

HOUSE BILL NO. 338  
INTRODUCED BY J. COHENOUR

A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING PAID LEAVE TO CERTAIN STATE EMPLOYEES WHO VOLUNTEER TO ASSIST IN RESPONSE TO CERTAIN DISASTERS AND EMERGENCIES; APPROPRIATING FUNDS TO EXTEND PAID LEAVE TO CERTAIN STATE EMPLOYEES WHO VOLUNTEER TO ASSIST IN RESPONSE TO CERTAIN DISASTERS AND EMERGENCIES; AMENDING SECTION 2-18-627, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

**Section 1.** Section 2-18-627, MCA, is amended to read:

**"2-18-627. Paid leave for disaster relief volunteer service.** (1) An agency may grant to a state employee up to 15 days in a calendar year of a paid leave of absence:

(a) for the employee to participate in specialized disaster relief services for the American red cross if:

~~(a)~~(i) the employee is a certified American red cross disaster relief volunteer; and

~~(b)~~(ii) the American red cross has requested the employee's services; or

(b) if the employee:

(i) is responding to a disaster or emergency occurring in this state or a state with which Montana has entered into a mutual aid agreement;

(ii) regularly serves as an auxiliary officer, as defined in 7-32-201, or as a volunteer to the authority that calls on the employee for assistance; and

(iii) is called to serve by:

(A) a law enforcement agency;

(B) a fire department;

(C) a fire company that is organized and funded by a county, a rural fire district, or a fire service area;

(D) a sheriff or a sheriff's designee acting in conjunction with a search and rescue unit established pursuant to 7-32-235;

(E) the governor, pursuant to 10-3-302; or

(F) the president of the United States.

(2) Leave time granted pursuant to this section:

- (a) must be paid at the regular rate of compensation, including regular group, retirement, or leave accrual benefits, for the regular work hours during which the employee is absent from the employee's regular duties;
  - (b) commences upon approval of the employee's employing agency; and
  - (c) may not be charged against any other leave to which the employee is entitled.
- (3) For purposes of this section, the following definitions apply:
- (a) "Agency" has the meaning provided in 2-18-101.
  - (b) "Employee" means any person employed by an agency, except an elected official."

**NEW SECTION. Section 2. Appropriation.** There is appropriated \$2,000 for the biennium from the general fund to the office of budget and program planning to be distributed to agencies when personnel are granted paid leave pursuant to [section 1(1)(b)]. The office of budget and program planning shall distribute the money to agencies in the order in which the respective agencies request the funds.

**NEW SECTION. Section 3. Contingent voidness.** If House Bill No. 2 contains a specific appropriation to the office of budget and program planning to be distributed to agencies when personnel are granted paid leave pursuant to [section 1(1)(b)], then [section 2] is void.

**NEW SECTION. Section 4. Effective date.** [This act] is effective July 1, 2007.

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