;  
 4 (h) Montana veterans' home;  
 5 (i) eastern Montana veterans' home at Glendive;  
 6 (j) Mountain View school in Helena;  
 7 (k) Pine Hills school in Miles City;  
 8 (l) Montana school for the deaf and blind;  
 9 (m) youth care facilities, as defined in section  
 10 41-3-1102; and  
 11 (n) community homes for the developmentally disabled,  
 12 as defined in section 53-20-302.

13 **Section 2.** Section 2-16-117, MCA, is amended to read:

14 "2-16-117. Office hours. ~~Unless otherwise provided by~~  
 15 ~~law~~ Except as provided in [section 1(4)], every officer must  
 16 keep his office open for the transaction of business  
 17 continuously from 8 a.m. until 5 p.m. ~~each--day~~ Monday  
 18 through Thursday except upon Saturdays and holidays. ~~Every~~  
 19 ~~officer shall keep his office open at such--other--times--as~~  
 20 ~~the accommodation of the public or the proper transaction of~~  
 21 ~~business requires, excepting the state treasurer, who in his~~  
 22 ~~discretion may, in the interest of the safekeeping of funds,~~  
 23 ~~securities, and records under his control, close his office~~  
 24 ~~during the period from 12 noon to 1 p.m. every day."~~

25 NEW SECTION. **Section 3.** Effective date -- termination.

1 [This act] is effective on passage and approval and  
 2 terminates December 31, 1992.

-End-

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0003, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act closing all nonessential state government offices for 1 day a week and limiting the hours state employees may work in a week; and providing an immediate effective date and termination date.

ASSUMPTIONS:

1. All elected officials are exempt from this legislation.
2. All employees having a contract with the Board of Regents and the Board of Public Education are exempt from this legislation.
3. There are 4,107 active employees covered by a collective bargaining agreement that are exempt from this legislation.
4. The legislation will be effective on July 24, 1992 and will end on December 18, 1992 (there are 22 Fridays during this period).
5. The total personal services costs as shown on the June 12, 1992 position control report are reflective of a normal bi-weekly payroll period. 10% of that total is equal to one 8 hour day. An average 4% pay plan increase was included for FY93.

FISCAL IMPACT:Expenditures:

Personal Services

	<u>FY93</u>
	<u>Proposed Law</u>
	(15,023,970)

Funding:

General Fund

Other

	( 6,172,780)
	( 8,851,190)

STEVE YEAKEL, BUDGET DIRECTOR  
Office of Budget and Program Planning

1/13/92

DATE

WILLIAM E. FARRELL, PRIMARY SPONSOR

DATE

Fiscal Note for SB0003, as introduced

SB 3