



# Montana Legislative Services Division

Office of Research and Policy Analysis

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STATE ADMINISTRATION

Exhibit No. 5

Date 1/14/09

Bill No. SB99

January 14, 2009

TO: Members of the Senate State Administration Committee  
FROM: Dave Bohyer  
RE: SB 99

Following the hearing on SB 99 on Monday, January 12, I was asked within the context of SB 99 to inquire whether Red Cross volunteers had encountered problems similar to the problem noted in the Technical Note to the Fiscal Note for SB 99. To that end, I inquired of the staff of the Office of Budget and Program Planning as follows:

1. Are you (OBPP staff in general) aware of a certified American red cross disaster relief volunteer being denied pay (salary/wages, etc.), for leave granted under 2-18-627, MCA? If you are, what were the circumstances and how much pay was involved?
2. Of what difficulties, if any, are you (OBPP staff in general) aware that any agency may have confronted as a result of paying or trying to pay a certified American red cross disaster relief volunteer for leave granted under 2-18-627, MCA? If you're aware of difficulties

I received the following response:

OBPP has conducted an informal survey of state agencies in regard to the two questions coming out of the Senate State Administration Committee about SB 99. Based on this informal survey, we were only able to find a handful of incidents where American Red Cross volunteers have taken leave to respond to a disaster. In the specific cases we were able to find; volunteers were not "certified" American Red Cross disaster relief volunteers and as such they took annual leave to respond to these limited incidents because they were not eligible for paid leave under 2-18-627, MCA.

Our concern remains with the possibility of using restricted funds to pay volunteer firefighters up to 15 days of paid leave. The frequency of fires and thus the probability of volunteer firefighters being called on for their service is greater than the frequency of national disasters. In addition, the number of volunteer firefighters (352) that would be eligible for paid leave under SB 99 appears to be significantly higher than the number of certified American Red Cross disaster relief volunteers that would be currently eligible for paid leave under 2-18-627, MCA (based on our informal survey; we do not have an official number of certified American Red Cross disaster relief volunteers at this time).

Amy Sassano  
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