

1 HOUSE BILL NO. 13

2 INTRODUCED BY J. DOOLING

3 BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING FUNDS TO IMPLEMENT PAY REVISIONS
 6 AND AN INCREASE IN THE LONGEVITY ALLOWANCE; REVISING THE LONGEVITY ALLOWANCE FOR
 7 EACH EMPLOYEE WHO HAS COMPLETED 25 YEARS OF UNINTERRUPTED STATE SERVICE BY 0.5%
 8 OF THE EMPLOYEE'S BASE SALARY; AMENDING SECTIONS 2-18-303 AND 2-18-304, MCA; AND
 9 PROVIDING AN EFFECTIVE DATE."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 c

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

14 **"2-18-303. Procedures for administering broadband pay plan.** (1) On the first day of the first
 15 complete pay period in fiscal year ~~2020~~ 2022, each employee is entitled to the amount of the employee's base
 16 salary as it was on June 30, ~~2019~~ 2021.

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

19 (3) Effective on the first day of the first complete pay period that includes ~~January 1, 2020~~ November
 20 15, 2022, the base salary of each employee must be increased by ~~50 cents~~ 55 cents an hour. ~~Effective on the~~
 21 ~~first day of the first complete pay period that includes January 1, 2021, the base salary of each employee must~~
 22 ~~be increased by 50 cents an hour.~~

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

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

1 ratified.

2 (b) Methods of administration consistent with the purpose of this part and necessary to properly
3 implement the pay adjustments provided for in this section may be provided for in collective bargaining
4 agreements.

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

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

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

21

22 **Section 2.** Section 2-18-304, MCA, is amended to read:

23 **"2-18-304. Longevity allowance.** (1) (a) In addition to the compensation provided for in 2-18-303,
24 each employee who has completed 5 years of uninterrupted state service must receive 1.5% of the employee's
25 base salary multiplied by the number of completed, contiguous 5-year periods of uninterrupted state service.

26 (b) In addition to the longevity allowance provided under subsection (1)(a), each employee who has
27 completed 10 years of uninterrupted state service, 15 years of uninterrupted state service, ~~or~~ 20 years of
28 uninterrupted state service, or 25 years of uninterrupted state service must receive an additional 0.5% of the

1 employee's base salary for each of those additional 5 years of uninterrupted service.

2 (c) Service to the state is not interrupted by authorized leaves of absence.

3 (2) (a) For the purpose of determining years of service under this section, an employee must be
4 credited with 1 year of service for each period of:

5 (i) 2,080 hours of service following the employee's date of employment; an employee must be
6 credited with 80 hours of service for each biweekly pay period in which the employee is in a pay status or on an
7 authorized leave of absence without pay, regardless of the number of hours of service in the pay period; or

8 (ii) 12 uninterrupted calendar months following the employee's date of employment in which the
9 employee was in a pay status or on an authorized leave of absence without pay, regardless of the number of
10 hours of service in any month. An employee of a school at a state institution or the university system must be
11 credited with 1 year of service if the employee is employed for an entire academic year.

12 (b) State agencies, other than the university system and a school at a state institution, shall use the
13 method provided in subsection (2)(a)(i) to calculate years of service under this section.

14 (3) For the purposes of calculating longevity, employment as a short-term worker does not apply
15 toward years of service."
16

17 **NEW SECTION. Section 3. Appropriations.** (1) The following money for the indicated fiscal year is
18 appropriated to the listed agencies to implement the adjustment provided in 2-18-303:

19	Fiscal Year 2023			
20	General Fund	State Special	Federal Special	Proprietary
21	Legislative Branch			
22	\$103,675	\$18,986		
23	Consumer Counsel			
24		\$4,886		
25	Judicial Branch			
26	\$337,897	\$11,336	\$330	
27	Executive Branch			
28	\$4,266,008	\$3,413,362	\$2,232,127	\$80,515

1	Total				
2		\$4,707,580	\$3,448,570	\$2,232,457	\$80,515

3 (2) The following money for the indicated fiscal years is appropriated to the listed agencies to
 4 implement the adjustment provided in 2-18-304:

5 Fiscal Year 2022

6		General Fund	State Special	Federal Special	Proprietary
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7 Legislative Branch

8		\$6,934	\$2,946		
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9 Consumer Counsel

10			\$716		
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11 Judicial Branch

12		\$5,661			
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13 Executive Branch

14		\$171,858	\$490,940	\$340,704	\$3,159
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15 Montana University System

16		\$42,622	\$704	<u>\$704</u>	
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17 Total

18		\$227,075	\$494,602	\$341,408	\$3,159
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19 Fiscal Year 2023

20		General Fund	State Special	Federal Special	Proprietary
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21 Legislative Branch

22		\$6,934	\$2,946		
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23 Consumer Counsel

24			\$716		
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25 Judicial Branch

26		\$5,661			
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27 Executive Branch

28		\$171,858	\$490,940	\$340,704	\$3,159
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1	Montana University System				
2		\$42,622		\$704	
3	Total				
4		\$227,075	\$494,602	\$341,408	\$3,159

5 (3) The following money for the indicated fiscal year is appropriated to the Montana university system
 6 for the sole purpose of increasing employee pay.

7	Fiscal Year 2023				
8		General Fund	State Special	Federal Special	Proprietary
9	Montana University System				
10		\$2,313,211	\$431	\$19,514	

11 (4) The following money is appropriated for the biennium beginning July 1, 2021, to the office of
 12 budget and program planning from the designated state fund, to be distributed to agencies when personnel
 13 vacancies do not occur, retirement costs exceed agency resources, or other contingencies arise:

14	General Fund	\$1,000,000
15	State Special Revenue	\$500,000
16	Federal Special Revenue	\$250,000
17	Proprietary Funds	\$50,000

18 (5) For the biennium beginning July 1, 2021, there is appropriated \$75,000 from the general fund to
 19 the department of administration for a labor-management training initiative.

20 (6) The total pay increase provided for in 2-18-303(3) may not be less than \$10.4 million.

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22 **NEW SECTION. Section 4. Effective date.** [This act] is effective July 1, 2021.

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