

Amendments to House Bill No. 35
2nd Reading Copy

For the House Appropriations Committee

Prepared by Sheri Heffelfinger
March 8, 2005 (11:31am)

1. Page 14.

Following: line 11

"COORDINATION SECTION. Section 10. Coordination instruction. If [this act] and House Bill No. 447 are both passed and approved, then 2-18-303 must be amended as follows:

"2-18-303. Procedures for using pay schedules. (1) The pay schedule provided in 2-18-312 must be implemented as follows:

(a) The pay schedule provided in 2-18-312 indicates the entry salary and market salary for each grade for positions classified under the provisions of part 2 of this chapter.

(b) Each employee newly hired by the state of Montana must be hired at the entry rate, except as provided in subsections ~~(6)~~ through ~~(9)~~ (5) through (9).

(c) On the first day of the first complete pay period in fiscal year ~~2004~~ 2006, each employee is entitled to the amount of the employee's base salary as it was on June 30, ~~2003~~ 2005.

(d) Effective on the first day of the first complete pay period that includes January 1, 2005 an employee's anniversary date during the fiscal year ending June 30, 2006, the base salary of each employee must be increased by an amount equal to 25 cents an hour or by a lesser amount so that the employee's base salary after the increase does not exceed the maximum salary of the pay grade as provided in subsection (1)(f) 3.5% or \$1,005, based upon 2,080 annual hours in a pay status, whichever is greater.

Effective on the first day of the first complete pay period that includes an employee's anniversary date during the fiscal year ending June 30, 2007, the base salary of each employee must be increased by 4% or \$1,188, based upon 2,080 annual hours in a pay status, whichever is greater. For employees hired on or before September 30, 2005, the anniversary date is October 1.

(e) An employee's base salary may be no less than the entry salary for the employee's assigned grade.

~~(f) The maximum salary for each grade is determined by subtracting the entry salary from the market salary and adding that amount to the market salary.~~

(2) The pay schedule provided in 2-18-312 and the provisions of subsection subsections (1)(a) through (1)(d) of this section do not apply to those teachers or blue-collar occupations compensated under the pay schedules provided in 2-18-313 and 2-18-315 employees who are members of collective bargaining units that have collectively bargained to participate

in a separate or alternative classification and pay plan or who are covered under subsections (5) and (6) of this section.

~~(3) The pay schedules provided in 2-18-313 and 2-18-315 must be implemented as follows:~~

~~(a) (i) The pay schedules provided for in 2-18-313 indicate the annual compensation for teachers employed under the authority of the department of corrections or the department of public health and human services for fiscal years 2004 and 2005.~~

~~(ii) The compensation of each teacher on July 1, 2003, is the same as it was on June 30, 2003.~~

~~(iii) Effective on the first day of the first complete pay period that includes January 1, 2005, the base salary of each teacher employed in the department of public health and human services and the department of corrections is the amount provided for the teacher's step and education level under 2-18-313(2). This subsection (3) (a) (iii) does not provide for a step advancement.~~

~~(b) The pay schedules provided in 2-18-315 indicate the maximum hourly compensation for fiscal years ending June 30, 2004, and June 30, 2005, for employees in apprentice trades and crafts and other blue-collar occupations recognized in the state blue-collar classification plan who are members of units that have collectively bargained separate classification and pay plans.~~

~~(c) The compensation of each employee on the first day of the first pay period in each fiscal year is that amount corresponding to the grade occupied on the last day of the preceding fiscal year.~~

~~(4)(3) (a) (i) If the legislature authorizes a pay increase for state employees, a member of a bargaining unit may not receive a pay increase until the employer's collective bargaining representative receives written notice that the employee's bargaining unit has ratified a completely integrated collective bargaining agreement.~~

~~(ii) If ratification of a completely integrated collective bargaining agreement, as required by subsection (4) (a) (i), is not completed by the date on which a legislatively authorized pay increase is implemented, retroactivity to that date may be negotiated.~~

~~(iii)(ii) If ratification of a completely integrated collective bargaining agreement, as required by subsection (4) (a) (i) (3) (a) (i), is not completed by the date on which a legislatively authorized pay increase is implemented, members of the bargaining unit must continue to receive the compensation that they were receiving until an agreement is ratified.~~

(b) Methods of administration not inconsistent with the purpose of this part and necessary to properly implement the pay schedules and adjustments provided in 2-18-312, 2-18-313, 2-18-315, and this section may be provided for in collective bargaining agreements.

(b) To the extent that the plan applies to employees within a collective bargaining unit, the implementation of the plan is a negotiable subject under 39-31-305.

(c) The salary survey must be submitted to the office of budget and program planning as a part of the information required by 17-7-111.

(d) (i) Except as provided in subsection (9)(d)(ii), the survey and plan must be completed at least 6 months before the start of each regular legislative session.

(ii) The first survey must be completed by January 1, 2006, for the plan to be implemented for the first full pay period in fiscal year 2007."

Insert: "COORDINATION SECTION. Section 11. Coordination instruction. If [this act] and House Bill No. 447 are both passed and approved, then [section 6] of House Bill No. 447 must be amended as follows:

"Section 6. Appropriation. (1) The following money for the indicated fiscal years is appropriated to the listed agencies, from the designated state fund, to implement the adjustments provided for in 2-18-303:

	General Fund	State Special	Federal Special	
Fiscal Year 2006				
Proprietary				
Legislative Branch	\$209,282	\$18,179	\$0	\$0
Consumer Council	0	11,734	0	0
Judicial Branch	599,262	23,565	2,033	0
Executive Branch	5,613,599	5,553,930	3,644,273	138,263
University System	3,820,187	0	125,024	0
Total	\$10,242,330	\$5,607,408	\$3,771,330	\$138,263
Fiscal Year 2007				
	General Fund	State Special	Federal Special	
Proprietary				
Legislative Branch	\$538,330	\$46,934	\$0	\$0
Consumer Council	0	30,024	0	0
Judicial Branch	1,547,500	59,996	5,282	0
Executive Branch	14,700,424	14,466,134	<u>14,166,823</u>	9,491,019
University System	9,007,001	0	293,720	0
Total	\$25,793,255	\$14,603,088	\$9,790,021	\$361,653

(2) The following money is appropriated for the biennium to

~~(5)~~(4) The current wage or salary of an employee may not be reduced by the implementation of the pay schedules provided for in 2-18-312, ~~2-18-313~~, and ~~2-18-315~~.

~~(6)~~(5) The department may authorize a separate pay schedule for classes of medical professionals if the rates provided in 2-18-312 are not sufficient to attract and retain fully licensed and qualified professionals.

~~(7)~~(6) (a) The department may develop and implement an alternative pay and classification plan for certain classes, occupations, and work units. Pay for employees in the alternative pay and classification plan may be established and changed based on demonstrated competencies and accomplishments, on the labor market, and on other situations defined by the department.

(b) To the extent that the plan applies to employees within a collective bargaining unit, the implementation of the plan is a negotiable subject under 39-31-305.

~~(8)~~(7) The department may develop programs that enable the department to mitigate problems associated with difficult recruitment, retention, transfer, or other exceptional circumstances. To the extent that the program applies to employees within a collective bargaining unit, it is a negotiable subject under 39-31-305.

~~(9)~~(8) The department shall review the competitiveness of the compensation provided to all occupations under this part. If the department finds that substantial problems exist with recruitment and retention because of inadequate salaries when compared to competing employers, the department may establish criteria allowing an adjustment in pay or classification to mitigate the problems. To the extent that these adjustments apply to employees within a collective bargaining unit, the implementation of these adjustments is a negotiable subject under 39-31-305.

(9) (a) Montana highway patrol officer base salaries and biennial salary increases must be established through an alternative pay and classification plan. Before January 1 of each odd-numbered year, the department shall, after seeking the advice of the Montana highway patrol, conduct a salary survey to be used in establishing the base salary and any biennial salary increase for existing and entry-level highway patrol officer positions. The county sheriff departments in the following consolidated governments and counties are the labor market for purposes of the survey: Butte-Silver Bow, Cascade, Yellowstone, Missoula, Lewis and Clark, Gallatin, Flathead, and Dawson. The base salary and biennial salary increases for existing and entry-level highway patrol officer positions must then be determined by the department of justice, using the results of the salary survey and the department of justice pay plan guidelines. Base or biennial salary increases under this subsection are exclusive of and not in addition to any increases otherwise awarded to other state employees after July 1, 2006.

the office of budget and program planning, from the designated state fund, to be distributed to agencies when personnel vacancies do not occur, retirement costs exceed agency resources, or other contingencies arise:

Fiscal Year 2006

	General Fund	State Special	Federal Special
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Proprietary			
Personal Services Contingency			

	\$1,500,000	\$2,400,000	\$500,000	\$100,000
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(3) The following money is appropriated for the biennium to the department of administration for a labor-management training initiative:

Fiscal Year 2006

	General Fund	Other Funds
Labor-Management Training Initiative		\$ 75,000"

Renumber: subsequent section

2. Page 14, line 16.

Following: "9"

Insert: "through 11"

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