

HOUSE BILL NO. 20

INTRODUCED BY J. SHOCKLEY

BY REQUEST OF THE LAW, JUSTICE, AND INDIAN AFFAIRS INTERIM COMMITTEE

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A BILL FOR AN ACT ENTITLED: "AN ACT EXCLUDING ELECTION JUDGES FROM UNEMPLOYMENT INSURANCE COVERAGE; AND AMENDING SECTION 13-4-106, MCA."

WHEREAS, section 21, Chapter 195, Laws of 1995, contained a contingent termination provision based upon the amendment of 26 U.S.C. 3304 to no longer require that election judges receive unemployment insurance coverage, but the authority for states to exclude election officials and election workers from unemployment insurance coverage was contained in 26 U.S.C. 3309(b)(3)(F).

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

Section 1. Section 13-4-106, MCA, is amended to read:

"13-4-106. Compensation of judges. (1) Except as provided in subsection (2), election judges must be paid at the prevailing federal minimum wage for the number of hours worked during an election plus the number of hours spent at the instruction session. Mileage may be paid to election judges for attending instruction sessions. Election judges are exempt from unemployment insurance coverage for services performed pursuant to this chapter IF THE REMUNERATION RECEIVED BY THE ELECTION JUDGE IS LESS THAN \$1,000 IN THE CALENDAR YEAR.

(2) The chief election judge may be paid at a rate higher than the other election judges and may be reimbursed for the actual expenses of transporting election materials.

(3) The election administrator shall certify the amount due each election judge to the county governing body as soon after an election as all records necessary for the certification are received. (See compiler's comments for contingent termination of certain text.)"

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