

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By **CHAIR JAN BROWN**, on March 8, 1991, at 9:00 a.m.

ROLL CALL

Members Present:

Jan Brown, Chair (D)
Vicki Cocchiarella, Vice-Chair (D)
Beverly Barnhart (D)
Gary Beck (D)
Ernest Bergsagel (R)
Fred "Fritz" Daily (D)
Ervin Davis (D)
Jane DeBruycker (D)
Roger DeBruycker (R)
Gary Feland (R)
Gary Forrester (D)
Patrick Galvin (D)
Harriet Hayne (R)
Betty Lou Kasten (R)
John Phillips (R)
Richard Simpkins (R)
Jim Southworth (D)
Wilbur Spring (R)
Carolyn Squires (D)

Staff Present: Sheri Heffelfinger, Legislative Council
Judy Burggraft, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Announcements/Discussion:

CHAIR BROWN said that Tuesday is Children's Day at the Legislature. Some children will be bringing muffins and juice to the Committee.

Next week the Committee will meet at 8 a.m. because there are five bills scheduled for three days of hearings. Also, the Committee is not "very prompt" for the 9 a.m. hearings.

HEARING ON SB 156Presentation and Opening Statement by Sponsor:

SEN. STEVE DOHERTY, Senate District 20, Great Falls, introduced SB 156 at the request of the secretary of state. This bill will clarify and generally revise initiative and referendum laws and bring uniformity to the process at the state and local level. As a result of what happened in 1990 during the last initiative and election season, the staffs of the secretary of state, the attorney general, legislative council and various election administrators (usually the clerks and recorders in the counties) met and discussed the problems in the initiative process that needed to be "ironed out." They wanted to make sure that everyone would know what the initiative process would be and remove any land mines that might trap the unwary. SB 156 is a result of their meeting. Sen. Doherty explained the bill as follows:

Sect. 1 will eliminate the general language that details how to conduct a local government initiative petition and replace that language with specific language dealing with the county initiative process. There would now be one process instead of two.

Sect. 2 deals with the petition for the initiative to change the local form of government. The transition provisions must explain how the changes would be made for an effective and smooth transition of local government if the initiative were adopted by the local government voters.

The changes in Sect. 3 would allow the election administrator to review the petition for form, and the county attorney would be required to review the legality of the petition. This is similar to what happens at the state level when the secretary of state reviews the form and the attorney general reviews the legality of the petition.

Sect. 4 should be read in conjunction with Sect. 6 as these two sections deal with the deadlines for submitting an initiative petition to the election administrators and the secretary of state. In the last election season when there were a number of different initiatives, everyone waited until the last day to submit their initiative petitions. This created an "incredible burden" on local county clerks and recorders as they must check the validity of the signed voter's signatures. More time is needed. Sect. 4 would move the deadline back four weeks to allow the county clerks and recorders sufficient time to check voter's signatures. This is an important change because an initiative that might have qualified for submission to the voters would not qualify if there were not the correct number of qualified signatures.

Sect. 5 deals with the problems of backers of different initiatives resubmitting their proposed language to the legislative council. This section clarifies that the legislative council is an advisory council and it would prohibit the secretary of state or attorney general from rejecting a petition solely on the basis that the language that was submitted in the initial draft to legislative council is different from the language which eventually comes out in the petition. This section would also allow the secretary of the state to conditionally approve a petition with the requirement that the technical errors be corrected prior to circulating the petition. The Senate added some language in subsection (6) that would require the secretary of state to give "boiler plate forms" to initiative petition backers. The technical language would be provided on the form to eliminate any misunderstanding.

Sect. 7 deals with the approval and rejection process of the secretary of state and the attorney general. The attorney general requested the law be changed regarding the language for the attorney general's appointment of a committee in order to prepare a statement to accompany an initiative petition. The Senate felt the attorney general should be required to seek out parties on both sides in order to obtain their advice. Sen. Lynch amended the bill on the Senate floor. The law initially read the attorney general may endeavor to seek out parties on both sides. It will now read **shall endeavor**.

Sect. 8 deals with the initiative argument committee formation. These are the committees that write the arguments on the two sides of the initiatives. The law currently requires the committees to be appointed within 30 days of the approval of the petition. In practice, it is hard to find the opponents to the initiative to form a committee within 30 days. This section would set a deadline date of six months prior to the election for the appointment of the committees. This would give the secretary of state's and the attorney general's offices more time to identify opponents.

Sect. 9 is repealed. It dealt with a unique procedure of abandoning a commissioner/manager form of government. This procedure would now be the same as for abandoning any form of government, adding uniformity to the law.

This is a good government bill. It will clean up the process and make it more uniform. It should help to prevent lawsuits.

Proponents' Testimony:

Nancy Harte, Bureau Chief, Elections and Legislative Bureau, Secretary of State's office, distributed an amendment EXHIBIT 1 and presented written testimony. EXHIBIT 2

Peter Funk, Assistant Attorney General, said the attorney general's office would be involved in two sections of the bill.

There are two changes in Sect. 5 that will involve the attorney general's review of initiative petitions. Both changes are designed to generally address the issue of changes that are made in the initiative process between the time it begins when the legislative council reviews the petition until it ends when the attorney general and secretary of state reviews them. He referred to Pg. 9, Ln. 24, through the top of Pg. 10. "That amendment deals with technical defects. . . . On Pg. 13, Ln. 9, there is a change in the time frame in which we must respond to the secretary of state if there is a technical defect in the initiative petition. The change from 10 to 21 days is to make it consistent with the 21-day time period which is found on Ln. 14."

Mark Mackin, Whitehall, presented written testimony. EXHIBIT 3

C. B. Pearson, Executive Director, Common Cause/Montana, said they support the bill but would like to make one point. On Pg. 10, they are losing one week for circulation of signatures. Initially there was a problem with this because they would lose two weeks -- the one week that is now in the bill is a compromise. "We are going to work and try and get back that week in the future by redesigning and reworking the review of signatures by the county clerks and recorders. . . . We are willing to compromise on this particular aspect (now)."

Opponents' Testimony: None

Questions From Committee Members:

REP. JIM SOUTHWORTH asked if the attorney general's office would be able to prepare a ballot issue in plain and easily understood language. Mr. Funk said, "We do our best." The for or against language on Pg. 13 is "one of the primary reasons that things do wind up, sometimes, in a fashion that makes it difficult to understand the point of some of the initiatives. We would be in favor of some enhanced flexibility in that area instead of having to simply be tied to labeling the actions as for or against."

REP. VICKI COCCHIARELLA asked Sen. Doherty to respond to the proposed amendments. SEN. DOHERTY said he would have to resist the proposed amendment on Pg. 9 that would delete the newly inserted language. The problem with that was the backers of the tobacco tax initiative submitted a number of items to the secretary of state's office. The opponents to the initiative, the tobacco industry, attempted in the last initiative process to make the legislative council's recommendations binding. The tobacco industry was going to file suit as they said the changes were very substantive as there were differences in the legislative council drafts; this was a "smoke screen," and this shouldn't be allowed. This language clarifies that. Regarding the question on subsection (4): He would resist that amendment as this makes one date instead of two dates. Twenty-eight days is currently in statute. There was confusion about rejection or acceptance. This will eliminate the confusion. Regarding the

question on Pg. 13 "including but not limited to," he deferred to Ms. Harte. Ms. Harte said her office did not resist the concept. "That is one of the complaints we hear most often. For example, when you involve repeal of legislation often you must vote 'yes' if you want to repeal something and a vote of 'yes' is against the concept; to vote 'no' is the other way around. The language that was proposed -- but not limited to -- raises the question in my mind as to how much latitude there would be in those statements. It is really clear right now that the statement will be a for or against. If it is not, will that mean we will have a number of different petitions with the question asked in a different way? That concerns me. In some other states, they pose the initiative proposal as a question and the person responds by 'yes' or 'no' if they are for or against the question. I understand the problem and don't know if that particular language will solve it. It may make things more complicated because you will have some initiatives that are for and against, and some that may be 'yes' or 'no' and some may be something else."

Closing by Sponsor:

SEN. DOHERTY thanked the Committee for the hearing and the questions. He suggested the Committee work with Mark Mackin and Nancy Harte on some language on Pg. 13. The bill will bring some uniformity and clarity to the process. Rep. Carolyn Squires will carry the bill in the House.

HEARING ON SB 241

Presentation and Opening Statement by Sponsor:

SEN. CHET BLAYLOCK, Senate District 43, Laurel and West Billings, introduced SB 241 to carry out by legislative law, that which he thinks, was meant and clearly stated in the Constitution of the state of Montana, to prevent any elected officer of the state to hold two offices simultaneously and draw compensation from them at the same time. He referred to Article 6, Sect. 5, of the Montana Constitution on compensation: "officers of the executive branch shall receive salaries provided by law. During his term, no elected officer of the executive branch shall hold another public office or receive compensation for services from any other governmental agency. He may be a candidate for any public office during his term." This comes from the minutes of the Constitutional Convention (ConCon). Delegate Joyce, who was the head of the Judiciary Committee during the ConCon, was explaining the second paragraph which is the one we're now considering. The Committee said as follows: "It makes it clear an elected official cannot hold two public offices at the same time nor can he be on two government payrolls or receive compensation from the federal and state government for performing governmental duties." Delegate Kelleher: "Mr. Joyce, no elected officer may receive compensation for his services from any governmental agency? I'm just concerned with the National Guard officers. For instance,

my brother Pete, down the road there, is a National Guard officer. Could he be governor and still hold his commission? Or say auditor? Or a governmental agency?" Delegate Joyce: "He could be governor and he would then be, maybe statutorily, the commander of the National Guard. But he couldn't get any extra salary other than his governor's salary for being the commander of the National Guard." Delegate Kelleher: "What if he were state treasurer?" Delegate Joyce: "He couldn't either, under this section." That was the discussion on the floor. It was very clear that is what he meant. A member in the public service commission, 1.5 years ago, left for a 4.5-month period for Fort Leavenworth, Kansas, for further training and upgrading in the National Guard. He continued to draw his salary as public service commissioner in addition to his salary from the federal government for the training. SB 241 would put into language the actual language that came as a result of Sen. Blaylock's inquiry and the inquiries of the state auditor and what the attorney general said, in effect, to rectify the situation. "The salary of an elected state official described in subsection (1) . . . who performs duties not related to the office to which he was elected and for which he receives compensation from any other governmental entity, including a federal entity, must be reduced by the amount of compensation so received. This subsection does not apply to compensation received pursuant to 10-1-604, RCM. This is a specific section which excludes people who are in the National Guard and attend the three-week training period. In addition to that, they cannot charge the time for the three weeks against their vacation period. They are clearly excluded. If there is a state official and he did some outside work, that is acceptable. The bill would require the elected state official, whose salary is subject to reduction under subsection (2), to report the amount of compensation received within 30 days of its receipt to the state auditor who shall reduce the compensation of the official by the amount reported. If the individual earned \$15 or \$20 thousand from the federal government, the state would be able to reduce their salary by the amount received. When we double dip and it hits the news, it makes all elected officials look bad. The people out there resent it.

Proponents' Testimony:

Susan Witte, Chief Legal Counsel, State Auditor's Office, said the state auditor supports SB 241. The state auditor administers the central payroll system. SB 241 would provide a mechanism to enforce Article 6, Sect. 5, of the Constitution, prohibition against dual compensation. The bill only affects people elected on a state-wide basis. It allows the state auditor to reduce the salary of one of those state-wide elected official if that official is receiving a salary from another governmental agency. It ensure the state official will only receive the salary for the position to which he is elected.

John Driscoll, Soldier, 163rd Separate Armor Brigade, Citizen, elected as a member of the Montana Public Service Commission,

presented written testimony. **EXHIBIT 4**

Questions From Committee Members:

REP. BETTY LOU KASTEN asked for the definition of compensation. **Sheri Heffelfinger** said the compensation as defined in 2-18-703, RCM, means the annual or hourly wage or salary and includes the state contribution to group benefits.

REP. PATRICK GALVIN asked how SB 241 would affect his situation as a paid Representative drawing a railroad retirement pension. Is a Representative excluded from Sect. 1 and Sect. 3? **SEN. BLAYLOCK** said no. **REP. GALVIN** said, "So I'm double dipping the same as Mr. Driscoll, is that correct?" **SEN. BLAYLOCK** said that retirement was specifically excluded under Sect. 1 and 3.

REP. RICHARD SIMPKINS asked where that exemption was stated in the bill. **SEN. BLAYLOCK** responded, "I can't cite the section to you, but I know that it is specifically in the law that you can draw your retirement . . . and it is not deducted." **REP. SIMPKINS** said you made a comment that it is bad for all political offices when a person is accused of double dipping. In this case, in all honesty, there was no mention of this until the impropriety was brought up in the newspapers. It turns out to be that it was not an impropriety because it was federal dollars. I don't understand why we are mixing state dollars with federal dollars. What is wrong? **SEN. BLAYLOCK** said the language in the Constitution refers to both and says it in the conversation between the ConCon delegates that you could not draw compensation from two governmental entities. **REP. SIMPKINS** said then why don't we do this for county commissioners, treasurers and even Legislators that receive pay? Any elected official who goes to active duty and is paid by the federal government should have to report that salary. That provision of law should be extended to every elected official in the state that is drawing taxpayer dollars. **SEN. BLAYLOCK** said, "If you want to change the Constitution to include all those people, have at it. The Constitution of the state of Montana specifically lists the officers . . . they did not include public service commissions, but they clearly -- in other sections of the law -- have been established as executive officers. SB 241 would include them."

REP. GARY FORRESTER asked Sen. Blaylock what he thought of the Driscoll amendments. **SEN. BLAYLOCK** said he had not seen the amendments. "I would want to study them. On a cursory examination, it seems they would 'gut' the bill."

REP. JOHN PHILLIPS asked how this would affect (Mr. Driscoll) on a drill weekend and so forth? Would you have to report earnings every time you attended one of those? Your public service salary continues all the time. **Mr. Driscoll** answered, "It is supposed to if I am treated like all other elected officials. . . . The second opinion that Sen. Blaylock operated under said 'flat out' that even the weekend drill and the three weeks of annual

training was unconstitutional. The basis of that opinion, which is the strict constitutional language, should be in the statute but is not. However, the same opinion said it was not dealing with the problem of federal supremacy. That opinion totally left out the question of federal supremacy. Only later when I tried to give back my salary, did it force the state auditor to ask an opinion from Mark Racicot who finally made a distinction between state and federal money. With the friendly amendment, that (Sen. Blaylock) said was added on the Senate floor, I suppose I would get by on weekends and for the three weeks, but it is unconstitutional, in my judgment, in the way it is written. Without question, at least two weeks, probably three weeks of time during the week days, I'll have to spend some time or another doing other things that would draw federal salary -- even if I am not mobilized by the governor." (For example, if he were mobilized to go to the state prison.) "I suppose I should say time out, I can't go because I'm special, but the army doesn't work that way. It is going to cause me a problem. . . . It bothers me that people think that I didn't do my job. No one has demonstrated that through all of this. The implication is that I am lying to people, and I'm not used to that. . . . I think it is blatantly unconstitutional."

Closing by Sponsor:

SEN. BLAYLOCK said it is unfortunate that in an issue such as this that patriotism "gets wound up in it." He is a World War II veteran and went through five major engagements. I don't do this in any way to harm veterans or to make our national guard a weaker unit or to hurt our federal reserves or army in any way. Commissioner Driscoll distributed some transcripts of our conversation. It is true. I did call him at Fort Leavenworth. I did ask him to voluntarily give up his state salary, and he declined." He was being well paid. I would like to see our state officers' salaries raised. If we think the public service commissioners are important, and they are, they should be paid more than \$34 thousand. It is asinine that we pay the governor of the state only \$44 thousand. We're paying presidents of our university and an individual that was in charge of the criminal investigations of the bodies more than the governor. It is difficult to raise the salaries of these people. We should stay with what the Constitution says. Commissioner Driscoll testified that we should put the actual language of the Constitution in SB 241. That is unnecessary. Our Constitution is the primal law of this state, it does not have to be restated. You simply refer to it. He said that public service commissioners are much like Legislators. They sit and listen to very complicated testimony on whether or not to raise utility rates. "I think they are needed there. If you want to be gone for more than 60 days, . . . SB 241 says the governor shall replace that person until they come back. I don't think that is unreasonable." He did not have anyone to carry the bill in the House.

EXECUTIVE ACTION ON HB 966

Motion: REP. FRITZ DAILY MOVED HB 966 DO PASS.

Discussion:

CHAIR BROWN said the Southworth amendments have already passed.

Ms. Heffelfinger distributed the following three sets of amendments: 1) Rep. Southworth - 4 amendments; 2) Rep. Barnhart - 3 amendments; 3) Rep. Simpkins - 2 amendments.
EXHIBIT 5

Motion/Vote: REP. DAILY moved to adopt the Barnhart amendments.

Discussion:

Ms. Heffelfinger said the Barnhart amendments were a revision of Rep. Barnhart's last amendments and explained them as follows: 1) Pg. 2, Ln. 17, keeps the language that one member of the Montana mental health community would serve on the committee and adds "who is a consumer of mental health services to be appointed from the membership of the Montana Mental Health Association (MMHA)." It does not add a new member to the Committee it just says that whoever is representing the MMHA must also be a consumer. 3) Pg. 4, Ln. 15, inserts the study must include other states' experiences.

REP. CAROLYN SQUIRES asked for clarification on the following: "This will not be a member from the MMHA and must be a recipient of services?" Ms. Heffelfinger said it is actually both, the member must be a consumer and appointed from the MMHA's membership. The consumer must have been an inpatient for at least more than 24 hours.

REP. SIMPKINS the bill says "is." Ms. Heffelfinger is using the term "has been." Are we excluding anybody who has been a patient for two months and is no longer receiving services? Ms. Heffelfinger said Rep. Barnhart requested "is a consumer."

Motion: REP. DAILY withdrew his motion on the Barnhart amendment.

CHAIR BROWN asked if the Committee would like to withhold their action on the Barnhart amendments until Rep. Barnhart returns.

REP. SQUIRES said she is looking for the person with the most expertise with the situation to be involved on the committee. She asked if it was correct that if the executive director of the MMHA had not been or is not a current person with a mental problem they couldn't serve as a committee member. She was told that was correct. REP. SQUIRES said this amendment would require a consumer that might not have the most expertise, is that what I'm hearing. Ms. Heffelfinger said, yes, that is what you're

hearing. Rep. Barnhart indicated that the MMHA had intended, with or without this amendment, to appoint a member who was a consumer. REP. SQUIRES said then you would have to have a mental disability before you could be appointed. "I perceive the executive director of the MMHA as having the most expertise. They may not. It is okay for them to have the flexibility. I don't want to have to have this person have a mental disability before they can be appointed to the Committee."

CHAIR BROWN said the amendment has been withdrawn. We will withhold action on HB 966.

EXECUTIVE ACTION ON HB 514

Discussion:

REP. GARY FORRESTER gave the following report on the Pay Plan SubCommittee: The Subcommittee met on several occasions. We reviewed problems within the system and read a considerable amount of mail from constituents. We formed a "partisan" opinion. The vehicle to carry the pay plan forward is Rep. Menahan's HB 514 with considerable amendments.

REP. VICKI COCCHIARELLA explained the specifics involved in HB 514 and distributed a gray bill and a set of amendments. EXHIBIT 6 and EXHIBIT 7

Motion: REP. COCCHIARELLA MOVED HB 514 DO PASS.

Motion: REP. COCCHIARELLA moved to adopt the amendments.

Discussion:

REP. COCCHIARELLA said that whatever is done by the Committee today will go straight to the Appropriations Committee before consideration on second reading. Rep. Francis Bardanouve said HB 514 will be assigned to another subcommittee. People who wish to amend the bill will have the opportunity to do so. She said if HB 514 had not been amended it would only be about three pages long. HB 514 has been changed dramatically with most of the language crossed out. The idea behind the bill now is \$1 an hour to all state employees across the board, plus insurance of \$20 the first year and \$25 the second year. She distributed a photocopy of a memo from Terry Johnson, Principal Fiscal Analyst, to Rep. Jerry Driscoll regarding the money in the bill. EXHIBIT 8 The fiscal analyst has included all present state employees and the 396.45 prospective state employees, that have been added through legislation in the appropriation process. "That is worth between \$16 to \$18 million . . . and 'cranks up' the cost of the bill by that amount."

CHAIR BROWN said questions could be directed to Rep. Cocchiarella and informed the Committee that resource people were in the audience and could be called on if necessary.

REP. ERNEST BERGSAGEL questioned if the \$118 million included the additional FTEs. **REP. COCCHIARELLA** said yes.

CHAIR BROWN asked what the Subcommittee's discussions were on the other aspects that are not included in the bill such as the market based concept and the problem that has arisen in attracting and retaining state employees in the higher grades and if HB 514 addressed those problems in any way. **REP. COCCHIARELLA** said the issue of market comes down to a matter of money. The Subcommittee discussed the problems of recruitment and retention and about state employees being on welfare and unable to support themselves or their families. They looked at the dollars. People who are at higher grades, and who are not being paid a market wage or at entry market level, are being granted pay exceptions. That is going on right now, and it will not change. People who are hired by the state, who need to be paid more than what they are offered, can gain through a pay exception if their administrator so chooses to do that for them. Although, there may not be all the necessary money there to do that. Two-thirds of the Subcommittee chose to take the dollars that were available for pay and give it to the most people and spread it as far as we could spread it. We realize this bill does not directly address the problems with recruitment and retention above grade 15.

REP. BETTY LOU KASTEN said she looked over the material from the Subcommittee and does not totally understand it all. Doesn't HB 514 have the effect of compressing the matrix more and making it less workable in the long run? **REP. COCCHIARELLA** said you're right. The pay matrix is a disaster. The compression is there; it is a bimodal distribution; employees are all down in step 2. The pay matrix as it is does not work. Until we have the money to take care of all the problems in the pay matrix, I don't think it matters if we compress "this wreck" as it is. **REP. KASTEN** said she received a packet that had been compiled by Dave Bohyer (Legislative Council). She referred to the page entitled "Pros and Cons" where they are talking about the market-based formula. The page says that the lower grades now are at or above market level. Also, grade 11 is quite a bit below market. "Isn't that going to make it harder to get the technical people, even with the exceptions?" **REP. COCCHIARELLA** said she would not argue against that as it was true. "Until we have enough money -- \$200 to \$250 million -- we can't address all the problems. The hope of the members of the Subcommittee was to . . . spread the money as far as we could spread it. We realize we still have problems with the upper levels."

REP. JOHN PHILLIPS said we heard a lot of problems and you sat on the Governor's Committee on State Employee Compensation. With HB 514 we are "trashing" everything that was accomplished on that committee. Your bill, HB 259, tried to address some of the

problems and it didn't have any more money in it than HB 514.

REP. COCCHIARELLA said her bill did not include all state employees; it only took care of classified state employees. Her bill would have cost "dramatically" more if it included all of the employees. The money is not comparable. The governor's bill is half the Committee's recommendation. If the Subcommittee were to have adopted the governor's bill, we would still not solve the problems in a "timely way" for state employees. We would not take care of the entry problems of meetin market. There are fewer people at those upper grades. HB 514 would have the money go to more state employees. To address those issues and to make Montana a competitive place, where we can hire and keep people on for more than the training period, we need more money. REP.

PHILLIPS said, "We don't have the money. Where is the money for this bill coming from? The governor said he could put (a certain amount) in without (breaking) the budget, where is this coming from?" REP. COCCHIARELLA said it is time to prioritize and decide who deserves it and who has suffered longest for the state.

REP. PHILLIPS said you are not answering my question. This bill is \$60 to \$70 million above the administration's budget. Where will we get (the money)?

REP. COCCHIARELLA deferred the question to Rep. Driscoll. REP. DRISCOLL said the executive budget asked for and the Subcommittees approved 396 additional FTEs in the first year of the biennium and 438 FTEs in the second year. "I intend to have amendments ready when HB 2 hits the floor to get rid of every one of them. We cannot afford to pay the people we have. Why are we hiring more people? That alone will save \$21 million plus insurance costs. He gave the following example of compression and the problem with the pay plan: No Legislator, since the history of this plan, has ever voted on what grade a particular person would be. That was determined by the Department of Administration's Personnel Division. If you look at the new pay matrix on Pg. 9, Ln. 18, a beginning grade 7, step 2, would pay \$15,865 for a janitor.

Somebody, in their infinite wisdom, decided that a civil engineer was a grade 12 at \$21,313. Everybody knows that civil engineers make more than that. The Department could rewrite the specifications and increase those people if they wanted to because they just rewrote the specifications and lowered some janitors and raised some others. Three or four years ago they rewrote the specifications and lowered cooks and called them food service workers. They can do this; they just won't, and they keep talking about compression. There will be more compression than there is now. The difference between a janitor and a civil engineer is \$5 thousand under the existing matrix. Under these matrixes, the difference will be \$5 thousand. The problem is (whether or not) a civil engineer is worth more than \$21 thousand. I think they are. Hydrologists and some other occupations are misclassified. It is not the Legislature's fault. Each session we come in and put in a percentage or a flat dollar amount. It is not up to the Legislature to write the classifications. If they want to fix it, they have all the ability in the world to do so. The law says they write the classification.

blems and it didn't have any more money in it than HB 514. . **COCCHIARELLA** said her bill did not include all state employees; it only took care of classified state employees. Her bill would have cost "dramatically" more if it included all of employees. The money is not comparable. The governor's bill half the Committee's recommendation. If the Subcommittee were have adopted the governor's bill, we would still not solve the problems in a "timely way" for state employees. We would not take care of the entry problems of meeting market. There are other people at those upper grades. HB 514 would have the money to hire more state employees. To address those issues and to make Kansas a competitive place, where we can hire and keep people on more than the training period, we need more money. **REP. PHILLIPS** said, "We don't have the money. Where is the money for this bill coming from? The governor said he could put (a certain amount) in without (breaking) the budget, where is this coming from?" **REP. COCCHIARELLA** said it is time to prioritize and decide who deserves it and who has suffered longest for the problem. **REP. PHILLIPS** said you are not answering my question. The bill is \$60 to \$70 million above the administration's estimate. Where will we get (the money)? **REP. COCCHIARELLA** referred the question to Rep. Driscoll. **REP. DRISCOLL** said the executive budget asked for and the Subcommittees approved 396 additional FTEs in the first year of the biennium and 438 FTEs in the second year. "I intend to have amendments ready when HB 2 comes to the floor to get rid of every one of them. We cannot afford to pay the people we have. Why are we hiring more people? That will save \$21 million plus insurance costs. He gave the following example of compression and the problem with the pay scale: No Legislator, since the history of this plan, has ever argued on what grade a particular person would be. That was determined by the Department of Administration's Personnel Commission. If you look at the new pay matrix on Pg. 9, Ln. 18, a janitor in grade 7, step 2, would pay \$15,865 for a janitor. Somebody, in their infinite wisdom, decided that a civil engineer at grade 12 at \$21,313. Everybody knows that civil engineers make more than that. The Department could rewrite the specifications and increase those people if they wanted to. If they just rewrote the specifications and lowered some salaries and raised some others. Three or four years ago they wrote the specifications and lowered cooks and called them food service workers. They can do this; they just won't, and they are talking about compression. There will be more compression than there is now. The difference between a janitor and a civil engineer is \$5 thousand under the existing matrix. Under these new scales, the difference will be \$5 thousand. The problem is whether or not a civil engineer is worth more than \$21 thousand. I think they are. Hydrologists and some other occupations are misclassified. It is not the Legislature's responsibility. Each session we come in and put in a percentage or a flat dollar amount. It is not up to the Legislature to write the specifications. If they want to fix it, they have all the authority in the world to do so. The law says they write the specification.

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REP. WILBUR SPRING said early on there were plans to try and address the people at higher levels. With this plan we are just "bagging that at this point." There is no use to talk about a system where we can hire these people whom we have trouble keeping, is that correct? REP. COCCHIARELLA said I think that Rep. Driscoll just answered that issue.


REP. KASTEN said the Bohyer package says that in HB 514 the \$156,993 amount is not the bottom line when you add the other 400 FTE's. REP. COCCHIARELLA said she had the analysis of HB 514 as introduced. The new bill is totally different. I would never look at that sheet to compare the two. The memo handout has the figures in it. More discussion followed.

Vote: HB 514 AMENDMENTS. The motion carried 11 to 8. EXHIBIT 9

Motion/Vote: HB 514 DO PASS AS AMENDED. The motion carried 11 to 8. EXHIBIT 10 and EXHIBIT 10A

ADJOURNMENT

Adjournment: 11:06 a.m.


JAN BROWN, Chair

JUDY BURGGRAFF, Secretary

JB/jb

HOUSE OF REPRESENTATIVES
STATE ADMINISTRATION COMMITTEE

ROLL CALL

DATE 3-08-91

NAME	PRESENT	ABSENT	EXCUSED
REP. JAN BROWN, CHAIR	✓		
REP. VICKI COCCHIARELLA, VICE-CHAIR	✓		
REP. BEVERLY BARNHART	✓		
REP. GARY BECK	✓		
REP. ERNEST BERGSAGEL	✓		
REP. FRED "FRITZ" DAILY	✓		
REP. ERVIN DAVIS	✓		
REP. JANE DEBRUYCKER	✓		
REP. ROGER DEBRUYCKER	✓		
REP. GARY FELAND	✓		
REP. GARY FORRESTER	✓		
REP. PATRICK GALVIN	✓		
REP. HARRIET HAYNE	✓		
REP. BETTY LOU KASTEN	✓		
REP. JOHN PHILLIPS	✓		
REP. RICHARD SIMPKINS	✓		
REP. JIM SOUTHWORTH	✓		
REP. WILBUR SPRING	✓		
REP. CAROLYN SQUIRES	✓		

EXHIBIT 1
DATE 3-8-91
~~HB~~ SB 156

PROPOSED AMENDMENT TO SENATE BILL 156
(third reading copy)

On page 10, line 15, after 4:

strike 3

insert 4

SECRETARY OF STATE

STATE OF MONTANA

EXHIBIT 7
DATE 3-8-91
#358156

Mike Cooney
Secretary of State



Montana State Capitol
Helena, MT 59620

TESTIMONY -- HOUSE STATE ADMINISTRATION COMMITTEE ON SENATE BILL 156, MARCH 8, 1991

Madame Chairwoman and members of the committee, for the record I am Nancy Harte, Bureau Chief of the Elections and Legislative Bureau in the Secretary of State's office.

I am testifying today in support of Senate Bill 156, which was drafted at the request of Secretary of State Mike Cooney.

Montana's initiative and referendum process is a popular one, but it is not without its flaws. Senate Bill 156 cures some of these flaws in both state and local initiative and referendum statutes.

Individually, these changes seem minor, and they do not require immediate action. But collectively, making these changes will solve problems that have the potential of boiling over and becoming embroiled in litigation. For those people fighting for or against a cause through the initiative process, the clarity and consistency in the application of the initiative election law becomes extremely important.

Each one of these proposed changes come as a result of an event that took place over the last year that caused confusion and could have resulted in a court case.

The initiative process is usually undertaken by average citizens, not professionals in the development of ballot issues. The law regulating the petition process ought to be clear enough for those average citizens to complete the petition process without jumping through bureaucratic hoops or doing fancy legal maneuvering.

Senate Bill 156 will, we think, assist in that effort. I ask you to support Senate Bill 156, and I will be happy to answer any questions you might have.

TESTIMONY ON SB 156

3/8/91

Mark Mackin
117 Yellowstone Rd.
Whitehall, MT 59759

I want to make 4 points on SB156:

1) Section 4 subsection 3 Referring to the new language, I don't believe this is a needed change. The Legislative Council has always been in an advisory role, taking a first look at an initiative. Sponsors are then free to do as they wish. This new language invites litigation and makes the process more rigid. I would like this language deleted.

The use of a triple negative here also obscures the meaning.

2) Section 4 subsection 4 the time for rejecting a petition is extended to 28 days from 14. I don't think this is needed and would like to retain the 14 day period. It is usually obvious on its face if an initiative is flawed as to form.

New subsection five is a good idea. Easier for all.

3) Section 5 subsection 1. We lose a week of signature gathering time to give the elections administrators more time to count signatures. They managed to get through it in 1990 but I'm sure it was a burden with lots of last-minute signatures to verify and count. We will work with the election administrators and secretary of states office to effect some improvements in the counting and verifying procedure itself. If those improvements can be made, we would like to have the week back and may ask for it next session.

The correction brought up by the Secretary of States office is OK.

4) Section 6 subsection 6 I request an amendment to this section:

(6) The statements of implication shall be placed beside the diagram provided for marking of the ballot in a manner similar, but not limited to, the following example:

For instance, the A.G. could use TO RETAIN or TO REPEAL instead of FOR REPEALING or AGAINST REPEALING.

EXHIBIT 7
DATE 3-8-91
HB SB 241

WITNESS STATEMENT

NAME John Driscoll BILL NO. SB 241

ADDRESS P.O. Box 33 Helena, MT 59624

WHOM DO YOU REPRESENT? SELF

SUPPORT _____ OPPOSE _____ AMEND ☒

COMMENTS: My Testimony consists of.

1. A prepared statement.
2. A bill with amendments added.
3. 4 pages of Constitutional and Legal language
4. 7 Pages of ~~the~~ Document.

All are attached to this statement
in a file folder.

John Driscoll

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.



PUBLIC SERVICE COMMISSION

DATE 2-8-91
~~HB~~ SB 241
2701 Prospect Avenue • Helena, Montana 59620
Telephone: (406) 444-6168

John B. Driscoll, Commissioner
District 4

March 8, 1991

Madam Chairperson, Members of the Committee:

I am John Driscoll. As a Soldier I am Major in the 163rd Separate Armor Brigade (MTARNG). As a Citizen I am an elected member of the Montana Public Service Commission.

In this testimony, I will describe my situation as a Montana National Guard Officer, appraise SB 241, and recommend improvements that will treat our elected Citizen/Soldiers in a straightforward and constitutional manner.

You each have a packet containing constitutional and legal guidance and protection for Elected Officials, Montana Guardsmen, and Montana National Guardsmen (review). You also have documents from the specific situation that precipitated this legislation (review).

GUARD EXPERIENCE:

I've been a Guard Officer since returning home from the Regular Army. In eight years before being elected a Commissioner, I was mobilized twice by the Governor to care for patients at Warm Springs. Both times I was the XO of a Armored Cavalry Troop, and a State Legislator.

During my ten years as a Commissioner I've been a Tank Company Commander, the State Intelligence and Security Officer, and the Chief Intelligence Staff Officer (S-2) for our Separate Armor Brigade.

In addition to one weekend a month and 15 days of Annual Training, popularly associated with the Guard, I have personally experienced the following:

-Deployment to Europe with the 3rd ACR, as part of a REFORGER exercise on the East German Border (3 wks);

-Training at the US Army Terrorism Counteraction Officer's School (2 wks);

-Substantial intensive additional work in Terrorism Counteraction here in Montana with the FBI, U.S. Marshal, U.S. Treasury, Border Patrol, county and local law enforcement, and Royal Canadian Mounted Police;

-Additional time to review the Classified Monthly International Terrorism Summaries, and to brief Montana Guard

personnel and Civil Authorities deploying overseas to heightened threat areas;

-Emergency deployment as Commander of 120 Guard personnel (pilots, truck drivers, cooks, medics, flight controllers, and mechanics) and their equipment to fight the North Hills Fire just North of Helena (5 days);

-Additional training here in Montana, at Ft. Lewis, at Ft. Carson, and at the Regional Training Site (Intelligence) in San Francisco to help build the new Separate Brigade's Intelligence capability;

-Selection and training at U.S. Army Command and General Staff College, Ft. Leavenworth, KS (4 1/2 months);

-Substantial additional work reviewing classified message traffic associated with Desert Shield and Storm, and keeping my Commanding Officer and the Brigade Staff informed;

-Substantially intensified training to upgrade the Brigade Staff, both as an instructor and a student;

In short, the "weekend" part of "weekend warrior" is a popular myth. An enormous amount of time, paid and unpaid, is required to be a proficient part of the U.S. Army's Total Force. In the last six weeks I have spent five weekends and one full work week in exhausting military training. I anticipate at least 25 days of additional duty in the next training year. I have been using the equivalent, not only of military leave, but vacation, and compensatory time, none of which is set out in statute for elected officials.

With only one exception, all of my military pay during the last 10 years has been from the United States Government. The exception is the state emergency duty on the North Hills Fire. After seeing the speed of the fire from my office, I felt that the Commander of any Guard effort should have fire experience. Because of my Smokejumper experience I volunteered for the duty. My decision was a good one; I had an immediate working relationship with acquaintances in the Forest Service overhead in several highly critical situations.

After reading the last Attorney General's report on this subject, which disallows only "additional compensation from the state of Montana", I informed the State Auditor of my North Hills duty five years previous. She had me repay \$263.98, plus \$178.27 in interest.

SB 241:

I'm certain that SB 241 is not Constitutional on either a State or Federal basis. Whether seen as a seizure of Federal

soldier's pay to satisfy the state's obligation to pay one of its elected officials (end running the appropriations process), or viewed as a discriminatory reduction of a state official's salary, because he is a Guardsman, the bill is one major error complicating another. If left unchallenged, it leaves a number of major administrative questions.

Yet, I think legislation is needed in this area to at once guide the elected official/militiaman, as well as protect him from nefarious political attack.

RECOMMENDED CHANGES:

I will suggest modifications to SB 241 from back to front.

Section III.

1. There is no distinction between being mobilized by the President and mobilized by the Governor. SB 241 should clearly state that Section 3 is effective upon mobilization of the elected official by the President of the United States. Otherwise we have the ridiculous situation of an elected official being removed by Governor's Military Order, just to be replaced by a Governor's appointee.

2. If state employees are to receive six months of pay upon mobilization, this is where the same treatment should be given elected official's. I recommend that the temporary replacement occur six weeks after presidential mobilization. This also allows the full nature of the mobilization (partial, full, total,) to be more obvious.

3. There should be language directing the elected official's salary to be paid to the temporary replacement, since in other parts of the code the elected official has not vacated his office.

4. I believe, since the office is not being vacated, as it would be under any other conditions requiring gubernatorial appointment, the official being mobilized should be given approval authority over the choice of replacement.

Section II:

Since Guard business will always be on the Order of the Governor, unless Presidentially mobilized, this Section has no effect on the Citizen/Soldier problem.

Section I:

This Bill badly needs a clear statement that at once defines and prohibits "Double Compensation". The plain language of the Montana Constitution is best as a new Subsection (2):

"During his term, no elected officer of the executive branch may hold another public office or receive compensation for any service from any other governmental agency."

This definition and prohibition renders all of the proposed SB 241 language in Section I, and part of the Title, completely unnecessary.

Next, I recommend that there be a new Subsection (3) that states:

Pursuant to 10-1-208 MCA, 10-2-221 MCA, and 10-2-228 MCA, an elected official, other than the Governor of Montana, serving as a member of the armed forces of the United States or the State of Montana is not subject to the prohibition under subsection (2)."

This will clarify that, while it is Constitutionally (State and Federal) and legally (State and Federal) proper for an elected official to serve as a member of the Montana National Guard, it is also proper to be compensated for that service.

This also reflects the realities that legal opinions advocating no check for military service were based on the recorded conversation of two Constitutional Convention delegates. They were discussing the compensation of the Governor and the Secretary of State.

1. Governor is the only elected official who's normal job includes Commander in Chief, but also the only one who's training standards are not set by Congress, and who can't be mobilized by the President;

2. All other elected officials can be mobilized by the Governor, not vice versa;

3. All other elected officials are simultaneously members of the United State's Total Force, and as such are paid by the Federal Government; the US Constitution's Supremacy Clause precludes Montana from seizing a Federal Soldier's pay.

4. A State Elected official mobilized by the President, without vacating his office, will be paid military wages, while the replacement is receiving his state wages (if Section III is amended as I recommend).

The changes I recommend will make our state's treatment of the elected Citizen/Soldier clear, straightforward, and constitutional.

I'll be pleased to answer your questions.

EXHIBIT 7
DATE 3-8-91
~~HB~~ SB 241

Montana Elected Officials

"OFFICERS OF THE EXECUTIVE BRANCH SHALL RECEIVE SALARIES
PROVIDE BY LAW."

Art VI, SEC. 1, Mont. Const.

"A PERSON MAY BE AN OFFICER IN THE MILITIA OR IN A RESERVE
COMPONENT OF THE ARMED FORCES OF THE UNITED STATES WITHOUT VACATING
A CIVIL OFFICE OR POSITION IN THIS STATE."

SEC. 10-2-221, MCA

"...ANY MEMBER OF ...NATIONAL GUARD.....ORDERED INTO THE ACTIVE
MILITARY SERVICE OF THE UNITED STATES WHO....TO PERFORM SUCH
TRAINING, SERVICE, OR ACTIVE DUTY, LEAVES A POSITION.....OF THE
STATE....SHALL BE RESTORED TO:

....(2) THE POSITION, STATUS, AND PAY AT ANY TIME DURING THE TERM
FOR WHICH HE WAS ELECTED IF THE POSITION WAS THAT OF AN ELECTED,
EXECUTIVE, OR JUDICIAL OFFICER OF...THE STATE OR ANY POLITICAL
SUBDIVISION..."

SEC. 10-2-221, MCA

"IT IS SPECIFICALLY DECLARED THAT THE ABSENCE OF SUCH OFFICER
CAUSED BYMILITARY SERVICE SHALL NOT CREATE A VACANCY IN THE
OFFICE TO WHICH HE WAS ELECTED."

SEC. 10-2-228, MCA

"NO PERSON SHALL BE DENIED THE EQUAL PROTECTION OF THE LAWS.
NEITHER THE STATE NOR ANY PERSON SHALL DISCRIMINATE AGAINST ANY
PERSON IN THE EXERCISE OF HIS CIVIL OR POLITICAL RIGHTS ON ACCOUNT
OF RACE, COLOR, SEX, CULTURE, SOCIAL ORIGIN OR CONDITION,
POLITICAL, OR RELIGIOUS IDEALS."

Art II, SEC. 4, Mont. Const.

"NO EX POST FACTO LAW NOR ANY LAW IMPAIRING THE OBLIGATION OF
CONTRACTS...SHALL BE PASSED BY THE LEGISLATURE."

Art II, SEC. 31, Mont. Const.

MILITIA (STATE)

"A WELL REGULATED MILITIA, BEING NECESSARY TO THE SECURITY OF A FREE STATE, THE RIGHT OF THE PEOPLE TO KEEP AND BEAR ARMS SHALL NOT BE INFRINGED."

U.S. Const. Amendment II

"THE RIGHT OF ANY PERSON TO KEEP OR BEAR ARMS IN DEFENSE OF HIS OWN HOME, PERSON AND PROPERTY, OR IN AID OF THE CIVIL POWER WHEN THERETO LEGALLY SUMMONED, SHALL NOT BE CALLED IN QUESTION..."

Art II, SEC. 12 Mont. Const.

"THE GOVERNOR IS THE COMMANDER IN CHIEF OF THE MILITIA FORCES OF THE STATE, EXCEPT WHEN THEY ARE IN THE ACTUAL SERVICE OF THE UNITED STATES.

Art VI, SEC. 13 (2) Mont. Const.

"THE MILITIA FORCES SHALL CONSIST OF ALL ABLE BODIED CITIZENS OF THE STATE EXCEPT THOSE EXEMPTED BY LAW."

Art VI, SEC. 13, (2), Mont. Const.

"THE MILITIA IS DIVIDED INTO TWO CLASSES, THE ORGANIZED MILITIA AND THE UNORGANIZED MILITIA. THE NATIONAL GUARD IS THE ORGANIZED MILITIA OF THE SEVERAL STATES. THE NATIONAL GUARD OF THE UNITED STATES CONSISTS OF THE MEMBERS OF THE NATIONAL GUARD OR ORGANIZED MILITIA WHO ARE ALSO ENLISTED IN A RESERVE COMPONENT OF THE UNITED STATES ARMY OR AIR FORCE.

...THE 1933 ACT CREATED A DUAL ENLISTMENT SYSTEM WHEREBY AN INCOMING GUARDSMAN JOINED BOTH THE NATIONAL GUARD OF HIS HOME STATE, AND THE NATIONAL GUARD OF THE UNITED STATES, A RESERVE COMPONENT OF THE U.S. ARMY.

UNDER THE TOTAL FORCE STRUCTURING OF AMERICAN MILITARY FORCES, RESERVE COMPONENTS, INCLUDING THE NATIONAL GUARD OF THE UNITED STATES, ARE FULLY INTEGRATED WITH REGULAR ACTIVE FORCES IN THE NATIONAL DEFENSE.

Perpich vs US Dept of Defense (89)

EXHIBIT 4
DATE 3-8-91
~~FE~~ SB 241

MILITIA (FEDERAL)

"THE PRESIDENT SHALL BE COMMANDER IN CHIEF OF THE ARMY AND NAVY OF THE UNITED STATES, AND OF THE MILITIA OF THE SEVERAL STATES, WHEN CALLED INTO THE ACTUAL SERVICE OF THE UNITED STATES...."

Art. II, SEC. 2 (1), U.S. Const.

"CONGRESS SHALL HAVE POWER...TO PROVIDE FOR CALLING FORTH THE MILITIA TO EXECUTE THE LAWS OF THE UNION, SUPPRESS INSURRECTIONS AND REPEL INVASIONS..."

Art. I, SEC. 8 (16), U.S. Const.

"CONGRESS SHALL HAVE POWER....TO PROVIDE FOR ORGANIZING, ARMING, AND DISCIPLINING, THE MILITIA AND FOR GOVERNING SUCH PART OF THEM AS MAY BE EMPLOYED IN THE SERVICE OF THE UNITED STATES RESERVING TO THE STATES, RESPECTIVELY, THE APPOINTMENT OF THE OFFICERS, AND THE AUTHORITY OF TRAINING THE MILITIA ACCORDING TO THE DISCIPLINE PRESCRIBED BY CONGRESS."

Art. I, SEC. 8 (16), US Const.

"THIS CONSTITUTION, AND THE LAWS OF THE UNITED STATES WHICH SHALL BE MADE IN PURSUANCE THEREOF; AND ALL TREATIES MADE, OR WHICH SHALL BE MADE, UNDER THE AUTHORITY OF THE UNITED STATES, SHALL BE THE SUPREME LAW OF THE LAND; AND THE JUDGES IN EVERY STATE SHALL BE BOUND THEREBY, ANY THING IN THE CONSTITUTION OR LAWS OF ANY STATE TO THE CONTRARY NOT WITHSTANDING.

Art. VI, SEC. 2, U.S. Const.

"THE QUESTION OF ENTILEMENTS OF MEMBER OF THE NATIONAL GUARD WHILE ON ACTIVE TRAINING STATUS IS REGULATED BY FEDERAL STATUES.

37 U.S.C. 204 & 206

"THE FEDERAL GOVERNMENT CONTROLS ALL QUESTIONS RELATING TO THE PAY AND ENTITLEMENTS OF AN ACTIVE MEMBER OF THE u.s. ARMY AND THE STATES HAVE NO AUTHORITY TO INTERFERE WITH THE EXERCISE OF THAT FEDERAL AUTHORITY."

Hines V. Davidowitz, Art. VI SEC. 2, US Const.

PROTECTING THE CONSTITUTION

MONTANA OATH OF OFFICE

"I DO SOLEMNLY SWEAR THAT I WILL SUPPORT, PROTECT AND DEFEND THE CONSTITUTION OF THE UNITED STATES, AND THE CONSTITUTION OF THE STATE OF MONTANA, AND THAT I WILL DISCHARGE THE DUTIES OF MY OFFICE WITH FIDELITY (SO HELP ME GOD)." *Art III, SEC. 3, Mont. Const.*

GUARD OFFICER'S APPOINTMENT OATH TO THE MONTANA NATIONAL GUARD

"I DO SOLEMNLY SWEAR THAT I WILL SUPPORT AND DEFEND THE CONSTITUTION OF THE UNITED STATES AND THE CONSTITUTION OF THE STATE OF MONTANA AGAINST ALL ENEMIES, FOREIGN AND DOMESTIC: THAT I WILL BEAR TRUE FAITH AND ALLEGIANCE TO THE SAME: THAT I WILL OBEY ORDERS OF THE PRESIDENT OF THE UNITED STATES AND OF THE GOVERNOR OF THE STATE OF MONTANA: THAT I MAKE THIS OBLIGATION FREELY, WITHOUT ANY MENTAL RESERVATION OR PURPOSE OF EVASION AND THAT I WILL WELL AND FAITHFULLY DISCHARGE THE DUTIES OF THE OFFICE OF MAJOR, IN THE ARMY NATIONAL GUARD OF THE STATE OF MONTANA UPON WHICH I AM ABOUT TO ENTER, SO HELP ME GOD.

National Guard Bureau Form 337

GUARD OFFICER'S APPOINTMENT OATH TO THE ARMY OF THE UNITED STATES

"I, HAVING BEEN APPOINTED AN OFFICER IN THE ARMY OF THE UNITED STATES, AS INDICATED ABOVE IN THE GRADE OF MAJOR DO SOLEMNLY SWEAR THAT I WILL SUPPORT AND DEFEND THE CONSTITUTION OF THE UNITED STATES AGAINST ALL ENEMIES, FOREIGN AND DOMESTIC, THAT I WILL BEAR TRUE FAITH AND ALLEGIANCE TO THE SAME; THAT I TAKE THIS OBLIGATION FREELY, WITHOUT ANY MENTAL RESERVATION OR PURPOSE OF EVASION; AND THAT I WILL WELL AND FAITHFULLY DISCHARGE THE DUTIES OF THE OFFICE UPON WHICH I AM ABOUT TO ENTER; SO HELP ME GOD."

Dept of Army Form 71

1 mentioned in 2-16-111(1) and no, a member of the public
 2 service commission, or an officer appointed by the governor
 3 and confirmed by the senate must may not absent himself from
 4 the state for more than 60 consecutive days unless upon
 5 business of the state or with the consent of the
 6 legislature."

7 **Section 3.** Section 10-2-227, MCA, is amended to read:

8 "10-2-227. Acting officer -- how appointed. The
 9 governor, in the case of district judges and officers
 10 elected from officers of the state at-large, and the board
 11 of county commissioners, in the case of members of either
 12 house of the legislature and county, township, or district
 13 officers elected from such county, shall appoint an "acting"
 14 officer to temporarily replace any elected officer,
 15 designated in 10-2-221(2), who enters military service in
 16 the manner set forth in 10-2-221, "Acting" officers so
 17 appointed shall be appointed for a period not to exceed the
 18 unexpired term of the officer whose duties he assumes, and
 19 such appointment shall be subject to the right of the
 20 elected officer to the restoration of his position."

-End-

-3-

SB 241

New Section 1:

(2) During his term, no elected officer of the executive branch may hold another public office or receive compensation for services from any other governmental agency.

(3) Pursuant to 10-1-208 MCA, 10-2-221 MCA, and 10-2-228 MCA, an elected official, other than the Governor, serving as a member of the armed forces of the United States or the State of Montana is not subject to the prohibition under subsection

Modify Section 3:

Insert:

, six weeks after being ordered to military duty by the President of the United States.

Insert:

, with the approval of the mobilized elected state official,

Insert:

. The appointee shall receive the mobilized state elected official's salary,

EXHIBIT 7
 DATE 3-8-91
 # SB 241

SENATE BILL NO. 241

INTRODUCED BY BLAYLOCK

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAW RELATING TO ELECTED STATE OFFICIALS; PROHIBITING DUAL COMPENSATION OF CERTAIN ELECTED STATE OFFICIALS ~~IN CERTAIN CIRCUMSTANCES~~; CLARIFYING THAT MEMBERS OF THE PUBLIC SERVICE COMMISSION ARE SUBJECT TO THE LAWS RELATING TO ABSENCES FROM THE STATE AND APPOINTMENT OF ACTING OFFICERS; AND AMENDING SECTIONS 2-16-112, 2-16-405, AND 10-2-227, MCA."

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

Section 1. Section 2-16-405, MCA, is amended to read:

"2-16-405. Salaries of certain elected state officials ~~receiving other compensation -- reduction of salary~~

(1) The salaries paid to certain elected officials of the state of Montana for fiscal year 1990 and following years are:

	Fiscal Year	Following
	1990	June 30, 1990
Governor	\$51,713	\$53,006
Lieutenant governor	\$37,044	\$37,970
Attorney general	\$47,166	\$48,345
State auditor	\$34,176	\$35,030

1 Superintendent of public
2 instruction \$40,664 \$41,681
3 Public service commission
4 chairman \$38,297 \$39,254
5 Public service
6 commissioners, other
7 than chairman \$37,044 \$37,970
8 Secretary of state \$34,176 \$35,030
9 Clerk of the supreme court \$33,211 \$34,041
10 ~~(2) The salary of an elected state official shall be reduced by the amount of compensation from any other governmental entity, including a federal entity, must be reduced by the amount of compensation so received. THIS SUBSECTION DOES NOT APPLY TO COMPENSATION RECEIVED PURSUANT TO 10-1-604 OR TO COMPENSATION RECEIVED PURSUANT TO THE OFFICIALS OATHED WORKING HOURS.~~
11 ~~(3) An elected state official whose salary is subject to reduction under subsection (2) shall report the amount of compensation received, within 30 days of its receipt, to the state auditor who shall reduce the compensation of the official by the amount reported."~~
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25

Section 2. Section 2-16-112, MCA, is amended to read:

"2-16-112. Absence from the state. No An officer

THIRD READING
AS AMENDED SB 241

CAMIDII 7
DATE 3-8-91
HB SB 241

DEPARTMENT OF MILITARY AFFAIRS



STAN STEPHENS, GOVERNOR

P.O. BOX 4789

STATE OF MONTANA

OFFICE OF THE ADJUTANT GENERAL
(406) 444-6910

HELENA, MONTANA 59604-4789

ORDERS 59-9

31 March 1989

DRISCOLL, JOHN B 516-54-9370 MAJ HHC(-) 163d ARMD BDE MT ARNG Bozeman MT
59771-0878 HOR: 1215 Washington Helena MT 59601 PEBD: 26 May 68 DA Fm
3298 recert: 6 Jul 88 Scty clnc: Secret NDLSL paid since 10 Feb 76: None
LOEWEN, ERAD G 516-50-8734 CPT HHC(-) 163d ARMD BDE MT ARNG Bozeman MT
59771-0878 HOR: 125 Star Lane Butte MT 59701 PEBD: 6 Apr 68 DA Fm 3298
recert: 16 Jun 88 Scty clnc: Secret NDLSL paid since 10 Feb 76: None

You are ordered to active duty training (ADT) for the period indicated plus allowable travel time. Upon completion of the period of ADT unless sooner relieved or extended by proper authority, you will return to the place where you entered ADT and be released from such duty.

Period (TDY): Approx One-hundred and thirty-nine (139) days 29 Jul thru 14 Dec 89

Report to: Commandant CGSC FT Leavenworth KS

Reporting time and date: Will report NLT 0800 hrs 29 Jul 89

Attached to: N/A

Type duty code (TDC): 221/TBA

Purpose: Attend Command and General Staff School FT Leavenworth KS

Course: Command and General Staff School

Additional instructions: (a) POV authorized

(b) Travel of dependents and shipment of other than temporary change of station weight allowance is not authorized.

(c) Government quarters are available. Government mess is available.

(d) You are ordered to ADT with your consent and the consent of the Governor of the State of Montana.

(e) Weapons will not be carried incident to travel.

(f) Excess Baggage authorized.

(g) The total period of ADT to include travel time is: One-hundred and forty-five days.

FOR ARNG/ARMY USE

Auth: 32 USC 504 and NGR 350-1

HOR: See SNL

Acct class: 2192060 18-1024 P2F31.1000 1198 1199 1250 211C-219C S24024
2102060 18-1024 P2F31.1000 1198 1199 1250 211C-219C S24024

PEBD: See SNL

WE: N/A

Marital status: See SNL

Dependents: N/A

Incentive or special pay: N/A

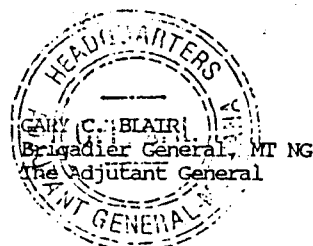
State tax code: N/A

Scty Clnc: See SNL

Format: 282

ORDERS 59-9 DEPARTMENT OF MILITARY AFFAIRS STATE OF MONTANA 31 March 1989

✓ BY ORDER OF THE GOVERNOR:



DISTRIBUTION:
A3

HEADQUARTERS 163D ARMORED BRIGADE
MONTANA ARMY NATIONAL GUARD
P. O. BOX 878
BOZEMAN, MONTANA 59771-0878

ARB (600)

27 February 1991

MEMORANDUM FOR Dept of Mil Affairs, State of MT, OTAG, ATTN: DMA-ARP-P, P. O.
Box 4789, Helena, MT 59604-4789

SUBJECT: Recommendation for Promotion of Officer

1. Under the provisions of chapter 8, NGR 600-100, it is recommended that the following named officer be promoted in the Army National Guard as indicated:

a. Name: DRISCOLL, JOHN B.

b. SSN: 516-54-9734

c. Branch: Armor

d. Designated primary and alternate specialty: Primary: 12C3C
Alternate: 35A3C

e. Present grade: Major O-4

f. Present TOE/TDA position and unit (to include PALN): Commander, HHC
1-163d IN Bn (Mech), MT ARNG, Billings, MT 59102-0899 MTOE 07245LNG13 PALN
101 01.

g. Grade, TOE/TDA position and unit for which recommended (to include
PALN): Lieutenant Colonel, Commander, HHC 1-163d IN Bn (Mech), MT ARNG,
Billings, MT 59102-0899 MTOE 07245LNG13 PALN 101 01.

h. Present mailing address and ZIP code: P. O. Box 33, Helena, MT
59624-0033.

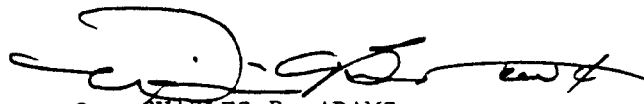
i. Present business address and Zip code: Public Service Commision,
State Capital, Helena, MT 59601-5000

2. This officer has clearly demonstrated his/her fitness for the respnsibili-
ties and duties of the position, grade and branch for which recommended.

a. The officer has the following periods of service which are creditable
for promotion to the higher grade: 26 May 1968 to Present.

b. The officer meets the military education requirements by virtue of the
following (attach evidence): US Army Command & General Staff Officer Course.

2 Encl
as


CHARLES R. ADAMS
Brigadier General, MT ARNG
Commanding

SERVICE SCHOOL ACADEMIC EVALUATION REPORT
For use of this form, see AR 623-1, the proponent agency is MILPERCEN

DATE 3-8-91
DATE December 1989

1 LAST NAME - FIRST NAME - MIDDLE INITIAL Driscoll, John B.		2 SSN 516-54-9734	3 GRADE MAJ	4 BR HS	5 SPECIALTY/MOSC AR 212
6 COURSE TITLE US Army Command & General Staff Officer Course - Res Comp (1-250-C4) [4]		7 NAME OF SCHOOL USA Command & General Staff College, Ft. Lvn, KS 66027		8 COMP ARNG	

9 TYPE OF REPORT <input checked="" type="checkbox"/> RESIDENT <input type="checkbox"/> NONRESIDENT	10 PERIOD OF REPORT (Year, month, day) From 890729 Thru 891214	11 DURATION OF COURSE (Year, month, day) From 890731 Thru 891214
12 EXPLANATION OF NONRATED PERIODS		

13 PERFORMANCE SUMMARY <p>XXXXXXXXXXXXXXXXXXXX NOT USED BY CGSC (Limited to 20% of class enrollment)</p> <p>b <input checked="" type="checkbox"/> ACHIEVED COURSE STANDARDS</p> <p>*c <input type="checkbox"/> MARGINALLY ACHIEVED COURSE STANDARDS</p> <p>*d <input type="checkbox"/> FAILED TO ACHIEVE COURSE STANDARDS</p> <p><small>*Rating must be supported by comments in ITEM 16</small></p>	14 DEMONSTRATED ABILITIES <p>a. WRITTEN COMMUNICATION <input type="checkbox"/> NOT EVALUATED <input type="checkbox"/> UNSAT <input checked="" type="checkbox"/> SAT <input type="checkbox"/> SUPERIO</p> <p>b. ORAL COMMUNICATION <input type="checkbox"/> NOT EVALUATED <input type="checkbox"/> UNSAT <input checked="" type="checkbox"/> SAT <input type="checkbox"/> SUPERIO</p> <p>c. LEADERSHIP SKILLS <input type="checkbox"/> NOT EVALUATED <input type="checkbox"/> UNSAT <input checked="" type="checkbox"/> SAT <input type="checkbox"/> SUPERIO</p> <p>d. CONTRIBUTION TO GROUP WORK <input type="checkbox"/> NOT EVALUATED <input type="checkbox"/> UNSAT <input type="checkbox"/> SAT <input checked="" type="checkbox"/> SUPERIO</p> <p>e. EVALUATION OF STUDENT'S RESEARCH ABILITY <input type="checkbox"/> NOT EVALUATED <input type="checkbox"/> UNSAT <input type="checkbox"/> SAT <input checked="" type="checkbox"/> SUPERIO</p> <p><small>(SUPERIOR/UNSAT rating must be supported by comments in ITEM 16)</small></p>
--	---

15 HAS THE STUDENT DEMONSTRATED THE ACADEMIC POTENTIAL FOR SELECTION TO HIGHER LEVEL SCHOOLING/TRAINING?
☒ YES ☐ NO ☐ N/A (A "NO" response must be supported by comments in ITEM 16)

16 COMMENTS (This item is intended to obtain a word picture of each student that will accurately and completely portray academic performance, intellectual qualities, communication skills and abilities. The narrative should also discuss broader aspects of the student's potential leadership capabilities, moral and overall professional qualities particular, comments should be made if the student failed to respond to recommendations for improving academic or personal affairs)

Major Driscoll's excellent performance at the Command and General Staff College has been demonstrated by his solid grasp of tactics, logistics and joint and combined operations. He is a bright, articulate and thoughtful officer who did an outstanding job of educating the Regular Component officers of the roles and missions of the National Guard. He then explained how the National Guard is designed to integrate with, and enhance the active force. Major Driscoll continually volunteered for all of the most difficult assignments and was a solid contributor. He demonstrated an outstanding ability to research difficult topics and then convey his results to his fellow students. Major Driscoll arrived ready to learn and at the conclusion of the course he is leaving CGSOC a more complete officer with the potential of making outstanding contributions to his unit. It is noteworthy that Major Driscoll's physical training score (262) placed him in the upper 25 percent of the staff group; but especially noteworthy is the fact he was the highest for his age group. Major Driscoll has demonstrated during his short time here that he is a competent combat arms officer and effective leader.

PASS 8910 68/163 YES

17 AUTHENTICATION	
a TYPED NAME, GRADE, BRANCH, AND TITLE OF PREPARING OFFICER BERNARD D. FITZPATRICK, MAJ, SC Academic Counselor/Evaluator	SIGNATURE <i>Bernard D. Fitzpatrick</i>
b TYPED NAME, GRADE, BRANCH, AND TITLE OF REVIEWING OFFICER JOHN E. MILLER, BG, USA Deputy Commandant	SIGNATURE <i>John E. Miller</i>

18 MILITARY PERSONNEL OFFICER /	
a FORWARDING ADDRESS (Rated student) MAJ John B. Driscoll 11 North Warren St. Helena, MT 59601	b DISTRIBUTION <input checked="" type="checkbox"/> STUDENT <input type="checkbox"/> UNIT CDR (P/B NCOES only) <input checked="" type="checkbox"/> STUDENT'S OFFICIAL MILITARY RECORDS

DA FORM 1059
NOV 77

EDITION OF 1 JUL 73 IS OBSOLETE

8-04

"FOR OFFICIAL USE ONLY - PRIVACY ACT DATA"

August 3, 1989 0730: Memo of phone conversation with Senator Chet Blaylock (D-Laurel).

Received a "friendly" phone call from Chet Blaylock late last night. After reiterating how close a friends we were, he proceeded to advise me that he wanted me to ask Andrea Bennett to stop my pay check. Said "you know how m ontanans are." The implication was that they simply don't like twochecks, regardless of what the law says.

He advised me that he has had a legal analysis done by some very good attorneys at the Legislative Council that sways I am violating the Consitution prohibition against two checks. I asked him if they had included in their analysis the exception for service in the Militia. He made no comment. I asked him if that meant a prohibition in his mind oin all compensastion for service on Guard Duty...he said yes. He advised me that he was prepared to take act but didn't indicate what kind of action; I felt it best n ot to ask. The conversation was turning rather threatening.

He advised me that I was wrong; I indicated how strongly I felt abo myconstitutional and legal rights in this matter. He said "your a stubborn man". I don't feel stubborn.

After reflecting, I wrote two letters. One was to the Attorney General. It is attached. The second was to Andrea Bennett.

I called Chet back. Told him I thought that the purpose here was not to say who is wrong, but to determine what is right. I asked h what he th ought about myletters to the Attorney General and Andrea He indicated that "the Attorney General wants to stay out of this". He also indicated that unless I said immediately that I was going to turn down my state pay, he was going to take action. I indicate I could not do that, but I had no problems setting it aside while an Attorney General opinion was in the works He said that was not enough. I told him that I wanted to take no chance that myoffice was conside5red vacant...when it clearly is no legally, or practically. I also felt strongly that I was legally entitled to the pay...and did not want to be buffaloed in the wrong direction.

He said he felt he had to do what he felt was right. I said I unde

This morning, on reflection, I've decided to write for an Attorney opinion on the two basic questions. The main reason is the existen of a legal anayl5sis contrary to the one I've been using. I will as Legislative Council for a copy to attach to my request. I am puzzl why the second check is not the one that Chet wants me to stop, rat than mystate check...given the reading he is makiong of the Consti

68—The Independent Record, Helena, Mont., Wednesday, November 29, 1989

MONTANA

PSC liked Driscoll's absentee work

By BILL LONIHARDI
H State Bureau

State Public Service Commission members generally are pleased with the job Commissioner John Driscoll has done while attending National Guard training in Kansas for the last four months. But the four members left behind in Helena to regulate utilities and some transportation services say they would not recommend he leave again for an extended period.

PSC Chairman Clyde Jarvis said Driscoll, who has been in Fort Leavenworth, Kan., since late July, has done a better job of keeping in touch with the office than when he was in Montana.

"We didn't believe it was right that he leave," he said. "That was up to him. But he's been in closer touch with the office than any other time since he's been on the commission. I certainly can't fault him since he's been gone."

Driscoll, who is collecting his PSC salary — \$37,045 annually — and about \$16,000 for his train-

ing period as a major, has been criticized by some for leaving for 4½ months to take part in training exercises while collecting state pay. He will return to work Dec. 14.

PSC staff have been keeping close watch over all facilities sent and phone calls made to Driscoll, and Driscoll has agreed to reimburse all costs, which he conservatively estimated at between \$300 and \$400 a month.

Driscoll said those costs also include his long-distance phone calls to staff and constituents, as well as mail sent to him twice a week.

"I have a heck of a telephone bill," he said. "I know I've been on top of things. The staff's been great."

Jarvis said he asked that the PSC's centralized services division keep track of all of the costs associated with Driscoll's leave "so we can bill him when he comes back."

He also noted he will ask commissioners to decide whether the PSC should charge Driscoll for staff time to keep track of those costs.

"The commission would have to make a decision on that," Jarvis said, noting, like other commissioners, he hopes Driscoll does not take another prolonged leave of absence.

"Any time you have four people sitting on an issue you could have a tie vote," Jarvis noted. "That's why it's important to have five members."

Commissioner Howard Ellis called Driscoll's work "passable."

"I don't think the ratepayer or utilities have been shortchanged in any way by his absence," he said.

Though Commissioner Wally Mercer said he thought Driscoll has done "a better job than we had hoped," he added, "I wouldn't recommend doing it again."

Saying Driscoll has made a good-faith effort to be informed on the issues, Commissioner Danny Oberg, however, said his colleague was absent during a critical issue for his district — a controversy over major problems with Butte

Water Co.'s archaic water system. He also missed work sessions, where Oberg said the "critical" decisions are made.

Driscoll said he does not foresee having to leave again. "If I did this as a last resort," he said.

Driscoll is not the only PSC member working two jobs.

Oberg moonlights as a clerk at a Helena convenience store to make ends meet for his wife, who attends college, and two teenagers.

Jarvis said he has told Oberg in a fatherly way he thinks Oberg "is burning the candle from both ends."

"Sometimes he looks a little worse for wear," he added. "And that concerns me. I guess I should mind my own business. But I like him and I'll give advice. He says, 'You sound just like my dad.'"

Jarvis, however, said Oberg's moonlighting does not detract from his job performance or a conflict of interest. "He's here every day," he said.

EXHIBIT 7
DATE 3-8-91
~~HB~~ SB 241

PUBLIC SERVICE COMMISSION

2701 Prospect Avenue • Helena, Montana 59620

Telephone: (406) 444-6168

November 27, 1989

John B. Driscoll, Commissioner
District 4

The Honorable Andrea Bennett
State Auditor
State of Montana
P.O. Box 4009
Helena, Montana 59604

Dear Ms. Bennett:

It's clear from the recent Attorney General's Opinion to your office that I am entitled to pay as a Montana Public Service Commissioner and as a Major, serving on active duty in the U.S. Army. However, the opinion clearly cautions against my receiving "additional state compensation for military service". I intend to comply with those guidelines retroactively by statute.

For 69 hours, beginning August 28, 1984, I served as Officer in Charge of about 120 National Guard men and women helping to fight the North Hills Fire. The fire burned in the mountains just north of the Capitol, along the Missouri River.

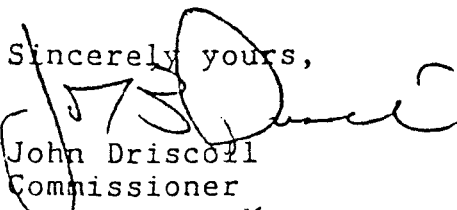
Though I am told the fire's cost, including my own compensation, was paid by the Federal Government, I was paid with two state warrants. My earnings before taxes for about 5 days of emergency duty was \$1048.80.

Please, determine how much, if any, of my earnings is "additional state compensation for military service." Advise me if I should repay it.

The officer to whom I reported for duty at the time is LTC John Oljar. The individual at the Department of State Lands who packaged the costs of the fire, and secured reimbursement for the state's 25% from the Federal Government, is Mr. Don Underwood. Their phone numbers are 444-6915 and 542-4205, respectively.

I look forward to your formal response.

Sincerely yours,


John Driscoll
Commissioner

STATE AUDITOR
STATE OF MONTANA

3-8-91
SB 241

Andrea "Andy" Bennett
STATE AUDITOR



COMMISSIONER OF INSURANCE
COMMISSIONER OF SECURITY

Certified Mail - Return Receipt Requested

December 8, 1989

John B. Driscoll, Commissioner
2701 Prospect Avenue
Helena, Montana 59620

Dear Commissioner Driscoll:

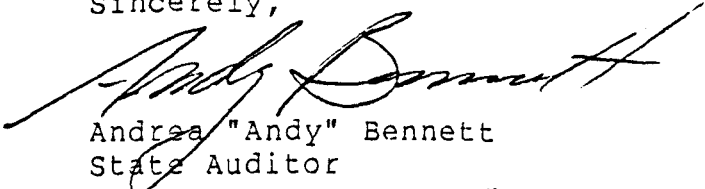
This letter is in response to your letter of November 27, 1989, in which you inquired as to whether you should repay to the state of Montana any portion of your compensation earned during the North Hills Fire in 1984.

The Department of State Lands was the agency which paid your compensation for military services rendered during the North Hills Fire. That agency has informed my office that 25.17% of your compensation was paid by the state of Montana. As your total earnings were \$1048.80, you must now repay \$263.98, plus \$178.27 in interest (calculated through December 1989). The total amount due to the state of Montana is \$442.25.

The three-year statute of limitations on filing amended tax returns has passed, so my office will not issue you a W-2c form for 1984. You are advised that you may, however, claim the repayment on your tax return for 1989 if you itemize deductions. Additionally, you may claim 20% of the interest that you paid, but again, only if you itemize.

You are advised to remit \$442.25 to the State Treasurer, in care of my office.

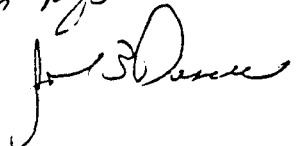
Sincerely,


Andrea "Andy" Bennett
State Auditor

AB/clb(1601)

Andy:

Enclosed pay me
as requested.



check to 788

DATE 3-8-91
HB 966

Amendments to House Bill No. 966
First Reading Copy

Requested by Representative Southworth
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
March 7, 1991

1. Page 2, line 9.
Strike: "14"
Insert: "15"

2. Page 3, line 3.
Following: "designee;"
Strike: "and"

3. Page 3, line 4.
Following: "department of"
Strike: "family"
Insert: "social and rehabilitation"

4. Page 3, line 5.
Following: "designee"
Insert: "; and
(i) the governor's coordinator of aging or a designee"

Amendments to House Bill No. 966
First Reading Copy

Requested by Representative Barnhart
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
March 7, 1991

1. Page 2, line 17.

Following: "community" on line 17

Insert: "who is a consumer of mental health services"

2. Page 4, line 8.

Following: "system;"

Strike: "and"

3. Page 4, line 15.

Following: "homemakers"

Insert: "; and

(e) study other states' experiences with state mental
health facilities"

Amendments to House Bill No. 966
First Reading Copy

Requested by Representative Simpkins
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
March 8, 1991

1. Page 2, line 13.

Following: "party"

Insert: "and no more than one member of which may be from a
senate district representing the montana state hospital
campuses"

2. Page 2, line 16.

Following: "party"

Insert: "and no more than one member of which may be from a house
district representing the montana state hospital campuses"

HOUSE BILL NO. 514

INTRODUCED BY MENAHAN, LYNCH

EXHIBIT 6
DATE 3-8-91
HB 514

1
2
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT FREEZING ADJUSTING THE STATEWIDE SALARY SCHEDULES FOR STATE
5 EMPLOYEES AND PROVIDING AN ACROSS-THE-BOARD FLAT \$1-AN-HOUR PAY INCREASE TO ALL STATE EMPLOYEES ON
6 THE STATEWIDE-PAY-PLAN FOR EACH YEAR OF THE BIENNIMUM; PROVIDING FOR THAT SHIFT DIFFERENTIAL PAY AND
7 HAZARDOUS DUTY PAY FOR STATE EMPLOYEES MAY BE NEGOTIATED BY AGENCY; REPEALING THE STATEWIDE
8 CLASSIFICATION-SYSTEM-AND-MANDATING-THAT-ALL-POSITION-CLASSIFICATIONS-BE-NEGOTIATED; PROVIDING-THAT
9 AGENCIES--MAY--NEGOTIATE--SEPARATE-PAY-PLANS; PROVIDING INCREASES TO EMPLOYER CONTRIBUTIONS TO GROUP
10 BENEFITS; REPEALING THE TEACHERS--PAY-SCHEDULES-AND-PROVIDING-THAT-THE--DEPARTMENT--OF--INSTITUTIONS
11 AND--THE--DEPARTMENT-OF-FAMILY-SERVICES-ABOPT-PAY-SCHEDULES-FOR-THEIR-TEACHERS-THAT-ARE-EQUAL-TO-THE
12 PAY-SCHEDULES-OF-TEACHERS-IN-LOCAL-SCHOOL-DISTRICTS; PROVIDING AN APPROPRIATION; AMENDING SECTIONS
13 2-18-104;--2-18-204; 2-18-303, 2-18-304;--2-18-305 2-18-312, 2-18-313, 2-18-314, 2-18-315, AND
14 2-18-703, MCA; REPEALING--SECTIONS--2-18-201;--2-18-202;--2-18-203;--2-18-205;--2-18-207;--2-18-208;
15 2-18-209;--2-18-301;--AND-2-18-313;--MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

16
17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

18 NEW-SECTION:--Section-1:--Position--classifications--negotiated;--the--classification--and--grade--of
19 all--state--positions;--except--those--exempt--from--statewide--classification--under--the--provisions--of
20 2-18-103;--and--2-18-104;--must--be--determined--through--negotiations--with--employee--unions--and
21 organizations;--

22 NEW-SECTION:--Section-2:--Negotiation--of--separate--pay--plans:--Each--agency--may--develop;--through
23 negotiated--settlements--with--employee--unions;--a--separate--pay--plan--for--its--employees--if--employee
24 unions--demonstrate--that--the--spectat--job--responsibilities--for--positions--within--the--agency;--career
25 progression--for--specialized--job--classes;--and--working--conditions;--such--as--shift--work--and--hazardous

1 duty; cannot be appropriately classified and compensated within a statewide pay plan;

2 NEW SECTION. Section 1. Shift differential and hazardous duty pay NEGOTIATED. (1) Each

3 employee is entitled to shift differential pay; in addition to all other compensation provided by

4 law; for each hour worked on a regularly scheduled shift as follows:

5 (a) \$1 an hour for each hour worked on the second shift; and

6 (b) \$1.50 an hour for each hour worked on the third shift. AGENCY SHALL NEGOTIATE WITH

7 EMPLOYEES FOR SHIFT DIFFERENTIAL PAY FOR THOSE EMPLOYEES WHO ARE REGULARLY SCHEDULED TO WORK OTHER

8 THAN THE DAY SHIFT.

9 (2) Each agency with employees who work under hazardous conditions shall negotiate with

10 employee unions and the department EMPLOYEES for hazardous duty pay for those employees of up to \$2

11 an hour WHO WORK UNDER HAZARDOUS CONDITIONS.

12 Section 4:--Section 2-18-104; MCA; is amended to read:

13 "2-18-104:--Exemption for personal staff---(1) Subject to the limitations in subsections

14 (2) and (3); members of a personal staff are exempt from the application of 2-18-204; 2-18-205;

15 2-18-207; and Part 2 of this chapter and 2-18-101 through 2-18-1013:

16 (2) the personal staff who are exempted by subsection (1) may not exceed 10; unless otherwise

17 approved by the department according to criteria developed by the department; Under no circumstances

18 may the total exemptions of each elected official exceed 15;

19 (3) the number of members of the personal staff of the public service commission who are

20 exempted by subsection (1) may not exceed 10;"

21 Section 5:--Section 2-18-204; MCA; is amended to read:

22 "2-18-204:--Determination of number and classes of employees in each agency:--(1) Based on

23 documentation to be submitted by each agency; the department shall determine the classes of

24 positions of employees of each agency or program thereof before the beginning of each fiscal year;

25 At any time; upon request of the agency; the department may amend the classes of positions of

EXHIBIT 4

DATE 3-8-91

HB 514

employees-in-any-agency-or-program-thereof:

(2)--Based-on-documentation-to-be-submitted-by-each-agency--the-budget-director-shall--determine the--number--of--positions--and--employees--(full-time-equivalents)--of--each-agency-or-program--thereof prior-to-preparation-of-the-executive-budget-and-before-the-beginning-of-each-fiscal--year--At--any time--upon--the--request--of--the--agency--the-budget-director-may-amend-the-number-of-positions-or employees--(full-time-equivalents)--in-any-agency-or-program--thereof--

(3)(2)--This-section-does-not-limit-legislative-authority-to-amend--the--determinations--of--the department-or-the-budget-director--

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

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

(a) The pay schedules provided in 2-18-312 indicate the annual compensation for the fiscal years ending June 30, 1998 1992, and June 30, 1991 1993, for each grade and step for positions classified under the provisions of part 2 of this chapter in-effect-during-fiscal-year-1998.

(b) Each new employee shall advance from step 1 to step 2 of a grade after successfully completing 6 months of probationary service. The anniversary date of an employee must be established at the end of the probationary period in accordance with rules promulgated by the department.

(c) (i) The compensation of each employee on the first day of the first pay period in fiscal year 1998 1992 is that amount corresponding to the grade and step occupied on the last day of fiscal year 1989 1991 plus-a-\$3,000-increase-to-the-employee's-base-salary-and-the-employer-contribution-to group-benefits-provided-in-2-18-703.

(ii) The compensation of each employee on the first day of the first pay period in fiscal year 1991 1993 is that amount corresponding to the grade and step occupied on the last day of fiscal year 1990 1992 plus-the-\$3,000-increase-to-the-employee's-base-salary-in-fiscal-year-1992-as-provided-in subsection-(2)(c)(i)--an-additional-\$3,000-increase-to-the-employee's-base-salary--and-the-employer

contribution-to-group-benefits-provided-in-2-18-709.

(2) The pay schedules provided in 2-18-312 and the provisions of subsection (1) do not apply to those teachers, liquor store occupations, or blue-collar occupations compensated under the provisions of subsection (3) or the pay schedules provided in 2-18-313 through 2-18-314 and 2-18-313 THROUGH 2-18-315.

(3) The pay for teachers excepted from the pay plan under the provisions in 2-18-103(10) and the pay schedules provided in 2-18-313 through 2-18-314 and 2-18-313 THROUGH 2-18-315 must be implemented as follows:

(a) (i) The pay schedules provided for in 2-18-313 indicate the annual compensation for the contracted school term for teachers employed under the authority of the department of institutions or the department of family services for fiscal years 1990 and 1991. The department of institutions and the department of family services shall, for fiscal years 1992 and 1993 and thereafter, adopt pay schedules for teachers equal to the pay schedule in effect the year preceding each new biennium for teachers in the school district nearest to the department operated school. THE PAY SCHEDULES PROVIDED FOR IN 2-18-313 INDICATE THE ANNUAL COMPENSATION FOR THE CONTRACTED SCHOOL TERM FOR TEACHERS EMPLOYED UNDER THE AUTHORITY OF THE DEPARTMENT OF INSTITUTIONS OR THE DEPARTMENT OF FAMILY SERVICES FOR FISCAL YEARS 1992 AND 1993.

(ii) On the first day of the first pay period in July 1989, each teacher shall advance three steps on the appropriate pay schedule for fiscal year 1990 from the step that he occupied on June 30, 1989. A teacher must be placed on the adopted pay schedule according to his educational training and years of experience.

(iii) The compensation of each teacher on the first day of the first pay period in July 1990 is that amount corresponding to his level of academic achievement and the step occupied on June 30, 1990. THE COMPENSATION OF EACH TEACHER ON THE FIRST DAY OF THE FIRST PAY PERIOD IN JULY 1991 IS THAT AMOUNT CORRESPONDING TO HIS LEVEL OF ACADEMIC ACHIEVEMENT AND THE STEP OCCUPIED ON JUNE 30, 1991.

EXHIBIT

DATE 3-8-91

HB 514

1992.

(III) THE COMPENSATION OF EACH TEACHER ON THE FIRST DAY OF THE FIRST PAY PERIOD IN JULY 1992 IS THAT AMOUNT CORRESPONDING TO HIS LEVEL OF ACADEMIC ACHIEVEMENT AND THE STEP OCCUPIED ON JUNE 30,

(b) (i) The pay schedules provided in 2-18-314 indicate the maximum hourly compensation for fiscal years ending June 30, 1990 1992, and June 30, 1991 1993, for those employees in liquor store occupations who have collectively bargained separate classification and pay plans.

(ii) The compensation of each employee on the first day of the first pay period in fiscal year 1990 1992 or 1991 1993 is that amount corresponding to the grade occupied on the last day of the preceding fiscal year.

(c) (i) The pay schedules provided in 2-18-315 indicate the maximum hourly compensation for fiscal years ending June 30, 1990 1992, and June 30, 1991 1993, 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.

(ii) The compensation of each employee on the first day of the first pay period in fiscal year 1990 1992 or 1991 1993 is that amount corresponding to the grade occupied on the last day of the preceding fiscal year.

(4) (a)-(i)-A member of a bargaining unit may not receive the amounts indicated in the respective pay schedules provided in 2-18-312 through 2-18-315 until the bargaining unit of which he is a member ratifies a completely integrated collective bargaining agreement covering the biennium ending June 30, 1991.

(i)-if negotiation and ratification of a completely integrated collective bargaining agreement as required by subsection (4)(a)(i) are not completed by July 1, 1989, retroactivity to that date may be negotiated.

(i)-if negotiation and ratification of a completely integrated collective bargaining agreement as required by subsection (4)(a)(i) are not completed by July 1, 1989, members of the bargaining

unit involved must continue to receive the compensation they were receiving as of June 30, 1989:

(b) Methods of administration not inconsistent with the purpose of this part and necessary to properly implement the pay schedules provided in 2-18-312 through 2-18-314 and THROUGH 2-18-315 may be provided for in collective bargaining agreements.

(5) 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 through 2-18-314 and THROUGH 2-18-315.

(6) The department may authorize a separate pay schedule for medical doctors if the rates provided in 2-18-312 are not sufficient to attract and retain fully licensed and qualified physicians at the state institutions.

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

(8) The department shall review the competitiveness of the compensation provided to registered nurses and other 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. Insofar as these adjustments may apply to employees within a collective bargaining unit, the implementation of these adjustments is a negotiable subject under 39-31-305."

Section 7, Section 2-18-384, MCA, is amended to read:

"2-18-384 Longevity allowance: (1) In addition to the compensation provided for in 2-18-312, 2-18-313, 2-18-314, or 2-18-315, each employee who has completed 5 years of uninterrupted state service shall receive the larger of \$10 a month or 10% of the difference between the base compensation for his grade and step plus the amount provided in 2-18-303 (where applicable) and the base compensation for the next highest grade and corresponding step plus the amount provided in

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2-18-803--(where applicable)--multiplied by--the number of completed--contiguous 5-year periods of uninterrupted state service--Service to the state--is not interrupted by--authorized leaves--of absence--

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

(1)--2,000--hours of service following his date of employment; an employee must be credited with 80 hours of service for each biweekly pay period in which he is in a pay status or on an authorized leave of absence without pay; regardless of the number of hours of service in the pay period; or (1)--12--uninterrupted calendar months following his date of employment in which he was in a pay status or on an authorized leave of absence without pay; regardless of the number of hours of service in any one month; An employee of a school at a state institution or the university system must be credited with a year of service if he is employed for an entire academic year;

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

Section 8--Section 2-18-805; MCA, is amended to read:

"2-18-805--Allocation between wages and group benefits:--(1)--The dollar amounts shown in the respective pay schedules provided in 2-18-912; 2-18-913; 2-18-914; or 2-18-915; as the case may be, represent the maximum amount allocated by the state for wages and group benefits; exclusive of longevity as defined in 2-18-804; Except as provided in subsection (2) of this section, that amount specifically allocated for group benefits shall be determined by 2-18-703; An employee who elects not to be covered by a state employee group benefit plan will receive as wages the amount shown in the appropriate pay schedule less the state contribution for group benefits as determined by 2-18-703;

(2)--Employees may, through collective bargaining, determine the allocation of the amounts shown in the pay schedules provided in 2-18-912; 2-18-913; 2-18-914; or 2-18-915; as the case may be;

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between wages and group benefits; except that in no case may the group benefits allocation be less than the amounts provided in 2-18-789."

SECTION 3. SECTION 2-18-312, MCA, IS AMENDED TO READ:

"2-18-312. Statewide pay schedules for fiscal years 1990 1992 and 1991 1993. (1) The statewide

classification pay schedule for fiscal year 1990 1992 is as follows:

Annual Hours -- 2080 Note: Includes Does Not Include Insurance
Pay Matrix -- State Matrix Type -- Annual

GRADE	1	2	3	4	5	6	7	8	9	10	11	12	13
10	10,102	10,839	11,041	11,247	11,457	11,671	11,890	12,113	12,340	12,572	12,809	13,050	13,542
11	10,614	11,357	11,569	11,786	12,007	12,232	12,462	12,696	12,935	13,179	13,428	13,682	14,200
12	11,138	11,921	12,145	12,373	12,606	12,843	13,085	13,332	13,584	13,841	14,103	14,370	14,915
13	11,711	12,537	12,773	13,014	13,259	13,509	13,764	14,024	14,290	14,561	14,837	15,119	15,694
14	12,343	13,216	13,466	13,721	13,981	14,246	14,516	14,792	15,073	15,360	15,652	15,950	16,558
15	13,035	13,960	14,224	14,494	14,769	15,050	15,336	15,628	15,926	16,230	16,540	16,856	17,501
16	13,802	14,785	15,066	15,353	15,645	15,943	16,247	16,557	16,873	17,196	17,525	17,861	18,546
17	14,629	15,674	15,973	16,278	16,589	16,906	17,229	17,559	17,895	18,238	18,588	18,945	19,673
18	15,517	16,662	16,980	17,305	17,636	17,974	18,319	18,671	19,030	19,396	19,769	20,150	20,926
19	16,553	17,743	18,083	18,430	18,784	19,145	19,513	19,888	20,271	20,662	21,060	21,466	22,295
20	17,652	18,925	19,289	19,660	20,038	20,424	20,818	21,220	21,630	22,048	22,474	22,909	23,796
21	18,818	20,233	20,623	21,021	21,427	21,841	22,263	22,693	23,132	23,580	24,037	24,503	25,477
22	20,054	21,669	22,088	22,515	22,951	23,395	23,848	24,310	24,780	25,261	25,743	26,235	27,341
23	21,360	23,177	23,626	24,090	24,572	25,066	25,570	26,084	26,609	27,144	27,691	28,247	29,483

1	15	23.625	25.369	25.073	26.988	26.912	27.447	27.994	28.558	29.118	29.697	30.289	30.891	32.121
2	16	25.613	27.529	28.077	28.695	29.205	29.786	30.379	30.984	31.601	32.238	32.872	33.527	34.862
3	17	27.707	29.867	30.462	31.069	31.687	32.317	32.961	33.617	34.286	34.969	35.665	36.375	37.825
4	18	30.190	32.451	33.097	33.756	34.429	35.114	35.813	36.527	37.255	37.997	38.754	39.526	41.101
5	19	32.801	35.291	35.994	36.710	37.441	38.187	38.948	39.724	40.515	41.323	42.146	42.986	44.986
6	20	35.714	38.391	39.156	39.936	40.731	41.549	42.377	43.216	44.077	44.955	45.851	45.851	48.953
7	21	38.885	41.802	42.695	43.485	44.352	45.236	46.138	47.058	47.996	48.953	48.953	48.953	52.295
8	22	42.366	45.544	46.452	47.379	48.324	49.287	50.270	51.273	52.295	52.295	52.295	52.295	52.295
9	23	46.174	49.639	50.629	51.638	52.669	53.719	54.798	55.883	55.883	55.883	55.883	55.883	55.883
10	24	50.358	54.137	55.218	56.320	57.443	58.589	59.757	59.757	59.757	59.757	59.757	59.757	59.757
11	25	54.959	59.079	60.258	61.460	62.686	63.936	63.936	63.936	63.936	63.936	63.936	63.936	63.936
12	1	11.212	11.919	12.121	12.327	12.537	12.751	1.2970	13.193	13.420	13.652	13.889	14.130	14.622
13	2	11.694	12.437	12.649	12.866	13.087	13.312	1.3542	13.776	14.015	14.259	14.508	14.762	15.280
14	3	12.218	13.001	13.225	13.453	13.686	13.923	1.4165	14.412	14.664	14.921	15.183	15.450	15.995
15	4	12.791	13.617	13.853	14.094	14.339	14.589	1.4844	15.104	15.370	15.641	15.917	16.199	16.774
16	5	13.423	14.296	14.546	14.801	15.061	15.326	1.5596	15.872	16.153	16.440	16.732	17.030	17.638
17	6	14.115	15.040	15.304	15.574	15.849	16.130	1.6416	16.708	17.006	17.310	17.620	17.936	18.581
18	7	14.882	15.865	16.146	16.433	16.725	17.023	1.7327	17.637	17.953	18.276	18.605	18.941	19.626
19	8	15.709	16.754	17.053	17.358	17.669	17.986	1.8309	18.639	18.975	19.318	19.668	20.025	20.753
20	9	16.627	17.742	18.060	18.385	18.716	19.054	1.9399	19.751	20.110	20.476	20.849	21.230	22.006
21	10	17.633	18.823	19.163	19.510	19.864	20.225	2.0593	20.968	21.351	21.742	22.140	22.546	23.375
22	11	18.732	20.005	20.369	20.740	21.118	21.504	2.1898	22.300	22.710	23.128	23.554	23.989	24.876
23	12	19.948	21.313	21.703	22.101	22.507	22.921	2.3343	23.773	24.212	24.660	25.119	25.597	26.595
24	13	21.284	22.749	23.168	23.595	24.031	24.475	2.4928	25.399	25.889	26.394	26.909	27.433	28.506
25	14	22.960	24.551	25.006	25.481	25.975	26.481	2.6998	27.525	28.063	28.611	29.172	29.742	30.906

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15	24,705	26,484	27,001	27,529	28,066	28,614	2,9175	29,745	30,327	30,920	31,527	32,144	33,405
16	26,734	28,698	29,260	29,832	30,416	31,012	3,1619	32,240	32,872	33,517	34,175	34,846	36,215
17	28,963	31,095	31,705	32,327	32,960	33,606	3,4266	34,938	35,624	36,324	37,038	37,765	39,252
18	31,426	33,743	34,405	35,081	35,771	36,473	3,7189	37,921	38,667	39,428	40,204	40,995	42,610
19	34,133	36,654	37,375	38,109	38,858	39,623	4,0403	41,198	42,009	42,837	43,681	44,542	44,542
20	37,088	39,832	40,616	41,415	42,230	43,063	4,3911	44,777	45,660	46,560	47,478	47,478	47,478
21	40,338	43,328	44,182	45,053	45,942	46,848	4,7772	48,715	49,677	50,658	50,658	50,658	50,658
22	43,906	47,164	48,094	49,044	50,013	51,000	5,2008	53,036	54,083	54,083	54,083	54,083	54,083
23	47,809	51,361	52,376	53,410	54,467	55,543	5,6641	57,761	57,761	57,761	57,761	57,761	57,761
24	52,098	55,971	57,079	58,209	59,360	60,535	6,1732	61,732	61,732	61,732	61,732	61,732	61,732
25	56,808	61,037	62,245	63,478	64,734	66,015	6,6015	66,015	66,015	66,015	66,015	66,015	66,015

(2) The statewide classification pay schedule for fiscal year 1991 1993 is as follows:

13 Annual Hours -- 2080 Note: Includes Does Not Include Insurance
14 Pay Matrix -- State Matrix Type -- Annual

15	STEP												
16	GRADE	1	2	3	4	5	6	7	8	9	10	11	12
17	1	10,932	11,639	11,841	12,047	12,257	12,471	12,690	12,913	13,140	13,372	13,609	13,850
18	2	11,414	12,157	12,369	12,586	12,807	13,032	13,262	13,496	13,735	13,979	14,228	14,482
19	3	11,988	12,721	12,945	13,173	13,406	13,643	13,885	14,132	14,384	14,641	14,903	15,170
20	4	12,511	13,237	13,469	13,701	13,939	14,181	14,428	14,680	14,937	15,196	15,459	15,727
21	5	13,143	13,866	14,096	14,326	14,556	14,786	15,016	15,246	15,476	15,706	15,936	16,166
22	6	13,835	14,556	14,784	15,012	15,240	15,468	15,696	15,924	16,152	16,380	16,608	16,836

1	7	14.602	15.505	15.066	16.153	16.445	16.743	17.047	17.357	17.673	17.996	18.325	18.661	19.946
2	8	15.429	16.474	16.773	17.078	17.389	17.706	18.029	18.359	18.695	19.038	19.388	19.745	20.479
3	9	16.347	17.462	17.788	18.105	18.436	18.774	19.119	19.471	19.830	20.196	20.569	20.950	21.726
4	10	17.353	18.543	18.883	19.230	19.584	19.945	20.313	20.688	21.071	21.462	21.860	22.266	23.095
5	11	18.452	19.725	20.089	20.460	20.838	21.224	21.618	22.020	22.430	22.848	23.274	23.709	24.596
6	12	19.668	21.033	21.423	21.821	22.227	22.641	23.063	23.493	23.932	24.380	24.839	25.317	26.315
7	13	21.004	22.469	22.888	23.315	23.751	24.195	24.648	25.119	25.609	26.114	26.629	27.159	28.226
8	14	22.688	24.271	24.726	25.201	25.695	26.201	26.718	27.245	27.783	28.331	28.892	29.462	30.626
9	15	24.425	26.204	26.721	27.249	27.786	28.334	28.895	29.465	30.047	30.640	31.247	31.864	33.125
10	16	26.454	28.418	28.988	29.552	30.136	30.732	31.339	31.968	32.592	33.237	33.895	34.566	35.935
11	17	28.683	30.815	31.425	32.047	32.688	33.326	33.986	34.658	35.344	36.044	36.758	37.485	38.972
12	18	31.146	33.463	34.125	34.801	35.491	36.193	36.909	37.641	38.387	39.148	39.924	40.715	42.388
13	19	33.853	36.374	37.093	37.829	38.578	39.343	40.123	40.918	41.729	42.557	43.401	44.262	44.262
14	20	36.888	39.552	40.386	41.135	41.950	42.783	43.631	44.497	45.388	46.288	47.198	47.198	47.198
15	21	40.058	43.048	43.982	44.773	45.662	46.568	47.492	48.435	49.397	50.378	50.378	50.378	50.378
16	22	43.626	46.884	47.814	48.764	49.733	50.720	51.728	52.756	53.803	53.803	53.803	53.803	53.803
17	23	47.529	51.081	52.036	53.188	54.187	55.269	56.361	57.481	57.481	57.481	57.481	57.481	57.481
18	24	51.818	55.691	56.739	57.929	59.088	60.255	61.452	61.452	61.452	61.452	61.452	61.452	61.452
19	25	56.528	60.757	61.965	63.198	64.454	65.735	65.735	65.735	65.735	65.735	65.735	65.735	65.735
20	1	13.292	13.999	14.201	14.407	14.617	14.831	1.5050	15.273	15.500	15.732	15.969	16.210	16.702
21	2	13.774	14.517	14.729	14.946	15.167	15.392	1.5622	15.856	16.095	16.339	16.588	16.842	17.360
22	3	14.298	15.081	15.305	15.533	15.766	16.003	1.6245	16.492	16.744	17.001	17.263	17.530	18.075
23	4	14.871	15.697	15.933	16.174	16.419	16.669	1.6924	17.184	17.450	17.721	17.997	18.279	18.854
24	5	15.503	16.376	16.626	16.881	17.141	17.406	1.7676	17.952	18.233	18.520	18.812	19.110	19.718
25	6	16.195	17.120	17.384	17.654	17.929	18.210	1.8496	18.788	19.086	19.390	19.700	20.016	20.661

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7	16,962	17,945	18,226	18,513	18,805	19,103	1,9407	19,717	20,033	20,356	20,685	21,021	21,706
8	17,789	18,834	19,133	19,438	19,749	20,066	2,0389	20,719	21,055	21,398	21,748	22,105	22,833
9	18,707	19,822	20,140	20,465	20,796	21,134	2,1479	21,831	22,190	22,556	22,929	23,310	24,086
10	19,713	20,903	21,243	21,590	21,944	22,305	2,2673	23,048	23,431	23,822	24,220	24,626	25,455
11	20,812	22,085	22,449	22,820	23,198	23,584	2,3978	24,380	24,790	25,208	25,634	26,069	26,956
12	22,028	23,393	23,783	24,181	24,587	25,001	2,5423	25,853	26,292	26,740	27,199	27,677	28,675
13	23,364	24,829	25,248	25,675	26,111	26,555	2,7008	27,479	27,969	28,474	28,989	29,513	30,586
14	25,040	26,631	27,086	27,561	28,055	28,561	2,9078	29,605	30,143	30,691	31,252	31,822	32,986
15	26,785	28,564	29,081	29,609	30,146	30,694	3,1255	31,825	32,407	33,000	33,607	34,224	35,485
16	28,814	30,778	31,340	31,912	32,496	33,092	3,3699	34,320	34,952	35,597	36,255	36,926	38,295
17	31,043	33,175	33,785	34,407	35,040	35,686	3,6346	37,018	37,704	38,404	39,118	39,845	41,332
18	33,506	35,823	36,485	37,161	37,851	38,553	3,9269	40,001	40,747	41,508	42,284	43,075	44,690
19	36,213	38,734	39,455	40,189	40,938	41,703	4,2483	43,278	44,089	44,917	45,761	46,622	48,622
20	39,168	41,912	42,696	43,495	44,310	45,143	4,5991	46,857	47,740	48,640	49,558	49,558	49,558
21	42,418	45,408	46,262	47,133	48,022	48,928	4,9852	50,795	51,757	52,738	52,738	52,738	52,738
22	45,986	49,244	50,174	51,124	52,093	53,080	5,4088	55,116	56,163	56,163	56,163	56,163	56,163
23	49,889	53,441	54,456	55,490	56,547	57,623	5,8721	59,841	59,841	59,841	59,841	59,841	59,841
24	54,178	58,051	59,159	60,289	61,440	62,615	6,3812	63,812	63,812	63,812	63,812	63,812	63,812
25	58,888	63,117	64,325	65,558	66,814	68,095	6,8095	68,095	68,095	68,095	68,095	68,095	68,095

SECTION 4. SECTION 2-18-313, MCA, IS AMENDED TO READ:

"2-18-313. Teachers' pay schedules. (1) (a) The 12-month pay schedule for teachers for fiscal year 1990 1992 is as follows:

Annual Hours -- 2080
Term -- Twelve Months
Note: includes Does Not Include Insurance
Matrix Type -- Annual

1	Education Level						
2	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
3	1	21,220	21,070	22,529	22,050	23,173	23,092
4	2	21,983	22,699	23,416	23,775	24,194	24,055
5	3	22,780	23,529	24,302	24,706	25,110	25,905
6	4	23,494	24,362	25,206	25,652	26,097	26,949
7	5	24,247	25,206	26,115	26,590	27,084	27,995
8	6	25,016	26,060	27,027	27,548	28,071	29,041
9	7	25,786	26,908	27,934	28,496	29,056	30,083
10	8	26,561	27,760	28,847	29,446	30,045	31,127
11	9	27,335	28,610	29,756	30,392	31,033	32,172
12	10	28,100	29,464	30,664	31,340	32,010	33,210
13	11	28,884	30,286	31,571	32,288	33,005	34,260
14	12	28,884	30,286	31,571	32,288	33,005	34,260
15	13	28,884	30,286	31,571	32,288	33,005	34,260
16	14	28,884	30,286	31,571	32,288	33,005	34,260
17	15	28,884	30,286	31,571	32,288	33,005	34,260
18	16	28,884	30,286	31,571	32,288	33,005	34,260
19	17	28,884	30,286	31,571	32,288	33,005	34,260
20	18	28,884	30,286	31,571	32,288	33,005	34,260
21	19	28,884	30,286	31,571	32,288	33,005	34,260
22	20	28,884	30,286	31,571	32,288	33,005	34,260
23	21	28,884	30,286	31,571	32,288	33,005	34,260
24	22	28,884	30,286	31,571	32,288	33,005	34,260
25	23	28,884	30,286	31,571	32,288	33,005	34,260

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<u>11</u>	<u>33,453</u>	<u>34,977</u>	<u>36,378</u>	<u>37,181</u>	<u>38,001</u>	<u>39,433</u>
<u>12</u>	<u>33,453</u>	<u>34,977</u>	<u>36,378</u>	<u>37,181</u>	<u>38,001</u>	<u>39,433</u>
<u>13</u>	<u>33,453</u>	<u>34,977</u>	<u>36,378</u>	<u>37,181</u>	<u>38,001</u>	<u>39,433</u>

(b) The 9-month pay schedule for teachers for fiscal year 1990 1992 is as follows:

5 Annual Hours -- 1480 Note: Includes Does Not Include Insurance
 6 Term -- Nine Months Matrix Type -- Annual

Education Level

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
8						
9	16,451	16,933	17,427	17,668	17,910	18,404
10	17,017	17,554	18,092	18,361	18,631	19,168
11	17,583	18,176	18,757	19,056	19,352	19,933
12	18,151	18,801	19,422	19,749	20,074	20,697
13	18,715	19,422	20,087	20,441	20,796	21,463
14	19,283	20,047	20,755	21,136	21,518	22,228
15	19,846	20,667	21,410	21,829	22,239	22,990
16	20,414	21,291	22,086	22,524	22,963	23,754
17	20,980	21,913	22,751	23,217	23,685	24,519
18	21,546	22,537	23,416	23,910	24,406	25,304
19	22,113	23,139	24,079	24,606	25,144	26,085
20	22,683	23,739	24,679	25,244	25,814	26,685
21	23,253	24,339	25,279	25,886	26,444	27,285
22	23,823	24,931	25,871	26,498	27,054	27,884

1	2	17,497	18,034	18,572	18,841	19,111	19,648
2	3	18,063	18,656	19,237	19,536	19,832	20,413
3	4	18,631	19,281	19,902	20,229	20,554	21,177
4	5	19,195	19,902	20,567	20,921	21,276	21,943
5	6	19,763	20,527	21,235	21,616	21,998	22,708
6	7	20,326	21,147	21,898	22,309	22,719	23,470
7	8	20,894	21,771	22,566	23,004	23,443	24,234
8	9	21,460	22,393	23,231	23,697	24,165	25,013
9	10	22,026	23,017	23,896	24,390	24,897	25,818
10	11	22,593	23,619	24,562	25,102	25,654	26,618
11	12	22,593	23,619	24,562	25,102	25,654	26,618
12	13	22,593	23,619	24,562	25,102	25,654	26,618

13 (2) (a) The 12-month pay schedule for teachers for fiscal year 1991 1993 is as follows:

14 Annual Hours -- 2080 Note: Includes Does Not Include Insurance
15 Term -- Twelve Months Matrix Type -- Annual

16		Education Level					
17	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
18	1	22,828	22,678	23,329	23,658	23,973	24,682
19	2	22,783	23,499	24,216	24,575	24,938	25,681
20	3	23,538	24,329	25,111	25,525	25,939	26,754
21	4	24,294	25,172	26,037	26,494	26,958	27,824
22	5	25,054	26,037	26,969	27,464	27,962	28,896

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6	25,842	26,913	27,984	28,438	28,974	29,968
7	26,632	27,702	28,833	29,489	29,983	31,036
8	27,426	28,655	29,769	30,383	30,997	32,106
9	28,219	29,526	30,781	31,853	32,818	33,177
10	29,012	30,402	31,632	32,325	33,019	34,249
11	29,807	31,244	32,561	33,296	34,031	35,318
12	29,807	31,244	32,561	33,296	34,031	35,318
13	29,807	31,244	32,561	33,296	34,031	35,318
14	29,807	31,244	32,561	33,296	34,031	35,318
15	27,119	27,836	28,569	28,927	29,288	30,020
16	27,959	28,758	29,558	29,956	30,359	31,157
17	28,802	29,681	30,546	30,990	31,430	32,294
18	29,646	30,612	31,533	32,019	32,503	33,429
19	30,484	31,533	32,523	33,048	33,576	34,566
20	31,326	32,463	33,515	34,080	34,649	35,703
21	32,164	33,385	34,500	35,111	35,720	36,835
22	33,009	34,311	35,492	36,143	36,796	37,970
23	33,849	35,234	36,481	37,172	37,869	39,129
24	34,689	36,162	37,469	38,203	38,955	40,325
25	35,533	37,057	38,458	39,261	40,081	41,513
26	35,533	37,057	38,458	39,261	40,081	41,513
27	35,533	37,057	38,458	39,261	40,081	41,513
28	35,533	37,057	38,458	39,261	40,081	41,513
29	35,533	37,057	38,458	39,261	40,081	41,513
30	35,533	37,057	38,458	39,261	40,081	41,513
31	35,533	37,057	38,458	39,261	40,081	41,513
32	35,533	37,057	38,458	39,261	40,081	41,513
33	35,533	37,057	38,458	39,261	40,081	41,513
34	35,533	37,057	38,458	39,261	40,081	41,513
35	35,533	37,057	38,458	39,261	40,081	41,513
36	35,533	37,057	38,458	39,261	40,081	41,513
37	35,533	37,057	38,458	39,261	40,081	41,513
38	35,533	37,057	38,458	39,261	40,081	41,513
39	35,533	37,057	38,458	39,261	40,081	41,513
40	35,533	37,057	38,458	39,261	40,081	41,513
41	35,533	37,057	38,458	39,261	40,081	41,513
42	35,533	37,057	38,458	39,261	40,081	41,513
43	35,533	37,057	38,458	39,261	40,081	41,513
44	35,533	37,057	38,458	39,261	40,081	41,513
45	35,533	37,057	38,458	39,261	40,081	41,513
46	35,533	37,057	38,458	39,261	40,081	41,513
47	35,533	37,057	38,458	39,261	40,081	41,513
48	35,533	37,057	38,458	39,261	40,081	41,513
49	35,533	37,057	38,458	39,261	40,081	41,513
50	35,533	37,057	38,458	39,261	40,081	41,513
51	35,533	37,057	38,458	39,261	40,081	41,513
52	35,533	37,057	38,458	39,261	40,081	41,513
53	35,533	37,057	38,458	39,261	40,081	41,513
54	35,533	37,057	38,458	39,261	40,081	41,513
55	35,533	37,057	38,458	39,261	40,081	41,513
56	35,533	37,057	38,458	39,261	40,081	41,513
57	35,533	37,057	38,458	39,261	40,081	41,513
58	35,533	37,057	38,458	39,261	40,081	41,513
59	35,533	37,057	38,458	39,261	40,081	41,513
60	35,533	37,057	38,458	39,261	40,081	41,513
61	35,533	37,057	38,458	39,261	40,081	41,513
62	35,533	37,057	38,458	39,261	40,081	41,513
63	35,533	37,057	38,458	39,261	40,081	41,513
64	35,533	37,057	38,458	39,261	40,081	41,513
65	35,533	37,057	38,458	39,261	40,081	41,513
66	35,533	37,057	38,458	39,261	40,081	41,513
67	35,533	37,057	38,458	39,261	40,081	41,513
68	35,533	37,057	38,458	39,261	40,081	41,513
69	35,533	37,057	38,458	39,261	40,081	41,513
70	35,533	37,057	38,458	39,261	40,081	41,513
71	35,533	37,057	38,458	39,261	40,081	41,513
72	35,533	37,057	38,458	39,261	40,081	41,513
73	35,533	37,057	38,458	39,261	40,081	41,513
74	35,533	37,057	38,458	39,261	40,081	41,513
75	35,533	37,057	38,458	39,261	40,081	41,513
76	35,533	37,057	38,458	39,261	40,081	41,513
77	35,533	37,057	38,458	39,261	40,081	41,513
78	35,533	37,057	38,458	39,261	40,081	41,513
79	35,533	37,057	38,458	39,261	40,081	41,513
80	35,533	37,057	38,458	39,261	40,081	41,513
81	35,533	37,057	38,458	39,261	40,081	41,513
82	35,533	37,057	38,458	39,261	40,081	41,513
83	35,533	37,057	38,458	39,261	40,081	41,513
84	35,533	37,057	38,458	39,261	40,081	41,513
85	35,533	37,057	38,458	39,261	40,081	41,513
86	35,533	37,057	38,458	39,261	40,081	41,513
87	35,533	37,057	38,458	39,261	40,081	41,513
88	35,533	37,057	38,458	39,261	40,081	41,513
89	35,533	37,057	38,458	39,261	40,081	41,513
90	35,533	37,057	38,458	39,261	40,081	41,513
91	35,533	37,057	38,458	39,261	40,081	41,513
92	35,533	37,057	38,458	39,261	40,081	41,513
93	35,533	37,057	38,458	39,261	40,081	41,513
94	35,533	37,057	38,458	39,261	40,081	41,513
95	35,533	37,057	38,458	39,261	40,081	41,513
96	35,533	37,057	38,458	39,261	40,081	41,513
97	35,533	37,057	38,458	39,261	40,081	41,513
98	35,533	37,057	38,458	39,261	40,081	41,513
99	35,533	37,057	38,458	39,261	40,081	41,513
100	35,533	37,057	38,458	39,261	40,081	41,513

(b) The 9-month pay schedule for teachers for fiscal year 1993 is as follows:

23 Annual Hours -- 1480

Note: Includes Does Not Include Insurance

1	Term -- Nine Months			Matrix Type -- Annual			
	Education Level						
2	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
3							
4	1	17,251	17,733	18,227	18,468	18,718	19,204
5	2	17,817	18,354	18,892	19,161	19,431	19,968
6	3	18,383	18,976	19,557	19,856	20,152	20,733
7	4	18,951	19,601	20,222	20,549	20,874	21,497
8	5	19,515	20,222	20,887	21,241	21,596	22,263
9	6	20,083	20,847	21,555	21,936	22,318	23,028
10	7	20,646	21,467	22,218	22,629	23,039	23,798
11	8	21,214	22,091	22,886	23,324	23,763	24,554
12	9	21,788	22,713	23,551	24,017	24,485	25,333
13	10	22,346	23,337	24,216	24,710	25,217	26,138
14	11	22,913	23,939	24,882	25,422	25,974	26,938
15	12	22,913	23,939	24,882	25,422	25,974	26,938
16	13	22,913	23,939	24,882	25,422	25,974	26,938
17	14	18,411	18,893	19,387	19,628	19,870	20,364
18	15	18,977	19,514	20,052	20,321	20,591	21,128
19	16	19,543	20,136	20,717	21,016	21,312	21,893
20	17	20,111	20,761	21,382	21,709	22,034	22,657
21	18	20,675	21,382	22,047	22,401	22,756	23,423
22	19	21,243	22,007	22,715	23,096	23,478	24,188
23	20	21,806	22,627	23,378	23,789	24,199	24,950
24	21	22,374	23,251	24,046	24,484	24,923	25,714

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9	<u>22,940</u>	<u>23,873</u>	<u>24,711</u>	<u>25,177</u>	<u>25,645</u>	<u>26,493</u>
10	<u>23,506</u>	<u>24,497</u>	<u>25,376</u>	<u>25,870</u>	<u>26,377</u>	<u>27,298</u>
11	<u>24,073</u>	<u>25,099</u>	<u>26,042</u>	<u>26,582</u>	<u>27,134</u>	<u>28,098</u>
12	<u>24,073</u>	<u>25,099</u>	<u>26,042</u>	<u>26,582</u>	<u>27,134</u>	<u>28,098</u>
13	<u>24,073</u>	<u>25,099</u>	<u>26,042</u>	<u>26,582</u>	<u>27,134</u>	<u>28,098</u>

SECTION 5. SECTION 2-18-314, MCA, IS AMENDED TO READ:

"2-18-314. Liquor store occupations pay schedules. (1) The pay schedule for liquor store occupations for fiscal year 1990 1992 is as follows:

Annual Hours -- 2080

Note: With Without Insurance

Pay Matrix -- Retail Clerk

Matrix Type -- Hourly

11	Grade	\$/Hour
12	-	W/ins-
13	E1	-8-888
14	E2	-8-848
15	E3	-8-548
16	E4	-8-828
17	E5	-9-118
18	E6	-9-728
19	E7	10-388
20	E8	11-138
21	<u>L1</u>	<u>0.000</u>
22	<u>L2</u>	<u>8.560</u>
23	<u>L3</u>	<u>9.060</u>

1	<u>L4</u>	<u>9.340</u>
2	<u>L5</u>	<u>9.630</u>
3	<u>L6</u>	<u>10.240</u>
4	<u>L7</u>	<u>10.900</u>
5	<u>L8</u>	<u>11.650</u>

(2) The pay schedule for liquor store occupations for fiscal year 1991 1993 is as follows:

7 Annual Hours -- 2080 Note: With Without Insurance
 8 Pay Matrix -- Retail Clerk Matrix Type -- Hourly

9	Grade	\$/Hour
10	-	W/ins:-
11	E1	-8-088
12	E2	-8-425
13	E3	-8-925
14	E4	-9-285
15	E5	-9-495
16	E6	10-185
17	E7	10-765
18	E8	11-515
19	<u>L1</u>	<u>0.000</u>
20	<u>L2</u>	<u>9.560</u>
21	<u>L3</u>	<u>10.060</u>
22	<u>L4</u>	<u>10.340</u>

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<u>L5</u>	<u>10.630</u>
<u>L6</u>	<u>11.240</u>
<u>L7</u>	<u>11.900</u>
<u>L8</u>	<u>12.650"</u>

SECTION 6. SECTION 2-18-315, MCA, IS AMENDED TO READ:

6 "2-18-315. Blue-collar pay schedules. (1) The pay schedule for blue-collar workers for fiscal
 7 year 1998 1992 is as follows:

8 Annual Hours -- 2080
 9 Pay Matrix -- Blue-Collar
 Note: With Without Insurance
 Matrix Type -- Hourly

10	Grade	\$/Hour
11	-	W/Ins-
12	B1-	-8:54
13	B2-	-8:94
14	B3-	-9:34
15	B4-	-9:74
16	B5-	10:14
17	B6-	10:54
18	B7-	10:94
19	B8-	11:34
20	B9-	11:74
21	B10	12:14
22	B11	12:54
23	B12	12:94

1	B00	19.34
2	<u>B1</u>	<u>9.04</u>
3	<u>B2</u>	<u>9.44</u>
4	<u>B3</u>	<u>9.84</u>
5	<u>B4</u>	<u>10.24</u>
6	<u>B5</u>	<u>10.64</u>
7	<u>B6</u>	<u>11.04</u>
8	<u>B7</u>	<u>11.44</u>
9	<u>B8</u>	<u>11.84</u>
10	<u>B9</u>	<u>12.24</u>
11	<u>B10</u>	<u>12.64</u>
12	<u>B11</u>	<u>13.04</u>
13	<u>B12</u>	<u>13.44</u>
14	<u>B00</u>	<u>13.84</u>

(2) The pay schedule for blue-collar workers for fiscal year 1994 is as follows:

Annual Hours -- 2080
 Pay Matrix -- Blue-Collar
 Note: With Without Insurance
 Matrix Type -- Hourly

18	Grade	\$/Hour
19	-	w/ins-
20	B1-	-8.98
21	B2-	-9.38
22	B3-	-9.78

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6	B4-	+0:+0
7	B5-	+0:50
8	B6-	+0:90
9	B7-	+1:30
10	B8-	+1:70
11	B9-	+2:10
12	B+0	+2:50
13	B+1	+2:90
14	B+2	+3:30
15	B00	+3:70
16	B1	10.04
17	B2	10.44
18	B3	10.84
19	B4	11.24
20	B5	11.64
21	B6	12.04
22	B7	12.44
23	B8	12.84
24	B9	13.24
25	B10	13.64
	B11	14.04
	B12	14.44
	B00	14.84"

Section 7. Section 2-18-703, MCA, is amended to read:

"2-18-703. Contributions. (1) Each agency, as defined in 2-18-601, shall contribute the amount

1 specified in this section towards the group benefits cost.

2 (2) For employees defined in 2-18-701, other than members of collective bargaining units, and
 3 for members of the legislature, the employer contribution for group benefits shall be \$198 \$188 \$170
 4 per month for the fiscal year ending June 30, 1998 1992, and \$158 \$238 \$195 per month for the fiscal
 5 year ending June 30, 1991 1993, and for each fiscal year thereafter. Permanent part-time, seasonal
 6 part-time, and temporary part-time employees who are regularly scheduled to work less than 20 hours
 7 a week are not eligible for the group benefit contribution. An employee who elects not to be covered
 8 by a state-sponsored group benefit plan may not receive the state contribution as wages. A portion
 9 of the employer contribution for group benefits may be applied to an employee's costs for
 10 participation in Part B of medicare under Title XVIII of the Social Security Act of 1965, as
 11 amended, if the state group benefit plan is the secondary payer and medicare the primary payer.

12 (3) For employees of elementary and high school districts and of local government units, the
 13 employer's premium contributions may exceed but may not be less than \$10 per month.

14 (4) Unused employer contributions for any state employee must be transferred to an account
 15 established for this purpose by the department of administration and upon such transfer may be used
 16 to offset losses occurring to the group of which the employee is eligible to be a member."

17 NEW SECTION. Section 8. Appropriation. There is appropriated a total of \$156,999,838
 18 \$118,906,542 to the office of budget program and planning to be distributed as indicated to fund the
 19 salary, benefit, and insurance costs of [this act]:

20		FY 1992	FY 1993
21	State-Government	<u>\$47,387,442</u>	<u>\$85,884,592</u>
22	University-System	<u>-7,948,546</u>	<u>-16,743,518</u>
23	<u>STATE GOVERNMENT</u>		
24	<u>GENERAL FUND</u>	<u>\$13,322,546</u>	<u>\$25,522,528</u>
25	<u>OTHER FUNDS</u>	<u>18,081,847</u>	<u>35,350,231</u>

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UNIVERSITY SYSTEM

GENERAL FUND

8,820,113

17,809,277

NEW SECTION. Section 1. Repeater. Sections 2-18-201; 2-18-202; 2-18-203; 2-18-205; 2-18-207;

2-18-208; 2-18-209; 2-18-301; and 2-18-313; MEA; are repeated:

NEW SECTION. Section 9. Codification instruction. (1) Sections 1 and 2 are intended to be

codified as an integral part of Title 2; Chapter 18; part 2; and the provisions of Title 2; Chapter

18; part 2; apply to sections 1 and 2;

(2) Section 9 [SECTION 1] is intended to be codified as an integral part of Title 2, Chapter

18, part 3, and the provisions of Title 2, Chapter 18, part 3, apply to [section 9 1].

NEW SECTION. Section 10. Effective date. [This act] is effective on passage and approval.

-End-

Amendments to House Bill No. 514
First Reading Copy

Requested by Subcommittee on State Employee Pay
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
March 7, 1991

1. Title, line 4.
Following: the second "ACT"
Strike: "FREEZING"
Insert: "ADJUSTING"
Following: "THE"
Strike: "STATEWIDE"
2. Title, lines 6 and 7.
Following: "ACROSS-THE-BOARD"
Insert: "FLAT \$1-AN-HOUR"
Following: "TO"
Insert: "ALL STATE"
Strike: "ON THE STATEWIDE PAY PLAN"
3. Title, line 7.
Following: "PROVIDING"
Strike: "FOR"
Insert: "THAT"
4. Title, line 8.
Following: "EMPLOYEES"
Insert: "MAY BE NEGOTIATED BY AGENCY"
5. Title, lines 9 through 11.
Strike: line 9 in its entirety through "PLANS;" on line 11
6. Title, lines 13 through 17.
Strike: line 13 in its entirety through "DISTRICTS;" on line 17
7. Title, line 18.
Strike: "2-18-104, 2-18-204,"
Following: "2-18-303,"
Strike: "2-18-304, 2-18-305"
Insert: "2-18-312, 2-18-313, 2-18-314, 2-18-315"
8. Title, lines 19 through 21.
Following: "MCA;"
Strike: remainder of line 19 in its entirety through "MCA;" on
line 21
9. Page 1, line 25 through page 2, line 14.
Strike: sections 1 and 2 in their entirety
Renumber: subsequent sections
10. Page 2, lines 16 through 23.

Following: "pay" on line 16

Insert: " negotiated"

Following: "Each"

Strike: remainder of line 16 through line 23 in its entirety

Insert: "agency shall negotiate with employees for shift
differential pay for those employees who are regularly
scheduled to work other than the day shift."

11. Page 2, line 24 through page 3, line 2.

Following: "agency" on page 2, line 24

Strike: remainder of line 24 through "conditions" on line 25

Following: "with" on page 2, line 25

Strike: remainder of line 25 through "department" on page 3, line
1

Insert: "employees"

Following: "those employees" on page 3, line 1

Strike: remainder of line 1 through "hour" on line 2

Insert: "who work under hazardous conditions"

12. Page 3, line 3 through page 4, line 12.

Strike: sections 4 and 5 in their entirety

Renumber: subsequent sections

13. Page 4, line 19.

Strike: "1990"

Insert: "1992"

Strike: "1991"

Insert: "1993"

14. Page 4, line 21.

Following: "chapter"

Strike: "in" through "1990"

15. Page 5, lines 5 through 7.

Following: "1991"

Strike: remainder of line 5 through "2-18-703" on line 7

16. Page 5, lines 11 through 15.

Following: "1992"

Strike: remainder of line 11 through "2-18-703" on line 15

17. Page 5, line 19.

Following: "the"

Strike: remainder of line 19

18. Page 5, line 20.

Following: "~~through~~"

Strike: remainder of line 20

Insert: "2-18-313 through"

19. Page 5, lines 22 and 23.

Following: "pay" on line 22

Strike: remainder of line 22 through "pay" on line 23

20. Page 5, line 24.

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Following: "~~through~~"
Strike: "2-18-314 and"

Insert: "2-18-313 through"

21. Page 6, lines 5 through 10.

Following: "~~1991~~" on line 5

Strike: remainder of line 5 through "school" on line 10

Insert: "The pay schedules provided for in 2-18-313 indicate the annual compensation for the contracted school term for teachers employed under the authority of the department of institutions or the department of family services for fiscal years 1992 and 1993"

22. Page 6, lines 14 through 16.

Following: "~~1989~~" on line 14

Strike: remainder of line 14 through "experience." on line 16

23. Page 6, line 20.

Following: "~~1990.~~"

Insert: "The compensation of each teacher on the first day of the first pay period in July 1991 is that amount corresponding to his level of academic achievement and the step occupied on June 30, 1991.

(iii) The compensation of each teacher on the first day of the first pay period in July 1992 is that amount corresponding to his level of academic achievement and the step occupied on June 30, 1992."

24. Page 6, line 23.

Strike: "1990"

Insert: "1992"

Strike: "1991"

Insert: "1993"

25. Page 7, line 2.

Strike: "1990"

Insert: "1992"

Strike: "1991"

Insert: "1993"

26. Page 7, line 7.

Strike: "1990"

Insert: "1992"

Strike: "1991"

Insert: "1993"

27. Page 7, line 13.

Strike: "1990"

Insert: "1992"

Strike: "1991"

Insert: "1993"

28. Page 8, lines 9 and 14.

Following: "~~through~~"

Strike: ", 2-18-314, and"

Insert: "through"

29. Page 9, line 11 through page 11, line 12.
Strike: sections 7 and 8 in their entirety
Renumber: subsequent sections

30. Page 11.
Following: line 12
Insert: "

Section 3. Section 2-18-312, MCA, is amended to read:
"2-18-312. Statewide pay schedules for fiscal years ~~1990~~
~~1992~~ and ~~1991~~ 1993. (1) The statewide classification pay schedule
for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080

Note: ~~Includes~~ Does Not Include
Insurance

Pay Matrix -- State

Matrix Type -- Annual
STEP

GRADE	1	2	3	4	5	6	7	8	9	10	11	12	13
1	10,132	10,839	11,041	11,247	11,457	11,871	11,890	12,113	12,340	12,572	12,809	13,050	13,542
2	10,814	11,257	11,569	11,788	12,007	12,332	12,482	12,696	12,935	13,179	13,428	13,682	14,200
3	11,139	11,921	12,145	12,373	12,606	12,843	13,095	13,332	13,584	13,841	14,103	14,370	14,915
4	11,711	12,527	12,773	13,014	13,259	13,509	13,784	14,024	14,290	14,581	14,837	15,119	15,694
5	12,343	13,218	13,488	13,721	13,981	14,248	14,518	14,792	15,073	15,360	15,652	15,950	16,558
6	13,035	13,980	14,224	14,494	14,769	15,050	15,326	15,628	15,928	16,230	16,540	16,958	17,501
7	13,802	14,785	15,088	15,353	15,645	15,943	16,247	16,557	16,873	17,198	17,525	17,861	18,546
8	14,829	15,874	16,172	16,478	16,789	17,098	17,329	17,559	17,895	18,238	18,588	18,945	19,673
9	15,547	16,682	16,980	17,305	17,626	17,974	18,319	18,671	19,030	19,398	19,769	20,150	20,928
10	16,553	17,743	18,083	18,430	18,784	19,145	19,513	19,888	20,271	20,662	21,060	21,468	22,295
11	17,852	19,235	19,589	19,960	20,338	20,724	21,120	21,520	21,930	22,348	22,774	23,209	23,796
12	19,389	20,933	21,293	21,671	22,057	22,451	22,853	23,263	23,680	24,103	24,537	24,980	25,477
13	20,204	21,889	22,255	22,645	23,041	23,443	23,851	24,265	24,685	25,110	25,540	25,980	26,523
14	21,890	23,711	24,083	24,480	24,883	25,292	25,707	26,128	26,554	26,985	27,420	27,860	28,453
15	23,825	25,889	26,267	26,688	27,112	27,541	27,975	28,414	28,858	29,307	29,760	30,218	30,851
16	25,812	27,929	28,313	28,738	29,165	29,597	30,034	30,476	30,922	31,372	31,826	32,284	32,957
17	27,787	29,987	30,376	30,805	31,237	31,673	32,113	32,557	33,004	33,455	33,910	34,368	35,081
18	30,190	32,451	32,845	33,280	33,718	34,160	34,605	35,053	35,504	35,958	36,415	36,875	37,638
19	32,831	35,281	35,680	36,120	36,563	37,009	37,457	37,907	38,359	38,813	39,270	39,730	40,543
20	35,714	38,381	38,785	39,230	39,678	40,129	40,582	41,036	41,492	41,950	42,410	42,872	43,735
21	38,895	41,802	42,212	42,663	43,116	43,571	44,028	44,486	44,946	45,408	45,871	46,336	47,250
22	42,388	45,544	45,959	46,415	46,873	47,333	47,794	48,256	48,719	49,183	49,648	50,114	51,078
23	46,174	49,539	50,059	50,520	51,033	51,547	52,062	52,578	53,094	53,611	54,129	54,648	55,662
24	50,358	54,127	54,651	55,170	55,690	56,211	56,733	57,256	57,780	58,304	58,829	59,354	60,418
25	54,952	59,079	59,606	60,130	60,656	61,182	61,709	62,236	62,764	63,292	63,820	64,348	65,462

1	11,212	11,919	12,121	12,327	12,537	12,751	1,2970	13,193	13,420	13,652	13,889	14,130	14,822
2	11,894	12,437	12,649	12,866	13,087	13,312	1,3542	13,776	14,015	14,259	14,508	14,762	15,280
3	12,218	13,001	13,225	13,453	13,686	13,923	1,4165	14,412	14,664	14,921	15,183	15,450	15,995
4	12,791	13,617	13,853	14,094	14,339	14,589	1,4844	15,104	15,370	15,641	15,917	16,199	16,774
5	13,423	14,298	14,546	14,801	15,061	15,326	1,5596	15,872	16,153	16,440	16,732	17,030	17,638
6	14,115	15,040	15,304	15,574	15,849	16,130	1,6416	16,708	17,006	17,310	17,620	17,936	18,581
7	14,882	15,865	16,146	16,433	16,725	17,023	1,7327	17,637	17,953	18,276	18,605	18,941	19,628
8	15,709	16,754	17,053	17,358	17,669	17,986	1,8309	18,639	18,975	19,318	19,668	20,025	20,753
9	16,827	17,742	18,060	18,385	18,716	19,054	1,9399	19,751	20,110	20,476	20,849	21,230	22,008
10	17,833	18,823	19,163	19,510	19,864	20,225	2,0593	20,968	21,351	21,742	22,140	22,546	23,375
11	18,732	20,005	20,369	20,740	21,118	21,504	2,1898	22,300	22,710	23,128	23,554	23,989	24,876
12	19,948	21,313	21,703	22,101	22,507	22,921	2,3343	23,773	24,212	24,660	25,119	25,597	26,595
13	21,284	22,749	23,168	23,595	24,031	24,475	2,4928	25,399	25,889	26,394	26,909	27,433	28,506
14	22,980	24,551	25,006	25,481	25,975	26,481	2,6998	27,525	28,063	28,611	29,172	29,742	30,906
15	24,705	26,484	27,001	27,529	28,068	28,614	2,9175	29,745	30,327	30,920	31,527	32,144	33,405
16	26,734	28,698	29,260	29,832	30,416	31,012	3,1619	32,240	32,872	33,517	34,175	34,846	36,215
17	28,963	31,095	31,705	32,327	32,960	33,606	3,4266	34,938	35,624	36,324	37,038	37,765	39,252

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1991

18	31,426	33,743	34,405	35,081	35,771	36,473	3,7189	37,921	38,667	39,428	40,204	40,995	42,810
19	34,133	36,654	37,375	38,109	38,858	39,623	4,0403	41,198	42,009	42,837	43,681	44,542	44,542
20	37,088	39,832	40,616	41,415	42,230	43,083	4,3911	44,777	45,660	46,560	47,478	47,478	47,478
21	40,338	43,328	44,182	45,053	45,942	46,848	4,7772	48,715	49,677	50,658	50,658	50,658	50,658
22	43,906	47,164	48,094	49,044	50,013	51,000	5,2008	53,036	54,083	54,083	54,083	54,083	54,083
23	47,809	51,381	52,376	53,410	54,467	55,543	5,6641	57,781	57,781	57,781	57,781	57,781	57,781
24	52,098	55,971	57,079	58,209	59,360	60,535	6,1732	61,732	61,732	61,732	61,732	61,732	61,732
25	56,808	61,037	62,245	63,478	64,734	66,015	6,6015	66,015	66,015	66,015	66,015	66,015	66,015

(2) The statewide classification pay schedule for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080

Note: Includes Does Not Include Insurance

Pay Matrix -- State

Matrix Type -- Annual STEP

GRADE	1	2	3	4	5	6	7	8	9	10	11	12	13
1	10,932	11,839	11,841	12,047	12,257	12,471	12,690	12,913	13,140	13,372	13,609	13,850	14,242
2	11,414	12,157	12,369	12,586	12,807	13,032	13,262	13,498	13,735	13,979	14,228	14,482	15,000
3	11,938	12,721	12,945	13,173	13,406	13,643	13,885	14,133	14,384	14,641	14,903	15,170	15,715
4	12,511	13,337	13,573	13,814	14,059	14,309	14,564	14,824	15,090	15,361	15,637	15,919	16,494
5	13,142	14,016	14,266	14,521	14,781	15,046	15,316	15,592	15,873	16,160	16,452	16,750	17,259
6	13,835	14,760	15,024	15,294	15,569	15,850	16,136	16,428	16,726	17,030	17,340	17,656	18,201
7	14,602	15,585	15,866	16,153	16,445	16,742	17,047	17,357	17,673	17,996	18,325	18,661	19,246
8	15,429	16,474	16,773	17,078	17,389	17,706	18,029	18,359	18,695	19,038	19,388	19,745	20,473
9	16,347	17,462	17,780	18,105	18,436	18,774	19,119	19,471	19,830	20,196	20,569	20,950	21,726
10	17,353	18,543	18,883	19,230	19,584	19,945	20,313	20,688	21,071	21,462	21,860	22,266	23,095
11	18,452	19,725	20,089	20,460	20,838	21,224	21,618	22,020	22,430	22,848	23,274	23,709	24,596
12	19,668	21,033	21,423	21,821	22,227	22,641	23,063	23,493	23,932	24,380	24,838	25,317	26,315
13	21,004	22,469	22,889	23,315	23,751	24,195	24,648	25,110	25,600	26,114	26,639	27,153	28,226
14	22,480	24,071	24,526	25,001	25,485	25,978	26,481	26,993	27,515	28,047	28,589	29,129	30,268
15	24,045	25,764	26,251	26,748	27,255	27,772	28,299	28,836	29,383	29,940	30,507	31,084	32,255
16	26,454	28,318	28,830	29,352	29,884	30,426	30,978	31,540	32,112	32,694	33,286	33,888	35,125
17	28,883	30,815	31,355	31,904	32,463	33,032	33,611	34,200	34,800	35,410	36,030	36,660	37,926
18	31,446	33,483	34,045	34,616	35,197	35,788	36,389	36,999	37,619	38,249	38,889	39,539	40,826
19	33,953	36,174	36,765	37,366	37,977	38,598	39,229	39,869	40,519	41,179	41,839	42,509	43,826
20	36,808	39,152	40,336	41,535	42,739	43,948	45,162	46,381	47,605	48,834	49,474	50,114	51,468
21	40,058	42,548	43,902	45,273	46,658	48,048	49,443	50,843	52,248	53,658	54,278	54,898	56,326
22	43,826	46,464	47,914	49,384	50,864	52,344	53,824	55,304	56,784	58,264	58,804	59,344	60,842
23	47,529	50,381	52,006	53,631	55,256	56,881	58,506	60,131	61,756	63,381	63,921	64,461	65,979
24	51,919	55,001	56,799	58,607	60,415	62,223	64,031	65,839	67,647	69,455	70,263	71,071	72,609
25	56,529	60,757	62,685	64,613	66,541	68,469	70,397	72,325	74,253	76,181	77,109	78,037	79,985

1	13,292	13,999	14,201	14,407	14,617	14,831	1,5050	15,273	15,500	15,732	15,969	16,210	16,702
2	13,774	14,517	14,729	14,946	15,167	15,392	1,5622	15,856	16,095	16,339	16,588	16,842	17,360
3	14,298	15,081	15,305	15,533	15,766	16,003	1,6245	16,492	16,744	17,001	17,263	17,530	18,075
4	14,871	15,697	15,933	16,174	16,419	16,669	1,6924	17,184	17,450	17,721	17,997	18,279	18,854
5	15,503	16,376	16,626	16,881	17,141	17,406	1,7676	17,952	18,233	18,520	18,812	19,110	19,718
6	16,195	17,120	17,384	17,654	17,929	18,210	1,8496	18,788	19,086	19,390	19,700	20,016	20,661
7	16,962	17,945	18,226	18,513	18,805	19,103	1,9407	19,717	20,033	20,356	20,685	21,021	21,706
8	17,789	18,834	19,133	19,438	19,749	20,066	2,0389	20,719	21,055	21,398	21,748	22,105	22,833
9	18,707	19,822	20,140	20,465	20,796	21,134	2,1479	21,831	22,190	22,556	22,929	23,310	24,086
10	19,713	20,903	21,243	21,590	21,944	22,305	2,2673	23,048	23,431	23,822	24,220	24,626	25,455
11	20,812	22,085	22,449	22,820	23,198	23,584	2,3978	24,380	24,790	25,208	25,634	26,069	26,956
12	22,028	23,393	23,783	24,181	24,587	25,001	2,5423	25,853	26,292	26,740	27,199	27,677	28,675
13	23,364	24,829	25,248	25,675	26,111	26,555	2,7008	27,479	27,969	28,474	28,989	29,513	30,586
14	25,040	26,631	27,086	27,561	28,055	28,561	2,9078	29,605	30,143	30,691	31,252	31,822	32,986
15	26,785	28,564	29,081	29,609	30,146	30,694	3,1255	31,825	32,407	33,000	33,607	34,224	35,485
16	28,814	30,778	31,340	31,912	32,496	33,092	3,3699	34,320	34,952	35,597	36,255	36,926	38,295
17	31,043	33,175	33,785	34,407	35,040	35,686	3,6346	37,018	37,704	38,404	39,118	39,845	41,332
18	33,506	35,823	36,485	37,161	37,851	38,553	3,9269	40,001	40,747	41,508	42,284	43,075	44,690
19	36,213	38,734	39,455	40,189	40,938	41,703	4,2483	43,278	44,089	44,917	45,761	46,622	48,222
20	39,168	41,912	42,696	43,495	44,310	45,143	4,5991	46,857	47,740	48,640	49,558	50,488	52,126
21	42,418	45,408	46,262	47,133	48,022	48,928	4,9852	50,795	51,757	52,738	53,738	54,738	56,406
22	45,986	49,244	50,174	51,124	52,093	53,080	5,4088	55,116	56,163	57,238	58,338	59,453	61,153
23	49,889	53,441	54,456	55,490	56,547	57,623	5,8721	59,841	60,941	62,066	63,206	64,361	66,101
24	54,178	58,051	59,159	60,289	61,440	62,615	6,3812	63,812	64,962	66,132	67,322	68,532	70,302
25	58,888	63,117	64,325	65,558	66,814	68,095	6,8095	68,095	68,095	68,095	68,095	68,095	68,095

DATE 3-08-91
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Section 4. Section 2-18-313, MCA, is amended to read:

"2-18-313. **Teachers' pay schedules.** (1) (a) The 12-month pay schedule for teachers for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080 Note: ~~Includes~~ Does Not Include
Insurance
Term -- Twelve Months Matrix Type -- Annual
Education Level

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	21,228	21,870	22,529	22,850	23,173	23,832
2	21,983	22,699	23,416	23,775	24,134	24,859
3	22,738	23,529	24,302	24,706	25,110	25,905
4	23,494	24,362	25,206	25,652	26,097	26,949
5	24,247	25,206	26,115	26,598	27,084	27,995
6	25,016	26,060	27,027	27,548	28,071	29,041
7	25,786	26,908	27,934	28,496	29,056	30,083
8	26,561	27,760	28,847	29,446	30,045	31,127
9	27,335	28,610	29,756	30,392	31,033	32,172
10	28,108	29,464	30,664	31,340	32,018	33,218
11	28,884	30,286	31,571	32,288	33,005	34,260
12	28,884	30,286	31,571	32,288	33,005	34,260
13	28,884	30,286	31,571	32,288	33,005	34,260

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	25,039	25,756	26,489	26,847	27,208	27,940
2	25,879	26,678	27,478	27,876	28,279	29,077
3	26,722	27,601	28,466	28,910	29,350	30,214
4	27,566	28,532	29,453	29,939	30,423	31,349
5	28,404	29,453	30,443	30,968	31,496	32,486
6	29,246	30,383	31,435	32,000	32,569	33,623
7	30,084	31,305	32,420	33,031	33,640	34,755
8	30,929	32,231	33,412	34,063	34,716	35,890
9	31,769	33,154	34,401	35,092	35,789	37,049
10	32,609	34,082	35,389	36,123	36,875	38,245
11	33,453	34,977	36,378	37,181	38,001	39,433
12	33,453	34,977	36,378	37,181	38,001	39,433
13	33,453	34,977	36,378	37,181	38,001	39,433

(b) The 9-month pay schedule for teachers for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 1480 Note: ~~Includes~~ Does Not Include
Insurance
Term -- Nine Months Matrix Type -- Annual
Education Level

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	16,451	16,933	17,427	17,668	17,910	18,404
2	17,017	17,554	18,092	18,361	18,631	19,168
3	17,583	18,176	18,757	19,056	19,352	19,933
4	18,151	18,801	19,422	19,749	20,074	20,697
5	18,715	19,422	20,087	20,441	20,796	21,463
6	19,283	20,047	20,755	21,136	21,518	22,228
7	19,846	20,667	21,418	21,829	22,239	22,990
8	20,414	21,291	22,086	22,524	22,963	23,754
9	20,980	21,913	22,751	23,217	23,685	24,519
10	21,546	22,537	23,416	23,910	24,406	25,304

11	22,113	23,139	24,079	24,606	25,144	26,085
12	22,113	23,139	24,079	24,606	25,144	26,085
13	22,113	23,139	24,079	24,606	25,144	26,085

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	16,931	17,413	17,907	18,148	18,390	18,884
2	17,497	18,034	18,572	18,841	19,111	19,648
3	18,063	18,656	19,237	19,536	19,832	20,413
4	18,631	19,281	19,902	20,229	20,554	21,177
5	19,195	19,902	20,567	20,921	21,276	21,943
6	19,763	20,527	21,235	21,616	21,998	22,708
7	20,326	21,147	21,898	22,309	22,719	23,470
8	20,894	21,771	22,566	23,004	23,443	24,234
9	21,460	22,393	23,231	23,697	24,165	25,013
10	22,026	23,017	23,896	24,390	24,897	25,818
11	22,593	23,619	24,562	25,102	25,654	26,618
12	22,593	23,619	24,562	25,102	25,654	26,618
13	22,593	23,619	24,562	25,102	25,654	26,618

(2) (a) The 12-month pay schedule for teachers for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080

Note: ~~Includes~~ Does Not Include Insurance

Term -- Twelve Months

Matrix Type -- Annual

Education Level

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	22,028	22,670	23,329	23,650	23,973	24,632
2	22,783	23,499	24,216	24,575	24,938	25,681
3	23,538	24,329	25,111	25,525	25,939	26,754
4	24,294	25,172	26,037	26,494	26,950	27,824
5	25,054	26,037	26,969	27,464	27,962	28,896
6	25,842	26,913	27,904	28,438	28,974	29,968
7	26,632	27,782	28,833	29,409	29,983	31,036
8	27,426	28,655	29,769	30,383	30,997	32,106
9	28,219	29,526	30,701	31,353	32,010	33,177
10	29,012	30,402	31,632	32,325	33,019	34,249
11	29,807	31,244	32,561	33,296	34,031	35,318
12	29,807	31,244	32,561	33,296	34,031	35,318
13	29,807	31,244	32,561	33,296	34,031	35,318

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	27,119	27,836	28,569	28,927	29,288	30,020
2	27,959	28,758	29,558	29,956	30,359	31,157
3	28,802	29,681	30,546	30,990	31,430	32,294
4	29,646	30,612	31,533	32,019	32,503	33,429
5	30,484	31,533	32,523	33,048	33,576	34,566
6	31,326	32,463	33,515	34,080	34,649	35,703
7	32,164	33,385	34,500	35,111	35,720	36,835
8	33,009	34,311	35,492	36,143	36,796	37,970
9	33,849	35,234	36,481	37,172	37,869	39,129
10	34,689	36,162	37,469	38,203	38,955	40,325
11	35,533	37,057	38,458	39,261	40,081	41,513
12	35,533	37,057	38,458	39,261	40,081	41,513
13	35,533	37,057	38,458	39,261	40,081	41,513

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(b) The 9-month pay schedule for teachers for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 1480

Note: ~~Includes~~ Does Not Include
Insurance

Term -- Nine Months

Matrix Type -- Annual

Education Level						
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	17,251	17,733	18,227	18,468	18,710	19,204
2	17,817	18,354	18,892	19,161	19,431	19,968
3	18,383	18,976	19,557	19,856	20,152	20,733
4	18,951	19,601	20,222	20,549	20,874	21,497
5	19,515	20,222	20,887	21,241	21,596	22,263
6	20,083	20,847	21,555	21,936	22,318	23,028
7	20,646	21,467	22,218	22,629	23,039	23,790
8	21,214	22,091	22,886	23,324	23,763	24,554
9	21,780	22,713	23,551	24,017	24,485	25,333
10	22,346	23,337	24,216	24,710	25,217	26,138
11	22,913	23,939	24,882	25,422	25,974	26,938
12	22,913	23,939	24,882	25,422	25,974	26,938
13	22,913	23,939	24,882	25,422	25,974	26,938

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
<u>1</u>	<u>18,411</u>	<u>18,893</u>	<u>19,387</u>	<u>19,628</u>	<u>19,870</u>	<u>20,364</u>
<u>2</u>	<u>18,977</u>	<u>19,514</u>	<u>20,052</u>	<u>20,321</u>	<u>20,591</u>	<u>21,128</u>
<u>3</u>	<u>19,543</u>	<u>20,136</u>	<u>20,717</u>	<u>21,016</u>	<u>21,312</u>	<u>21,893</u>
<u>4</u>	<u>20,111</u>	<u>20,761</u>	<u>21,382</u>	<u>21,709</u>	<u>22,034</u>	<u>22,657</u>
<u>5</u>	<u>20,675</u>	<u>21,382</u>	<u>22,047</u>	<u>22,401</u>	<u>22,756</u>	<u>23,423</u>
<u>6</u>	<u>21,243</u>	<u>22,007</u>	<u>22,715</u>	<u>23,096</u>	<u>23,478</u>	<u>24,188</u>
<u>7</u>	<u>21,806</u>	<u>22,627</u>	<u>23,378</u>	<u>23,789</u>	<u>24,199</u>	<u>24,950</u>
<u>8</u>	<u>22,374</u>	<u>23,251</u>	<u>24,046</u>	<u>24,484</u>	<u>24,923</u>	<u>25,714</u>
<u>9</u>	<u>22,940</u>	<u>23,873</u>	<u>24,711</u>	<u>25,177</u>	<u>25,645</u>	<u>26,493</u>
<u>10</u>	<u>23,506</u>	<u>24,497</u>	<u>25,376</u>	<u>25,870</u>	<u>26,377</u>	<u>27,298</u>
<u>11</u>	<u>24,073</u>	<u>25,099</u>	<u>26,042</u>	<u>26,582</u>	<u>27,134</u>	<u>28,098</u>
<u>12</u>	<u>24,073</u>	<u>25,099</u>	<u>26,042</u>	<u>26,582</u>	<u>27,134</u>	<u>28,098</u>
<u>13</u>	<u>24,073</u>	<u>25,099</u>	<u>26,042</u>	<u>26,582</u>	<u>27,134</u>	<u>28,098"</u>

Section 5. Section 2-18-314, MCA, is amended to read:

"2-18-314. Liquor store occupations pay schedules. (1) The pay schedule for liquor store occupations for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080

Note: ~~With~~ Without Insurance

Pay Matrix -- Retail Clerk

Matrix Type -- Hourly

Grade \$/Hour

	W/Ins.
L1	0.000
L2	8.040
L3	8.540
L4	8.820
L5	9.110
L6	9.720
L7	10.380
L8	11.130

L1 0.000

<u>L2</u>	<u>8.560</u>
<u>L3</u>	<u>9.060</u>
<u>L4</u>	<u>9.340</u>
<u>L5</u>	<u>9.630</u>
<u>L6</u>	<u>10.240</u>
<u>L7</u>	<u>10.900</u>
<u>L8</u>	<u>11.650</u>

(2) The pay schedule for liquor store occupations for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080 Note: ~~With~~ Without Insurance
Pay Matrix -- Retail Clerk Matrix Type -- Hourly
Grade \$/Hour

	<u>W/Ins.</u>
L1	0.000
L2	8.425
L3	8.925
L4	9.205
L5	9.495
L6	10.105
L7	10.765
L8	11.515

<u>L1</u>	<u>0.000</u>
<u>L2</u>	<u>9.560</u>
<u>L3</u>	<u>10.060</u>
<u>L4</u>	<u>10.340</u>
<u>L5</u>	<u>10.630</u>
<u>L6</u>	<u>11.240</u>
<u>L7</u>	<u>11.900</u>
<u>L8</u>	<u>12.650"</u>

Section 6. Section 2-18-315, MCA, is amended to read:
"2-18-315. Blue-collar pay schedules. (1) The pay schedule for blue-collar workers for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080 Note: ~~With~~ Without Insurance
Pay Matrix -- Blue-Collar Matrix Type -- Hourly
Grade \$/Hour

	<u>W/Ins.</u>
B1	8.51
B2	8.91
B3	9.31
B4	9.71
B5	10.11
B6	10.51
B7	10.91
B8	11.31
B9	11.71
B10	12.11
B11	12.51
B12	12.91
B00	13.31

<u>B1</u>	<u>9.04</u>
-----------	-------------

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<u>B2</u>	<u>9.44</u>
<u>B3</u>	<u>9.84</u>
<u>B4</u>	<u>10.24</u>
<u>B5</u>	<u>10.64</u>
<u>B6</u>	<u>11.04</u>
<u>B7</u>	<u>11.44</u>
<u>B8</u>	<u>11.84</u>
<u>B9</u>	<u>12.24</u>
<u>B10</u>	<u>12.64</u>
<u>B11</u>	<u>13.04</u>
<u>B12</u>	<u>13.44</u>
<u>B00</u>	<u>13.84</u>

(2) The pay schedule for blue-collar workers for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080 Note: ~~With~~ Without Insurance

Pay Matrix -- Blue-Collar Matrix Type -- Hourly

Grade \$/Hour

W/Ins.

B1	8.90
B2	9.30
B3	9.70
B4	10.10
B5	10.50
B6	10.90
B7	11.30
B8	11.70
B9	12.10
B10	12.50
B11	12.90
B12	13.30
B00	13.70

<u>B1</u>	<u>10.04</u>
<u>B2</u>	<u>10.44</u>
<u>B3</u>	<u>10.84</u>
<u>B4</u>	<u>11.24</u>
<u>B5</u>	<u>11.64</u>
<u>B6</u>	<u>12.04</u>
<u>B7</u>	<u>12.44</u>
<u>B8</u>	<u>12.84</u>
<u>B9</u>	<u>13.24</u>
<u>B10</u>	<u>13.64</u>
<u>B11</u>	<u>14.04</u>
<u>B12</u>	<u>14.44</u>
<u>B00</u>	<u>14.84</u> ""

Renumber: subsequent sections

31. Page 11, line 20.

Strike: "\$180"

Insert: "\$170"

32. Page 11, line 21.

Strike: "\$230"

Insert: "\$195"

33. Page 12, line 19.

Strike: "\$156,993,038"

Insert: "\$118,906,542"

34. Page 12, lines 23 and 24.

Strike: lines 23 and 24 in their entirety

Insert: "State Government

General Fund	\$13,322,546	\$25,522,528
--------------	--------------	--------------

Other Funds	18,081,847	35,350,231
-------------	------------	------------

University System

General Fund	8,820,113	17,809,277"
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35. Page 12, line 25 through page 13, line 2.

Following: line 24 on page 12

Strike: section 11 in its entirety

Renumber: subsequent sections

36. Page 13, lines 3 through 8.

Following: "instruction."

Strike: remainder of line 3 through "3]" on line 8

Insert: "[Section 1]"

37. Page 13, line 11.

Strike: "3"

Insert: "1"



TERESA OLCOTT COHEA
LEGISLATIVE FISCAL ANALYST

STATE OF MONTANA

Office of the Legislative Fiscal Analyst

STATE CAPITOL
HELENA, MONTANA 59620
406/444-2986

EXHIBIT 8
DATE 3-8-91
HB 514

March 7, 1991

TO: Representative Jerry Driscoll
Seat #58

FROM: Terry W. Johnson *TWJ*
Principal Fiscal Analyst

SUBJECT: Pay Plan Calculations

In response to your request, I have calculated the estimated cost for the 1993 biennium of your pay proposal based on the following assumptions:

- 1) all state employees would receive an increase of \$1.00 per hour for each year of the 1993 biennium;
- 2) insurance benefits would be increased by \$20 per month for fiscal 1992 and an additional \$25 per month for fiscal 1993;
- 3) longevity matrices would remain unchanged;
- 4) employee steps would remain the same as they currently exist; and
- 5) other benefits would be included in the cost estimates.

To determine the fiscal impact of the proposal, I used the FTE base as adopted by the appropriation subcommittees and the personal services base for the university system as agreed upon by the LFA, OBPP, and the Commissioner of Higher Education.

The attached document shows that the total cost of the proposal would be \$118.9 million for the 1993 biennium. Funding would consist of \$65.5 million of general funds and \$53.4 million of other funds.

EXHIBIT 9
DATE 3-8-91
HB 514

HOUSE OF REPRESENTATIVES
STATE ADMINISTRATION COMMITTEE

ROLL CALL VOTE

DATE 3/8/91 BILL NO. HB 514 NUMBER 1

MOTION: Amendments

NAME	AYE	NO
REP. VICKI COCCHIARELLA, VICE-CHAIR	✓	
REP. BEVERLY BARNHART	✓	
REP. GARY BECK	✓	
REP. ERNEST BERGSAGEL		✓
REP. FRED "FRITZ" DAILY	✓	
REP. ERVIN DAVIS	✓	
REP. JANE DEBRUYCKER	✓	
REP. ROGER DEBRUYCKER		✓
REP. GARY FELAND		✓
REP. GARY FORRESTER	✓	
REP. PATRICK GALVIN	✓	
REP. HARRIET HAYNE		✓
REP. BETTY LOU KASTEN		✓
REP. JOHN PHILLIPS		✓
REP. RICHARD SIMPKINS		✓
REP. JIM SOUTHWORTH	✓	
REP. WILBUR SPRING		✓
REP. CAROLYN SQUIRES	✓	
REP. JAN BROWN, CHAIR	✓	
TOTAL	11	8

EXHIBIT 10
DATE 3-8-91
HB 514

HOUSE OF REPRESENTATIVES
STATE ADMINISTRATION COMMITTEE

ROLL CALL VOTE

DATE 3/8/91 BILL NO. HB 514 NUMBER 1

MOTION: O. Pass As A memorial

NAME	AYE	NO
REP. VICKI COCCHIARELLA, VICE-CHAIR	✓	
REP. BEVERLY BARNHART	✓	
REP. GARY BECK	✓	
REP. ERNEST BERGSAGEL		✓
REP. FRED "FRITZ" DAILY	✓	
REP. ERVIN DAVIS	✓	
REP. JANE DEBRUYCKER	✓	
REP. ROGER DEBRUYCKER		✓
REP. GARY FELAND		✓
REP. GARY FORRESTER	✓	
REP. PATRICK GALVIN	✓	
REP. HARRIET HAYNE		✓
REP. BETTY LOU KASTEN		✓
REP. JOHN PHILLIPS		✓
REP. RICHARD SIMPKINS		✓
REP. JIM SOUTHWORTH	✓	
REP. WILBUR SPRING		✓
REP. CAROLYN SQUIRES	✓	
REP. JAN BROWN, CHAIR	✓	
TOTAL	11	8

Amendments to House Bill No. 514
First Reading Copy

Requested by Subcommittee on State Employee Pay
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
March 7, 1991

1. Title, line 4.

Following: the second "ACT"

Strike: "FREEZING"

Insert: "ADJUSTING"

Following: "THE"

Strike: "STATEWIDE"

2. Title, lines 6 and 7.

Following: "ACROSS-THE-BOARD"

Insert: "FLAT \$1-AN-HOUR"

Following: "TO"

Insert: "ALL STATE"

Strike: "ON THE STATEWIDE PAY PLAN"

3. Title, line 7.

Following: "PROVIDING"

Strike: "FOR"

Insert: "THAT"

4. Title, line 8.

Following: "EMPLOYEES"

Insert: "MAY BE NEGOTIATED BY AGENCY"

5. Title, lines 9 through 11.

Strike: line 9 in its entirety through "PLANS;" on line 11

6. Title, lines 13 through 17.

Strike: line 13 in its entirety through "DISTRICTS;" on line 17

7. Title, line 18.

Strike: "2-18-104, 2-18-204,"

Following: "2-18-303,"

Strike: "2-18-304, 2-18-305"

Insert: "2-18-312, 2-18-313, 2-18-314, 2-18-315"

8. Title, lines 19 through 21.

Following: "MCA;"

Strike: remainder of line 19 in its entirety through "MCA;" on
line 21

9. Page 1, line 25 through page 2, line 14.

Strike: sections 1 and 2 in their entirety

Renumber: subsequent sections

10. Page 2, lines 16 through 23.

Following: "pay" on line 16

Insert: " negotiated"

Following: "Each"

Strike: remainder of line 16 through line 23 in its entirety

Insert: "agency shall negotiate with employees for shift
differential pay for those employees who are regularly
scheduled to work other than the day shift."

11. Page 2, line 24 through page 3, line 2.

Following: "agency" on page 2, line 24

Strike: remainder of line 24 through "conditions" on line 25

Following: "with" on page 2, line 25

Strike: remainder of line 25 through "department" on page 3, line
1

Insert: "employees"

Following: "those employees" on page 3, line 1

Strike: remainder of line 1 through "hour" on line 2

Insert: "who work under hazardous conditions"

12. Page 3, line 3 through page 4, line 12.

Strike: sections 4 and 5 in their entirety

Renumber: subsequent sections

13. Page 4, line 19.

Strike: "1990"

Insert: "1992"

Strike: "1991"

Insert: "1993"

14. Page 4, line 21.

Following: "chapter"

Strike: "in" through "1990"

15. Page 5, lines 5 through 7.

Following: "1991"

Strike: remainder of line 5 through "2-18-703" on line 7

16. Page 5, lines 11 through 15.

Following: "1992"

Strike: remainder of line 11 through "2-18-703" on line 15

17. Page 5, line 19.

Following: "the"

Strike: remainder of line 19

18. Page 5, line 20.

Following: "~~through~~"

Strike: remainder of line 20

Insert: "2-18-313 through"

19. Page 5, lines 22 and 23.

Following: "pay" on line 22

Strike: remainder of line 22 through "pay" on line 23

20. Page 5, line 24.

EXHIBIT 10A
DATE 3-7-91
HB 514

Following: "~~through~~"
Strike: "2-18-314 and"

Insert: "2-18-313 through"

21. Page 6, lines 5 through 10.

Following: "~~1991~~" on line 5

Strike: remainder of line 5 through "school" on line 10

Insert: "The pay schedules provided for in 2-18-313 indicate the annual compensation for the contracted school term for teachers employed under the authority of the department of institutions or the department of family services for fiscal years 1992 and 1993"

22. Page 6, lines 14 through 16.

Following: "~~1989~~" on line 14

Strike: remainder of line 14 through "experience." on line 16

23. Page 6, line 20.

Following: "~~1990.~~"

Insert: "The compensation of each teacher on the first day of the first pay period in July 1991 is that amount corresponding to his level of academic achievement and the step occupied on June 30, 1991.

(iii) The compensation of each teacher on the first day of the first pay period in July 1992 is that amount corresponding to his level of academic achievement and the step occupied on June 30, 1992."

24. Page 6, line 23.

Strike: "1990"

Insert: "1992"

Strike: "1991"

Insert: "1993"

25. Page 7, line 2.

Strike: "1990"

Insert: "1992"

Strike: "1991"

Insert: "1993"

26. Page 7, line 7.

Strike: "1990"

Insert: "1992"

Strike: "1991"

Insert: "1993"

27. Page 7, line 13.

Strike: "1990"

Insert: "1992"

Strike: "1991"

Insert: "1993"

28. Page 8, lines 9 and 14.

Following: "~~through~~"

Strike: ", 2-18-314, and"

Insert: "through"

29. Page 9, line 11 through page 11, line 12.

Strike: sections 7 and 8 in their entirety

Renumber: subsequent sections

30. Page 11.

Following: line 12

Insert: "

Section 3. Section 2-18-312, MCA, is amended to read:

"2-18-312. Statewide pay schedules for fiscal years ~~1990~~
1992 and ~~1991~~ 1993. (1) The statewide classification pay schedule
for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080

Note: ~~includes~~ Does Not Include

Insurance

Pay Matrix -- State

Matrix Type -- Annual

GRADE	1	2	3	4	5	6	7	8	9	10	11	12	13
1	10,132	10,839	11,041	11,247	11,457	11,671	11,890	12,113	12,340	12,572	12,809	13,050	13,542
2	10,014	11,357	11,509	11,780	12,007	12,232	12,402	12,690	12,935	13,179	13,428	13,682	14,200
3	11,138	11,921	12,145	12,373	12,606	12,843	13,085	13,332	13,584	13,841	14,103	14,370	14,915
4	11,711	12,537	12,773	13,014	13,259	13,509	13,764	14,024	14,290	14,561	14,837	15,119	15,694
5	12,343	13,216	13,466	13,721	13,981	14,246	14,516	14,792	15,073	15,360	15,652	15,950	16,558
6	13,035	13,960	14,224	14,494	14,769	15,050	15,336	15,628	15,926	16,230	16,540	16,856	17,501
7	13,802	14,785	15,066	15,353	15,645	15,943	16,247	16,557	16,873	17,196	17,525	17,861	18,546
8	14,629	15,674	15,973	16,278	16,589	16,906	17,229	17,559	17,895	18,238	18,588	18,945	19,673
9	15,547	16,662	16,980	17,305	17,636	17,974	18,319	18,671	19,030	19,396	19,769	20,150	20,926
10	16,553	17,743	18,083	18,430	18,784	19,145	19,513	19,888	20,271	20,662	21,060	21,466	22,295
11	17,652	18,925	19,289	19,660	20,038	20,424	20,818	21,220	21,630	22,048	22,474	22,909	23,796
12	18,868	20,233	20,623	21,021	21,427	21,841	22,263	22,693	23,132	23,580	24,037	24,503	25,477
13	20,204	21,669	22,088	22,515	22,951	23,395	23,848	24,310	24,788	25,281	25,783	26,295	27,341
14	21,680	23,471	23,926	24,390	24,872	25,366	25,870	26,384	26,909	27,444	27,991	28,547	29,683
15	23,025	25,369	25,873	26,388	26,912	27,447	27,994	28,550	29,118	29,697	30,289	30,891	32,121
16	25,013	27,529	28,077	28,635	29,205	29,786	30,379	30,984	31,601	32,230	32,872	33,527	34,882
17	27,787	29,867	30,462	31,069	31,687	32,317	32,961	33,617	34,286	34,969	35,665	36,375	37,825
18	30,190	32,451	33,097	33,756	34,429	35,114	35,813	36,527	37,255	37,997	38,754	39,526	41,101
19	32,831	35,291	35,994	36,710	37,441	38,187	38,948	39,724	40,515	41,323	42,146	42,986	44,661
20	35,714	38,391	39,156	39,936	40,731	41,543	42,371	43,216	44,077	44,955	45,851	46,765	48,541
21	38,885	41,802	42,635	43,485	44,352	45,236	46,138	47,058	47,996	48,953	49,933	50,933	52,883
22	42,366	45,544	46,452	47,379	48,324	49,287	50,270	51,273	52,295	53,336	54,395	55,473	57,541
23	46,174	49,639	50,629	51,638	52,669	53,719	54,790	55,883	56,996	58,129	59,281	60,453	62,621
24	50,358	54,137	55,218	56,320	57,443	58,589	59,757	60,947	62,160	63,395	64,653	65,933	68,201
25	54,953	59,079	60,258	61,460	62,686	63,936	65,210	66,518	67,859	69,233	70,641	72,083	74,511
1	11,212	11,919	12,121	12,327	12,537	12,751	1,2970	13,193	13,420	13,652	13,889	14,130	14,622
2	11,694	12,437	12,649	12,866	13,087	13,312	1,3542	13,776	14,015	14,259	14,508	14,762	15,280
3	12,218	13,001	13,225	13,453	13,686	13,923	1,4165	14,412	14,664	14,921	15,183	15,450	15,995
4	12,791	13,617	13,853	14,094	14,339	14,589	1,4844	15,104	15,370	15,641	15,917	16,199	16,774
5	13,423	14,296	14,546	14,801	15,061	15,326	1,5596	15,872	16,153	16,440	16,732	17,030	17,638
6	14,115	15,040	15,304	15,574	15,849	16,130	1,6416	16,708	17,006	17,310	17,620	17,936	18,581
7	14,882	15,865	16,146	16,433	16,725	17,023	1,7327	17,637	17,953	18,276	18,605	18,941	19,626
8	15,709	16,754	17,053	17,358	17,669	17,986	1,8309	18,639	18,975	19,318	19,668	20,025	20,753
9	16,627	17,742	18,060	18,385	18,716	19,054	1,9399	19,751	20,110	20,476	20,849	21,230	22,006
10	17,633	18,823	19,163	19,510	19,864	20,225	2,0593	20,968	21,351	21,742	22,140	22,546	23,375
11	18,732	20,005	20,369	20,740	21,118	21,504	2,1898	22,300	22,710	23,128	23,554	23,989	24,876
12	19,948	21,313	21,703	22,101	22,507	22,921	2,3343	23,773	24,212	24,660	25,119	25,597	26,595
13	21,284	22,749	23,168	23,595	24,031	24,475	2,4928	25,399	25,889	26,394	26,909	27,433	28,506
14	22,960	24,551	25,006	25,481	25,975	26,481	2,6998	27,525	28,063	28,611	29,172	29,742	30,906
15	24,705	26,484	27,001	27,529	28,066	28,614	2,9175	29,745	30,327	30,920	31,527	32,144	33,405
16	26,734	28,698	29,260	29,832	30,416	31,012	3,1619	32,240	32,872	33,517	34,175	34,846	36,215
17	28,963	31,095	31,705	32,327	32,960	33,606	3,4266	34,938	35,624	36,324	37,038	37,765	39,252
18	31,426	33,743	34,405	35,081	35,771	36,473	3,7189	37,921	38,667	39,428	40,204	40,995	42,610
19	34,133	36,654	37,375	38,109	38,858	39,623	4,0403	41,198	42,009	42,837	43,681	44,542	46,342
20	37,088	39,832	40,616	41,415	42,230	43,063	4,3911	44,777	45,660	46,560	47,478	48,403	50,252

EXAMINER
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21	40.338	43.328	44.182	45.053	45.942	46.848	47.772	48.715	49.677	50.658	50.658	50.658	50.658
22	43.906	47.164	48.094	49.044	50.013	51.000	52.008	53.036	54.083	54.083	54.083	54.083	54.083
23	47.809	51.361	52.376	53.410	54.467	55.543	56.641	57.761	57.761	57.761	57.761	57.761	57.761
24	52.098	55.971	57.079	58.209	59.360	60.535	61.732	61.732	61.732	61.732	61.732	61.732	61.732
25	56.808	61.037	62.245	63.478	64.734	66.015	66.015	66.015	66.015	66.015	66.015	66.015	66.015

(2) The statewide classification pay schedule for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080

Note: Includes Does Not Include
Insurance

Pay Matrix -- State

Matrix Type -- Annual
STEP

GRADE	1	2	3	4	5	6	7	8	9	10	11	12	13
1	10,932	11,039	11,041	12,047	12,257	12,471	12,690	12,913	13,140	13,372	13,609	13,850	14,342
2	11,414	12,157	12,309	12,500	12,807	13,032	13,262	13,496	13,735	13,979	14,228	14,482	15,000
3	11,936	12,721	12,945	13,173	13,406	13,643	13,885	14,132	14,384	14,641	14,903	15,170	15,715
4	12,511	13,337	13,573	13,814	14,059	14,309	14,564	14,824	15,090	15,361	15,637	15,919	16,494
5	13,143	14,016	14,260	14,521	14,781	15,040	15,310	15,592	15,873	16,160	16,452	16,750	17,350
6	13,835	14,700	15,024	15,294	15,569	15,850	16,136	16,428	16,726	17,030	17,340	17,656	18,301
7	14,602	15,505	15,860	16,153	16,445	16,743	17,047	17,357	17,673	17,996	18,325	18,661	19,346
8	15,429	16,474	16,773	17,078	17,389	17,706	18,029	18,359	18,695	19,038	19,388	19,745	20,473
9	16,347	17,462	17,760	18,105	18,436	18,774	19,119	19,471	19,830	20,196	20,569	20,950	21,726
10	17,353	18,543	18,863	19,230	19,584	19,945	20,313	20,688	21,071	21,462	21,860	22,266	23,095
11	18,452	19,725	20,069	20,460	20,838	21,224	21,618	22,020	22,430	22,848	23,274	23,709	24,596
12	19,668	21,033	21,423	21,821	22,227	22,641	23,063	23,493	23,932	24,380	24,839	25,317	26,315
13	21,004	22,469	22,888	23,315	23,751	24,195	24,648	25,119	25,609	26,114	26,629	27,153	28,226
14	22,060	24,271	24,720	25,201	25,695	26,201	26,718	27,245	27,783	28,331	28,892	29,462	30,626
15	24,425	26,204	26,721	27,249	27,786	28,334	28,895	29,465	30,047	30,640	31,247	31,864	33,125
16	26,454	28,418	28,980	29,552	30,136	30,732	31,339	31,960	32,592	33,237	33,895	34,566	35,935
17	28,083	30,815	31,425	32,047	32,680	33,326	33,986	34,658	35,344	36,044	36,758	37,485	38,972
18	31,146	33,403	34,125	34,801	35,481	36,193	36,909	37,641	38,387	39,148	39,924	40,715	42,330
19	33,853	36,374	37,095	37,829	38,578	39,343	40,123	40,918	41,729	42,557	43,401	44,262	44,262
20	36,808	39,552	40,336	41,135	41,950	42,783	43,631	44,497	45,380	46,280	47,198	47,198	47,198
21	40,058	43,048	43,902	44,773	45,662	46,568	47,492	48,435	49,397	50,378	50,378	50,378	50,378
22	43,026	46,864	47,814	48,704	49,733	50,720	51,728	52,750	53,803	53,803	53,803	53,803	53,803
23	47,529	51,081	52,096	53,130	54,187	55,263	56,361	57,481	57,481	57,481	57,481	57,481	57,481
24	51,818	55,091	56,799	57,929	59,080	60,255	61,452	61,452	61,452	61,452	61,452	61,452	61,452
25	56,528	60,757	61,965	63,198	64,454	65,735	65,735	65,735	65,735	65,735	65,735	65,735	65,735

1	13.292	13.999	14.201	14.407	14.617	14.831	1.5050	15.273	15.500	15.732	15.969	16.210	16.702
2	13.774	14.517	14.729	14.946	15.167	15.392	1.5622	15.856	16.095	16.339	16.588	16.842	17.360
3	14.298	15.081	15.305	15.533	15.766	16.003	1.6245	16.492	16.744	17.001	17.263	17.530	18.075
4	14.871	15.697	15.933	16.174	16.419	16.669	1.6924	17.184	17.450	17.721	17.997	18.279	18.854
5	15.503	16.376	16.626	16.881	17.141	17.406	1.7676	17.952	18.233	18.520	18.812	19.110	19.718
6	16.195	17.120	17.384	17.654	17.929	18.210	1.8496	18.788	19.086	19.390	19.700	20.016	20.661
7	16.962	17.945	18.226	18.513	18.805	19.103	1.9407	19.717	20.033	20.356	20.685	21.021	21.708
8	17.789	18.834	19.133	19.438	19.749	20.066	2.0389	20.719	21.055	21.398	21.748	22.105	22.833
9	18.707	19.822	20.140	20.465	20.796	21.134	2.1479	21.831	22.190	22.556	22.929	23.310	24.086
10	19.713	20.903	21.243	21.590	21.944	22.305	2.2673	23.048	23.431	23.822	24.220	24.628	25.455
11	20.812	22.085	22.449	22.820	23.198	23.584	2.3978	24.380	24.790	25.208	25.634	26.069	26.956
12	22.028	23.393	23.783	24.181	24.587	25.001	2.5423	25.853	26.292	26.740	27.199	27.677	28.675
13	23.364	24.829	25.248	25.675	26.111	26.555	2.7008	27.479	27.969	28.474	28.989	29.513	30.586
14	25.040	26.631	27.086	27.561	28.055	28.561	2.9078	29.605	30.143	30.691	31.252	31.822	32.986
15	26.785	28.564	29.081	29.609	30.146	30.694	3.1255	31.825	32.407	33.000	33.607	34.224	35.485
16	28.814	30.778	31.340	31.912	32.496	33.092	3.3699	34.320	34.952	35.597	36.255	36.926	38.295
17	31.043	33.175	33.785	34.407	35.040	35.686	3.6346	37.018	37.704	38.404	39.118	39.845	41.332
18	33.506	35.823	36.485	37.161	37.851	38.553	3.9269	40.001	40.747	41.508	42.284	43.075	44.690
19	36.213	38.734	39.455	40.189	40.938	41.703	4.2483	43.278	44.089	44.917	45.761	46.622	48.322
20	39.168	41.912	42.696	43.495	44.310	45.143	4.5991	46.857	47.740	48.640	49.558	49.558	49.558
21	42.418	45.408	46.262	47.133	48.022	48.928	4.9852	50.795	51.757	52.738	52.738	52.738	52.738
22	45.986	49.244	50.174	51.124	52.093	53.080	5.4088	55.116	56.163	56.163	56.163	56.163	56.163
23	49.889	53.441	54.456	55.490	56.547	57.623	5.8721	59.841	59.841	59.841	59.841	59.841	59.841
24	54.178	58.051	59.159	60.289	61.440	62.615	6.3812	63.812	63.812	63.812	63.812	63.812	63.812
25	58.888	63.117	64.325	65.558	66.814	68.095	6.8095	68.095	68.095	68.095	68.095	68.095	68.095

Section 4. Section 2-18-313, MCA, is amended to read:

"2-18-313. Teachers' pay schedules. (1) (a) The 12-month pay schedule for teachers for fiscal year ~~1990~~ 1992 is as

follows:

Annual Hours -- 2080				Note: Includes <u>Does Not Include</u>		
				Insurance		
Term -- Twelve Months				Matrix Type -- Annual		
Education Level						
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	21,228	21,870	22,529	22,850	23,173	23,832
2	21,983	22,699	23,416	23,775	24,134	24,859
3	22,738	23,529	24,302	24,706	25,110	25,905
4	23,494	24,362	25,206	25,652	26,097	26,949
5	24,247	25,206	26,115	26,598	27,084	27,995
6	25,016	26,060	27,027	27,548	28,071	29,041
7	25,786	26,908	27,934	28,496	29,056	30,083
8	26,561	27,760	28,847	29,446	30,045	31,127
9	27,335	28,610	29,756	30,392	31,033	32,172
10	28,108	29,464	30,664	31,340	32,018	33,218
11	28,884	30,286	31,571	32,288	33,005	34,260
12	28,884	30,286	31,571	32,288	33,005	34,260
13	28,884	30,286	31,571	32,288	33,005	34,260

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	25,039	25,756	26,489	26,847	27,208	27,940
2	25,879	26,678	27,478	27,876	28,279	29,077
3	26,722	27,601	28,466	28,910	29,350	30,214
4	27,566	28,532	29,453	29,939	30,423	31,349
5	28,404	29,453	30,443	30,968	31,496	32,486
6	29,246	30,383	31,435	32,000	32,569	33,623
7	30,084	31,305	32,420	33,031	33,640	34,755
8	30,929	32,231	33,412	34,063	34,716	35,890
9	31,769	33,154	34,401	35,092	35,789	37,049
10	32,609	34,082	35,389	36,123	36,875	38,245
11	33,453	34,977	36,378	37,181	38,001	39,433
12	33,453	34,977	36,378	37,181	38,001	39,433
13	33,453	34,977	36,378	37,181	38,001	39,433

(b) The 9-month pay schedule for teachers for fiscal year 1990 1992 is as follows:

Annual Hours -- 1480			Note: Includes <u>Does Not Include</u>			
			Insurance			
Term -- Nine Months			Matrix Type -- Annual			
Education Level						
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	16,451	16,933	17,427	17,668	17,910	18,404
2	17,017	17,554	18,092	18,361	18,631	19,168
3	17,583	18,176	18,757	19,056	19,352	19,933
4	18,151	18,801	19,422	19,749	20,074	20,697
5	18,715	19,422	20,087	20,441	20,796	21,463
6	19,283	20,047	20,755	21,136	21,518	22,228
7	19,846	20,667	21,418	21,829	22,239	22,990
8	20,414	21,291	22,086	22,524	22,963	23,754
9	20,980	21,913	22,751	23,217	23,685	24,519
10	21,546	22,537	23,416	23,910	24,406	25,304
11	22,113	23,139	24,079	24,606	25,144	26,085
12	22,113	23,139	24,079	24,606	25,144	26,085
13	22,113	23,139	24,079	24,606	25,144	26,085

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	16,931	17,413	17,907	18,148	18,390	18,884
2	17,497	18,034	18,572	18,841	19,111	19,648
3	18,063	18,656	19,237	19,536	19,832	20,413
4	18,631	19,281	19,902	20,229	20,554	21,177
5	19,195	19,902	20,567	20,921	21,276	21,943
6	19,763	20,527	21,235	21,616	21,998	22,708
7	20,326	21,147	21,898	22,309	22,719	23,470
8	20,894	21,771	22,566	23,004	23,443	24,234
9	21,460	22,393	23,231	23,697	24,165	25,013
10	22,026	23,017	23,896	24,390	24,897	25,818
11	22,593	23,619	24,562	25,102	25,654	26,618
12	22,593	23,619	24,562	25,102	25,654	26,618
13	22,593	23,619	24,562	25,102	25,654	26,618

(2) (a) The 12-month pay schedule for teachers for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080 Note: ~~Includes~~ Does Not Include Insurance

Term -- Twelve Months Matrix Type -- Annual Education Level

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	22,028	22,670	23,329	23,650	23,973	24,632
2	22,783	23,499	24,216	24,575	24,938	25,681
3	23,538	24,329	25,111	25,525	25,939	26,754
4	24,294	25,172	26,037	26,494	26,950	27,824
5	25,054	26,037	26,969	27,464	27,962	28,896
6	25,842	26,913	27,904	28,438	28,974	29,968
7	26,632	27,782	28,833	29,409	29,983	31,036
8	27,426	28,655	29,769	30,383	30,997	32,106
9	28,219	29,526	30,701	31,353	32,010	33,177
10	29,012	30,402	31,632	32,325	33,019	34,249
11	29,807	31,244	32,561	33,296	34,031	35,318
12	29,807	31,244	32,561	33,296	34,031	35,318
13	29,807	31,244	32,561	33,296	34,031	35,318

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	27,119	27,836	28,569	28,927	29,288	30,020
2	27,959	28,758	29,558	29,956	30,359	31,157
3	28,802	29,681	30,546	30,990	31,430	32,294
4	29,646	30,612	31,533	32,019	32,503	33,429
5	30,484	31,533	32,523	33,048	33,576	34,566
6	31,326	32,463	33,515	34,080	34,649	35,703
7	32,164	33,385	34,500	35,111	35,720	36,835
8	33,009	34,311	35,492	36,143	36,796	37,970
9	33,849	35,234	36,481	37,172	37,869	39,129
10	34,689	36,162	37,469	38,203	38,955	40,325
11	35,533	37,057	38,458	39,261	40,081	41,513
12	35,533	37,057	38,458	39,261	40,081	41,513
13	35,533	37,057	38,458	39,261	40,081	41,513

(b) The 9-month pay schedule for teachers for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 1480 Note: ~~Includes~~ Does Not Include Insurance

Term -- Nine Months			Matrix Type -- Annual			
			Education Level			
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	17,251	17,733	18,227	18,468	18,710	19,204
2	17,817	18,354	18,892	19,161	19,431	19,968
3	18,383	18,976	19,557	19,856	20,152	20,733
4	18,951	19,601	20,222	20,549	20,874	21,497
5	19,515	20,222	20,887	21,241	21,596	22,263
6	20,083	20,847	21,555	21,936	22,318	23,028
7	20,646	21,467	22,218	22,629	23,039	23,790
8	21,214	22,091	22,886	23,324	23,763	24,554
9	21,780	22,713	23,551	24,017	24,485	25,333
10	22,346	23,337	24,216	24,710	25,217	26,138
11	22,913	23,939	24,882	25,422	25,974	26,938
12	22,913	23,939	24,882	25,422	25,974	26,938
13	22,913	23,939	24,882	25,422	25,974	26,938

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	18,411	18,893	19,387	19,628	19,870	20,364
2	18,977	19,514	20,052	20,321	20,591	21,128
3	19,543	20,136	20,717	21,016	21,312	21,893
4	20,111	20,761	21,382	21,709	22,034	22,657
5	20,675	21,382	22,047	22,401	22,756	23,423
6	21,243	22,007	22,715	23,096	23,478	24,188
7	21,806	22,627	23,378	23,789	24,199	24,950
8	22,374	23,251	24,046	24,484	24,923	25,714
9	22,940	23,873	24,711	25,177	25,645	26,493
10	23,506	24,497	25,376	25,870	26,377	27,298
11	24,073	25,099	26,042	26,582	27,134	28,098
12	24,073	25,099	26,042	26,582	27,134	28,098
13	24,073	25,099	26,042	26,582	27,134	28,098"

Section 5. Section 2-18-314, MCA, is amended to read:

"2-18-314. Liquor store occupations pay schedules. (1) The pay schedule for liquor store occupations for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080 Note: With Without Insurance
 Pay Matrix -- Retail Clerk Matrix Type -- Hourly
 Grade \$/Hour

W/Ins.
~~L1 0.000~~
~~L2 8.040~~
~~L3 8.540~~
~~L4 8.820~~
~~L5 9.110~~
~~L6 9.720~~
~~L7 10.380~~
~~L8 11.130~~

L1 0.000
L2 8.560
L3 9.060
L4 9.340
L5 9.630

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<u>L6</u>	<u>10.240</u>
<u>L7</u>	<u>10.900</u>
<u>L8</u>	<u>11.650</u>

(2) The pay schedule for liquor store occupations for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080 Note: With Without Insurance
Pay Matrix -- Retail Clerk Matrix Type -- Hourly
Grade \$/Hour

	<u>W/Ins.</u>
L1	0.000
L2	8.425
L3	8.925
L4	9.205
L5	9.495
L6	10.105
L7	10.765
L8	11.515

<u>L1</u>	<u>0.000</u>
<u>L2</u>	<u>9.560</u>
<u>L3</u>	<u>10.060</u>
<u>L4</u>	<u>10.340</u>
<u>L5</u>	<u>10.630</u>
<u>L6</u>	<u>11.240</u>
<u>L7</u>	<u>11.900</u>
<u>L8</u>	<u>12.650"</u>

Section 6. Section 2-18-315, MCA, is amended to read:
"2-18-315. Blue-collar pay schedules. (1) The pay schedule for blue-collar workers for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080 Note: With Without Insurance
Pay Matrix -- Blue-Collar Matrix Type -- Hourly
Grade \$/Hour

	<u>W/Ins.</u>
B1	8.51
B2	8.91
B3	9.31
B4	9.71
B5	10.11
B6	10.51
B7	10.91
B8	11.31
B9	11.71
B10	12.11
B11	12.51
B12	12.91
B00	13.31

<u>B1</u>	<u>9.04</u>
<u>B2</u>	<u>9.44</u>
<u>B3</u>	<u>9.84</u>
<u>B4</u>	<u>10.24</u>
<u>B5</u>	<u>10.64</u>

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B6	11.04
B7	11.44
B8	11.84
B9	12.24
B10	12.64
B11	13.04
B12	13.44
B00	13.84

(2) The pay schedule for blue-collar workers for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080 Note: With Without Insurance
Pay Matrix -- Blue-Collar Matrix Type -- Hourly
Grade \$/Hour
 W/Ins.

B1	8.90
B2	9.30
B3	9.70
B4	10.10
B5	10.50
B6	10.90
B7	11.30
B8	11.70
B9	12.10
B10	12.50
B11	12.90
B12	13.30
B00	13.70

B1	10.04
B2	10.44
B3	10.84
B4	11.24
B5	11.64
B6	12.04
B7	12.44
B8	12.84
B9	13.24
B10	13.64
B11	14.04
B12	14.44
B00	14.84 ""

Renumber: subsequent sections

31. Page 11, line 20.

Strike: "\$180"

Insert: "\$170"

32. Page 11, line 21.

Strike: "\$230"

Insert: "\$195"

33. Page 12, line 19.

CX 10/15

3/8/91

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Strike: "\$156,993,038"
Insert: "\$118,906,542"

34. Page 12, lines 23 and 24.

Strike: lines 23 and 24 in their entirety

Insert: "State Government

General Fund	\$13,322,546	\$25,522,528
Other Funds	18,081,847	35,350,231

University System		
General Fund	8,820,113	17,809,277"

35. Page 12, line 25 through page 13, line 2.

Following: line 24 on page 12

Strike: section 11 in its entirety

Renumber: subsequent sections

36. Page 13, lines 3 through 8.

Following: "instruction."

Strike: remainder of line 3 through "3]" on line 8

Insert: "[Section 1]"

37. Page 13, line 11.

Strike: "3"

Insert: "1"

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COMMITTEE

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Nancy Harte, Helena	Secretary of State	SB 156		X
Peter Funk	Dept. of Justice	SB 156		X
Sen. Doherty	#20	SB 156		X
Mark Mackin	117 Yellowstone N Whitehall Self	156		
CB Pearson	Common House / MONTANA	SB 156		X

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