

SENATE BILL NO. 80

INTRODUCED BY D. BROWN

BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING CERTAIN AGENCY REPORTING REQUIREMENTS TO THE LEGISLATIVE AUDIT COMMITTEE; AMENDING SECTIONS 17-7-160, 17-7-161, AND 17-7-162, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 17-7-160, MCA, is amended to read:

"17-7-160. Montana highway patrol exempt from vacancy savings --report to audit committee.

(1) Vacancy savings may not be imposed on authorized positions in the Montana highway patrol.

(2) For purposes of this section:

(a) "authorized positions" means those positions included in the list of current authorized positions that the Montana highway patrol is required to maintain under 2-18-206; and

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

~~(3) Each fiscal year, the department of justice shall provide to the legislative audit committee a detailed report on all positions in the Montana highway patrol. At a minimum, the report must include the following information:~~

~~—— (a) the number of positions that were filled during the year and the average salary paid at hire;~~

~~—— (b) the total number of vacancies incurred during the year broken out by position title, the cause of each vacancy, and the length of time the position remained vacant;~~

~~—— (c) the total number of hours spent on patrol during the year broken out by enforcement activity and position title."~~

Section 2. Section 17-7-161, MCA, is amended to read:

"17-7-161. Game warden positions exempt from vacancy savings --report to audit committee. (1)

Vacancy savings may not be imposed on authorized game warden positions in the department.



1 (2) For purposes of this section:

2 (a) "authorized game warden positions" means those game warden positions included in the list of
3 current authorized positions that the department is required to maintain under 2-18-206;

4 (b) "department" means the department of fish, wildlife, and parks established in 2-15-3401; and

5 (c) "vacancy savings" means the difference between the cost of fully funding authorized positions for an
6 entire fiscal year and the actual cost of funding those authorized positions during that fiscal year.

7 ~~(3) Each fiscal year, the department shall provide to the legislative audit committee provided for in
8 5-13-201 a detailed report on all authorized game warden positions in the department. At a minimum, the report
9 must include the following information:~~

10 ~~—— (a) the number of authorized game warden positions that were filled during the year and the average
11 salary paid at hire;~~

12 ~~—— (b) the total number of vacancies incurred during the year broken out by position title, the cause of each
13 vacancy, and the length of time the authorized game warden position remained vacant;~~

14 ~~—— (c) the total number of hours worked in authorized game warden positions during the year broken out
15 by enforcement activity and position title."~~

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17 **Section 3.** Section 17-7-162, MCA, is amended to read:

18 **"17-7-162. Montana school for the deaf and blind exempt from vacancy savings.** (1) Vacancy
19 savings may not be imposed on authorized positions in the Montana school for the deaf and blind, as described
20 in 20-8-101.

21 ~~(2) Each fiscal year, the board shall provide to the legislative audit committee provided for in 5-13-201
22 a detailed report on all authorized positions in the Montana school for the deaf and blind. At a minimum, the report
23 must include the following information:~~

24 ~~—— (a) the number of positions that were filled during the year and the average salary paid at hire; and~~

25 ~~—— (b) the total number of vacancies incurred during the year broken out by position title, the cause of each
26 vacancy, and the length of time the position remained vacant.~~

27 ~~(3)~~(2) For purposes of this section, the following definitions apply:

28 (a) "Authorized positions" means those positions included in the list of current authorized positions that
29 the board is required to maintain under 2-18-206.

30 (b) "Board" means the board of public education created by Article X, section 9, subsection (3), of the

1 ~~Montana constitution and 2-15-1507.~~

2 ~~(c)(b)~~ "Vacancy savings" means the difference between the cost of fully funding authorized positions for
3 an entire fiscal year and the actual cost of those authorized positions during that period."

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

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