

### Proposed 2007 Session Legislation

Agency Name:  Agency No:

Priority Number:  Filename:

Short Title:

Agency Contact Person/Phone:

**1. Purpose:**  
 Amend Title 10, Part 1 (Militia), Part 10 (Montana Military Service Employment Rights), MCA, to allow members of the MT National Guard and Reserves, who are state employees, to maintain their normal level of state salary when they are mobilized for federal active military duty in support of a contingency operation (ex. Operation Iraqi Freedom). Under the amendment, state agencies would make-up the difference between a state employee's military pay and allowances and what the employee would have earned at their state job.

**2. Background:**  
 Loss of income (when mobilized) negatively impacts the ability of the National Guard and Reserves to retain soldiers, airmen, and marines. The proposed legislation will help to rectify this retention problem and place the State of Montana alongside other major employers who support their workers in the National Guard and Reserves

**3. Fiscal Impact by Fund Type:** *This impact should be as specific as possible.*  
 The fiscal impact of this legislation would be minimal. The percentage of military members that are state employees is very low. In Montana, the average military pay for most members while deployed is higher than their state pay. Typically the military members whose state pay is less than their military pay are those employees that hold state jobs at the lower end of the state pay scale. For these employees, the reduction in pay when mobilized for active duty is a serious consequence.

**4. Summary Checklist [Check & complete all that apply]--**

Housekeeping Only   
  Federal Requirement   
  Audit Recommendation (Audit No.)   
  Major Legislation  
 Anticipated to be Controversial Legislation   
  Bill Draft has been included in Legislation Submittal (if available)  
 Supports Submitted EPP Item Number:   
  Local Government Fiscal Impact  
 Increases FTE, or   
 Decreases FTE by

**List FTE amount and program**

Increases Existing Revenue   
 Tax   
 Fee   
 Penalty [amount in #3]  
 Decreases Existing Revenue   
 Tax   
 Fee   
 Penalty [amount in #3]  
 Establishes New Revenue   
 Tax   
 Fee   
 Penalty [amount in #3]

Leg. has been Submitted in Previous Legislative Sessions (list priority no, LC no, or bill no):

Legislation would affect other state agencies (list):  
 All state agencies that employ National Guard Members and/or Reservists.

Special Interest Groups Affected (list):

Other: