

SENATE BILL NO. 192

INTRODUCED BY D. WANZENRIED

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4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING AN EXEMPTION FROM VACANCY SAVINGS FOR  
5 CERTAIN EMPLOYMENT POSITIONS THAT REVIEW APPLICATIONS FOR PERMITS, LICENSES, OR  
6 CERTIFICATES OR PREPARE OR COORDINATE THE PREPARATION OF ENVIRONMENTAL REVIEWS;  
7 AND PROVIDING AN EFFECTIVE DATE."

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

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11 NEW SECTION. **Section 1. Employment positions exempt from vacancy savings -- report to audit**  
12 **committee.** (1) Vacancy savings may not be imposed on authorized positions in state government if the  
13 employee's job description requires the employee to do, and the employee in fact does, any of the following:

14 (a) review for approval or disapproval applications for permits, licenses, or certificates pursuant to Title  
15 75, Title 76, Title 82, or Title 85; or

16 (b) prepare or coordinate the preparation of environmental reviews as defined in 75-1-220.

17 (2) For purposes of this section:

18 (a) "authorized positions" means those positions included in the list of current authorized positions that  
19 the department of natural resources and conservation and the department of environmental quality are required  
20 to maintain under 2-18-206.

21 (b) "vacancy savings" means the difference between the cost of fully funding authorized positions that  
22 satisfy the requirements of subsection (1) for an entire fiscal year and the actual cost of those authorized positions  
23 during that period.

24 (3) Each fiscal year, each agency that oversees employment positions that are exempt under this section  
25 shall provide to the legislative ~~audit committee~~ FISCAL DIVISION, IN ELECTRONIC FORM, a detailed report on all  
26 positions that satisfy the requirements of subsection (1). At a minimum, the report must include the following  
27 information:

28 (a) the number of VACANT positions that were filled during the year and the average salary paid at hire;  
29 and

30 (b) the total number of ~~vacancies~~ POSITIONS IN WHICH A VACANCY WAS incurred during the year broken out

1 by position, the cause of each vacancy, and the length of time the position remained vacant.

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3 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an  
4 integral part of Title 17, chapter 7, part 1, and the provisions of Title 17, chapter 7, part 1, apply to [section 1].

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6 NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2013.

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