

SENATE BILL 7

Introduced by Towe

7/09	Fiscal Note Requested
7/09	Introduced
7/09	Referred to Finance & Claims
7/09	First Reading
7/10	Fiscal Note Received
7/10	Fiscal Note Printed
7/15	Hearing
7/15	Committee Report--Bill Passed as Amended
7/15	2nd Reading Passed as Amended
7/15	3rd Reading Passed
	Transmitted to House
7/16	First Reading
7/16	Referred to State Administration
7/16	Hearing
7/16	Committee Report--Bill Concurred
7/16	2nd Reading Indefinitely Postponed

1                    SENATE BILL NO. 7  
2     INTRODUCED BY Erwin  
3  
4     A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING VACANCIES IN  
5     STATE AGENCIES TO REMAIN OPEN UNTIL 400 POSITIONS ARE  
6     REDUCED UNLESS A POSITION IS DECLARED ESSENTIAL; REQUIRING  
7     THE GOVERNOR TO DEVELOP A PLAN TO REDUCE THE OFFICE  
8     ADMINISTRATIVE PERSONNEL OF ALL STATE AGENCIES BY 15  
9     PERCENT; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

10  
11     BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12             NEW SECTION. Section 1. Definitions. As used in  
13     [sections 1 and 2], the following definitions apply:

14             (1) "Office administrative personnel" means all  
15     administrative and clerical state agency staff not engaged  
16     in providing direct service.

17             (2) "State agency" means a department, board,  
18     commission, office, bureau, institution, or unit of the  
19     executive branch of state government.

20             NEW SECTION. Section 2. Reduction of personnel --  
21     vacancies. (1) Vacancies existing in state agencies as of  
22     [the effective date of this act] may not be filled until 400  
23     positions are reduced, unless the governor has designated  
24     the position as essential and has communicated this decision  
25     in writing to the legislative finance committee. The

1     designation as essential and communication of the  
2     designation to the legislative finance committee must be  
3     done by the appropriate elected official instead of the  
4     governor for the filling of a vacancy in a state agency  
5     headed by an elected official.

6             (2) The governor shall, within existing budget  
7     restraints, develop a plan to reduce the office  
8     administrative personnel of all state agencies by 15%. The  
9     reduction must be based on the level of staffing on July 1,  
10     1991.

11             NEW SECTION. Section 3. Report to legislature. The  
12     governor shall report the plan required under [section 2] to  
13     the legislature no later than January 4, 1993.

14             NEW SECTION. Section 4. Effective date. [This act] is  
15     effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0007, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act requiring vacancies in state agencies to remain open until 400 positions are reduced unless a position is declared essential; requiring the governor to develop a plan to reduce the office administrative personnel of all state agencies by 15 percent; and providing an immediate effective date.

FISCAL IMPACT:

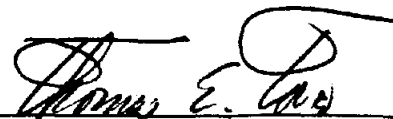
The fiscal impact of the proposed legislation is difficult to estimate. It is impossible to anticipate which positions would become vacant, and of those, which or how many would be declared essential. Over 600 positions are vacant in any given payperiod in response to normal turnover and current budget reductions, so the 400 position requirement will have little, if any, impact.



STEVE YEAKEL, BUDGET DIRECTOR  
Office of Budget and Program Planning

7/10/92

DATE



THOMAS E. "TOM" TOWE, PRIMARY SPONSOR

DATE

Fiscal Note for SB0007, as introduced

**SB 7**

APPROVED BY COMM. ON  
FINANCE AND CLAIMS

1 SENATE BILL NO. 7

2 INTRODUCED BY TOWE

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING VACANCIES IN  
5 STATE EXECUTIVE AND LEGISLATIVE AGENCIES TO REMAIN OPEN  
6 UNTIL 400 POSITIONS ARE REDUCED ELIMINATED UNLESS A POSITION  
7 IS DECLARED ESSENTIAL; REQUIRING THE GOVERNOR AND THE  
8 PRESIDING OFFICERS OF LEGISLATIVE COMMITTEES RESPONSIBLE FOR  
9 LEGISLATIVE AGENCIES TO DEVELOP A PLAN TO REDUCE THE OFFICE  
10 ADMINISTRATIVE PERSONNEL OF ALL STATE EXECUTIVE AND  
11 LEGISLATIVE AGENCIES BY 15 PERCENT; AND PROVIDING AN  
12 IMMEDIATE EFFECTIVE DATE."

13  
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 NEW SECTION. Section 1. Definitions. As used in  
16 {sections 1 and 2}, the following definitions apply:

17 (1) "LEGISLATIVE AGENCY" MEANS AN AGENCY DIRECTLY  
18 RESPONSIBLE TO AND SUPERVISED BY THE PERMANENT LEGISLATIVE  
19 COMMITTEES ESTABLISHED IN TITLE 5, CHAPTERS 11 THROUGH 16.

20 (2) "Office administrative personnel" means all  
21 administrative and clerical state EXECUTIVE AND LEGISLATIVE  
22 agency staff not engaged in providing direct service.

23 (3) "State EXECUTIVE agency" means a department,  
24 board, commission, office, bureau, institution, or unit of  
25 the executive branch of state government.

1 NEW SECTION. Section 2. Reduction of personnel --

2 vacancies. (1) Vacancies existing in state EXECUTIVE  
3 agencies as of [the effective date of this act] may not be  
4 filled until 400 positions are reduced ELIMINATED, unless  
5 the governor has designated the position as essential and  
6 has communicated this decision in writing to the legislative  
7 finance committee. The designation as essential and  
8 communication of the designation to the legislative finance  
9 committee must be done by the appropriate elected official  
10 instead of the governor for the filling of a vacancy in a  
11 state agency headed by an elected official.

12 (2) The governor AND THE PRESIDING OFFICER OF EACH  
13 LEGISLATIVE COMMITTEE RESPONSIBLE FOR A LEGISLATIVE AGENCY  
14 shall, within existing budget restraints, develop a plan to  
15 reduce the office administrative personnel of all state  
16 EXECUTIVE AND LEGISLATIVE agencies by 15%. The reduction  
17 must be based on the level of staffing on July 1, 1991.

18 NEW SECTION. Section 3. Report to legislature. The  
19 governor AND THE PRESIDING OFFICER OF EACH LEGISLATIVE  
20 COMMITTEE RESPONSIBLE FOR A LEGISLATIVE AGENCY shall report  
21 the plan required under {section 2} to the legislature no  
22 later than January 4, 1993.

23 NEW SECTION. Section 4. Effective date. [This act] is  
24 effective on passage and approval.

-End-

1 SENATE BILL NO. 7

2 INTRODUCED BY TOWE

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT  
5 VACANCIES IN STATE EXECUTIVE AND LEGISLATIVE AGENCIES TO  
6 REMAIN--OPEN NOT BE FILLED UNTIL 400 POSITIONS ARE REDUCED  
7 ELIMINATED UNLESS A POSITION IS DECLARED ESSENTIAL;  
8 REQUIRING THE GOVERNOR AND THE PRESIDING OFFICERS OF  
9 LEGISLATIVE COMMITTEES RESPONSIBLE FOR LEGISLATIVE AGENCIES  
10 TO DEVELOP A PLAN TO REDUCE THE OFFICE ADMINISTRATIVE  
11 PERSONNEL OF ALL STATE EXECUTIVE AND LEGISLATIVE AGENCIES BY  
12 15 PERCENT; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

13  
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 NEW SECTION. Section 1. Definitions. As used in  
16 [sections 1 and 2], the following definitions apply:

17 (1) "LEGISLATIVE AGENCY" MEANS AN AGENCY DIRECTLY  
18 RESPONSIBLE TO AND SUPERVISED BY THE PERMANENT LEGISLATIVE  
19 COMMITTEES ESTABLISHED IN TITLE 5, CHAPTERS 11 THROUGH 16.

20 +2+(2) "Office administrative personnel" means all  
21 administrative and clerical state EXECUTIVE AND LEGISLATIVE  
22 agency staff not engaged in providing direct service.

23 +2+(3) "State EXECUTIVE agency" means a department,  
24 board, commission, office, bureau, institution, or unit of  
25 the executive branch of state government.

1 NEW SECTION. Section 2. Reduction of personnel --  
2 vacancies. (1) Vacancies existing in state EXECUTIVE AND  
3 LEGISLATIVE agencies as of [the effective date of this act]  
4 may not be filled until--400--positions--are AND MUST BE  
5 CONSIDERED reduced ELIMINATED, unless the governor OR OTHER  
6 APPROPRIATE ELECTED OFFICIAL OR THE PRESIDING OFFICER OF A  
7 LEGISLATIVE COMMITTEE RESPONSIBLE FOR A LEGISLATIVE AGENCY  
8 has designated the position as essential and has  
9 communicated this decision in writing to the legislative  
10 finance committee. The designation as essential and  
11 communication of the designation to the legislative finance  
12 committee must be done by the appropriate elected official  
13 instead of the governor for the filling of a vacancy in a  
14 state agency headed by an elected official. WHEN 400  
15 POSITIONS HAVE BEEN ELIMINATED, THIS PROVISION CEASES TO BE  
16 EFFECTIVE AND TERMINATES.

17 (2) The governor, AN APPROPRIATE ELECTED OFFICIAL, AND  
18 THE PRESIDING OFFICER OF EACH LEGISLATIVE COMMITTEE  
19 RESPONSIBLE FOR A LEGISLATIVE AGENCY shall, within existing  
20 budget restraints, develop a plan to reduce the office  
21 administrative personnel of all state EXECUTIVE AND  
22 LEGISLATIVE agencies by 15%. The reduction must be based on  
23 the level of staffing on July 1, 1991.

24 NEW SECTION. Section 3. Report to legislature. The  
25 governor, AN APPROPRIATE ELECTED OFFICIAL, AND THE PRESIDING

1 OFFICER OF EACH LEGISLATIVE COMMITTEE RESPONSIBLE FOR A  
2 LEGISLATIVE AGENCY shall report the plan required under  
3 [section 2] to the legislature no later than January 4,  
4 1993.

5 NEW SECTION. **Section 4. Effective date.** [This act] is  
6 effective on passage and approval.

-End-