

SENATE BILL NO. 305

INTRODUCED BY T. GAUTHIER

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A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING MEMBERSHIP REQUIREMENTS FOR THE UNEMPLOYMENT INSURANCE APPEALS BOARD; AMENDING SECTION 2-15-1704, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

**Section 1.** Section 2-15-1704, MCA, is amended to read:

**"2-15-1704. Unemployment insurance appeals board -- allocation -- composition -- function -- quasi-judicial.** (1) There is an unemployment insurance appeals board.

(2) The board is allocated to the department for administrative purposes only as prescribed in 2-15-121.

(3) The board is composed of three members of the public who are not employees of the state government, appointed by the governor as prescribed in 2-15-124. One member must be from the private business sector who is employed by or owns an entity with more than 10 employees OWNS OR HAS OWNED AN ENTITY WITH MORE THAN 5 EMPLOYEES THAT IS IN THE SERVICE OR RETAIL BUSINESS SECTOR THREE EMPLOYEES.

(4) The governor may appoint a substitute board member to the board who is subject to the same qualifications and confirmation requirements as the regular board members as prescribed in 2-15-124 and subsection (3) of this section. The substitute board member may serve in place of any regular board member who is unable to attend a board meeting and participate in the proceedings and decisions of that board meeting. The substitute board member is entitled to the same compensation and per diem as the regular board members.

(5) The board is designated as a quasi-judicial board for purposes of 2-15-124."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

NEW SECTION. **Section 3. Applicability.** [This act] applies to board vacancies and appointments on or after [the effective date of this act].

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