

1 SENATE BILL NO. 232

2 INTRODUCED BY T. GAUTHIER

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO HIGHWAY PATROL OFFICER
5 COMPENSATION; REQUIRING THAT THE SALARY SURVEY USED TO ESTABLISH THE BASE SALARY
6 FOR HIGHWAY PATROL OFFICERS INCLUDE CERTAIN CITY POLICE DEPARTMENTS; AND AMENDING
7 SECTION 2-18-303, MCA."

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

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11 **Section 1.** Section 2-18-303, MCA, is amended to read:

12 **"2-18-303. Procedures for administering broadband pay plan.** (1) On the first day of the first
13 complete pay period in fiscal year 2020, each employee is entitled to the amount of the employee's base salary
14 as it was on June 30, 2019.

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

17 (3) Effective on the first day of the first complete pay period that includes January 1, 2020, the base
18 salary of each employee must be increased by 50 cents an hour. Effective on the first day of the first complete
19 pay period that includes January 1, 2021, the base salary of each employee must be increased by 50 cents an
20 hour.

21 (4) (a) (i) A member of a bargaining unit may not receive the pay adjustment provided for in
22 subsection (3) until the employer's collective bargaining representative receives written notice that the
23 employee's collective bargaining unit has ratified a collective bargaining agreement.

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

28 (b) Methods of administration consistent with the purpose of this part and necessary to properly

1 implement the pay adjustments provided for in this section may be provided for in collective bargaining
2 agreements.

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

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

15 (c) The department of justice shall submit the salary survey to the office of budget and program
16 planning as a part of the information required by 17-7-111.

17 (d) The salary survey and plan must be completed at least 6 months before the start of each regular
18 legislative session."

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