

SENATE BILL 152

Introduced by Beck, et al.

1/16	Introduced
1/16	Referred to Finance & Claims
1/17	Fiscal Note Requested
1/24	Fiscal Note Received
1/25	Fiscal Note Printed
1/30	Rereferred to Labor & Employment Relations
2/07	Hearing
2/16	Committee Report--Bill Passed as Amended
2/18	2nd Reading Passed
2/21	3rd Reading Passed

Transmitted to House

2/22	Referred to State Administration
3/08	Rereferred to Appropriations
3/11	Hearing
3/16	Hearing
3/20	Hearing
3/21	Tabled in Committee

State BILL NO. *152*

INTRODUCED BY *Beck* *Co. Shul* *Wicki* *Griffith* *Rasmussen*
Hager *Rickard* *Thompson* *Planned* *Thompson*
J. Brown *Ream* *Smith* *Clark* *Cobb*
Walker *Waller* *Norman* *Waller* *Rie* *Connolly*
Facal *Ream*

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A PAY INCREASE FOR CERTAIN STATE EMPLOYEES; AMENDING SECTIONS

2-18-303 AND 2-18-313, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

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

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

"2-18-303. Procedures for utilizing pay schedule. (1)

The pay schedule provided in 2-18-312 shall be implemented as follows:

(a) The pay schedule provided in 2-18-312 indicates the annual compensation for the fiscal years ending June 30, 1988, and June 30, 1989, for each grade and step for positions classified under the provisions of part 2 of this chapter.

(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 shall 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 1988 shall be

that amount which corresponds to the grade and step occupied on the last day of the preceding fiscal year of 1987.

(ii) The compensation of each employee on the first day of the first pay period in fiscal year 1989 shall be that amount which corresponds to the grade and step occupied on the last day of the fiscal year 1988.

(iii) An employee shall advance one step in the pay schedule on the first day of the first pay period in January 1989 if he was eligible to receive compensation under the pay schedule and had no break in service, as defined in 2-18-601, for the period beginning January 1, 1988, and ending [on the effective date of this act].

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

(3) The pay schedules provided in 2-18-313, 2-18-314, or 2-18-315 shall 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 by institutions under the authority of the department of institutions or the department of family services for fiscal years 1988 and 1989.

1 (ii) The compensation of each teacher on the first day
2 of the first pay period in July 1987 shall be that amount
3 which corresponds to his level of academic achievement and
4 the step occupied on June 30, 1987.

5 (iii) The compensation of each teacher on the first day
6 of the first pay period in July 1988 shall be that amount
7 which corresponds to his level of achievement and the step
8 occupied on June 30, 1987.

9 (b) (i) The pay schedule provided in 2-18-314
10 indicates the maximum hourly compensation for fiscal years
11 ending June 30, 1988, and June 30, 1989, for those employees
12 in liquor store occupations who have collectively bargained
13 separate classification and pay plans.

14 (ii) The compensation of each employee on the first day
15 of the first pay period in fiscal year 1988 or 1989, as the
16 case may be, shall be that amount which corresponds to that
17 grade occupied on the last day of the preceding fiscal year.

18 (c) (i) The pay schedule provided in 2-18-315
19 indicates the maximum hourly compensation for fiscal years
20 ending June 30, 1988, and June 30, 1989, for employees in
21 apprentice trades and crafts and other blue-collar
22 occupations recognized in the state blue-collar
23 classification plan who are members of units that have
24 collectively bargained separate classification and pay
25 plans.

1 (ii) The compensation of each employee on the first day
2 of the first pay period in fiscal year 1988 or 1989, as the
3 case may be, shall be that amount which corresponds to that
4 grade occupied on the last day of the preceding fiscal year.

5 (4) (a) (i) No member of a bargaining unit may receive
6 the amounts indicated in the respective pay schedules
7 provided in 2-18-312 through 2-18-315 until the bargaining
8 unit of which he is a member ratifies a completely
9 integrated collective bargaining agreement covering the
10 biennium ending June 30, 1989.

11 (ii) In the event that negotiation and ratification of
12 a completely integrated collective bargaining agreement as
13 required by subsection (4)(a)(i) of this section are not
14 completed by July 1, 1987, retroactivity to that date may be
15 negotiated.

16 (iii) In the event that negotiation and ratification of
17 a completely integrated collective bargaining agreement as
18 required by subsection (4)(a)(i) of this section are not
19 completed by July 1, 1987, members of the bargaining unit
20 involved will continue to receive the compensation they were
21 receiving as of June 30, 1987.

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

(5) The current wage or salary of an employee shall not be reduced by the implementation of the pay schedules provided for in 2-18-312 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 which will 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 shall be a negotiable subject under 39-31-305."

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

"2-18-313. Institutional teachers' pay schedules. The department of institutions shall adjust the 1987 pay schedules for institutional teachers so that the cost of implementing the adjusted schedules is equal to the appropriation provided for in section 3, Chapter 621, Laws of 1987. The adjusted schedules must be applied as provided in 2-18-303(3)(a)."

NEW SECTION. Section 3. Extension of authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act].

NEW SECTION. Section 4. Retroactive applicability. [This act] applies retroactively, within the meaning of 1-2-109, to the first day of the first pay period in January 1989.

NEW SECTION. Section 5. Effective date. [This act] is effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB152, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act providing a pay increase for certain state employees; amending Sections 2-18-303, and 2-18-313, MCA; and providing an immediate effective date and a retroactive applicability date.

ASSUMPTIONS:

1. Personal service costs are split 63% general fund and 37% other funds.
2. Benefits were calculated at 15.1% not including insurance contributions.
3. Because position data is not available for university system employees, it was assumed that their average cost per employee would be the same as all other classified employees on position control.
4. It was assumed that the increase takes effect on the first day of the first full pay period in January 1989 (January 14, 1989).
5. All costs are based on incumbent data as of January 18, 1989.
6. The costs reflect a step increase for only those employees on the statewide matrix below step 13 with a hire date on or before January 1, 1988. All other employees (blue collar, legislative, liquor, teachers, exempt, faculty) are excluded.

FISCAL IMPACT:Additional Personal Service Expenses:

FY90
\$4,447,000

FY91
\$4,447,000

Funding Sources:

General Fund

\$2,802,000

\$2,802,000

All Other

\$1,645,000

\$1,645,000

TECHNICAL OR MECHANICAL DEFECTS OR CONFLICTS WITH EXISTING LEGISLATION:

It should be noted that this bill will increase FY89 expenditures by approximately \$2,053,000 (\$1,293,000 general fund and \$760,000 of other funds). There is no appropriation for FY89. As a result this bill has the effect of under-funding the agencies FY89 budgets. It may also affect reversions at the end of FY89.

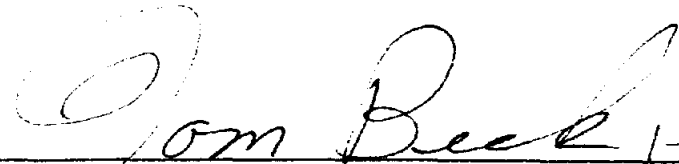


1/23/89

RAY SHACKLEFORD, BUDGET DIRECTOR

DATE

OFFICE OF BUDGET AND PROGRAM PLANNING



1-24-89

TOM BECK, PRIMARY SPONSOR

DATE

Fiscal Note for SB152, as introduced**SB 152**

APPROVED BY COMM. ON
FINANCE AND CLAIMS

SENATE BILL NO. 152

INTRODUCED BY BECK, CAMPBELL, COCCHIARELLA, RASMUSSEN,
STANG, HARPER, MANNING, O'CONNELL, VINCENT, HARRINGTON,

J. BROWN, MCLANE, MAZUREK, MENAHAN, O'KEEFE,
REAM, GRADY, STRIZICH, HARP, COBB, VAN VALKENBURG, WILLIAMS,
DRISCOLL, CLARK, BROOKE, HALLIGAN, DARKO, DAILY, R. NELSON,
HANSEN, ECK, PAVLOVICH, ADDY, NORMAN, WALLIN, RICE,
CONNELLY, JACOBSON, SCHYE,

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A PAY
INCREASE FOR CERTAIN STATE EMPLOYEES FOR THE BIENNIUM ENDING
JUNE 30, 1991; AMENDING SECTIONS 2-18-303 AND 2-18-313, MCA;
AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE
APPLICABILITY DATE."

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

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

"2-18-303. Procedures for utilizing pay schedule. (1)

The pay schedule provided in 2-18-312 shall be implemented
as follows:

(a) The pay schedule provided in 2-18-312 indicates
the annual compensation for the fiscal years ending June 30,
1988, and June 30, 1989, for each grade and step for
positions classified under the provisions of part 2 of this
chapter.

(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
shall 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 1988 shall be
that amount which corresponds to the grade and step occupied
on the last day of the preceding fiscal year of 1987.

(ii) The compensation of each employee on the first day
of the first pay period in fiscal year ~~1989~~ 1992 shall be
that amount which corresponds to the grade and step occupied
on the last day of the fiscal year 1988.

(iii) An employee shall advance one step in the pay
schedule on the first day of the first pay period in January
1989 if he was eligible to receive compensation under the
pay schedule and had no break in service, as defined in
2-18-601, for the period beginning January 1, 1988, and
ending [on the effective date of this act].

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

(3) The pay schedules provided in 2-18-313, 2-18-314,

1 or 2-18-315 shall be implemented as follows:

2 (a) (i) The pay schedules provided for in 2-18-313
3 indicate the annual compensation for the contracted school
4 term for teachers employed by institutions under the
5 authority of the department of institutions or the
6 department of family services for fiscal years 1988 and
7 1989.

8 (ii) The compensation of each teacher on the first day
9 of the first pay period in July 1987 shall be that amount
10 which corresponds to his level of academic achievement and
11 the step occupied on June 30, 1987.

12 (iii) The compensation of each teacher on the first day
13 of the first pay period in July 1988 shall be that amount
14 which corresponds to his level of achievement and the step
15 occupied on June 30, 1987.

16 (b) (i) The pay schedule provided in 2-18-314
17 indicates the maximum hourly compensation for fiscal years
18 ending June 30, 1988, and June 30, 1989, for those employees
19 in liquor store occupations who have collectively bargained
20 separate classification and pay plans.

21 (ii) The compensation of each employee on the first day
22 of the first pay period in fiscal year 1988 or 1989, as the
23 case may be, shall be that amount which corresponds to that
24 grade occupied on the last day of the preceding fiscal year.

25 (c) (i) The pay schedule provided in 2-18-315

1 indicates the maximum hourly compensation for fiscal years
2 ending June 30, 1988, and June 30, 1989, for employees in
3 apprentice trades and crafts and other blue-collar
4 occupations recognized in the state blue-collar
5 classification plan who are members of units that have
6 collectively bargained separate classification and pay
7 plans.

8 (ii) The compensation of each employee on the first day
9 of the first pay period in fiscal year 1988 or 1989, as the
10 case may be, shall be that amount which corresponds to that
11 grade occupied on the last day of the preceding fiscal year.

12 (4) (a) (i) No member of a bargaining unit may receive
13 the amounts indicated in the respective pay schedules
14 provided in 2-18-312 through 2-18-315 until the bargaining
15 unit of which he is a member ratifies a completely
16 integrated collective bargaining agreement covering the
17 biennium ending June 30, 1989.

18 (ii) In the event that negotiation and ratification of
19 a completely integrated collective bargaining agreement as
20 required by subsection (4)(a)(i) of this section are not
21 completed by July 1, 1987, retroactivity to that date may be
22 negotiated.

23 (iii) In the event that negotiation and ratification of
24 a completely integrated collective bargaining agreement as
25 required by subsection (4)(a)(i) of this section are not

1 completed by July 1, 1987, members of the bargaining unit
2 involved will continue to receive the compensation they were
3 receiving as of June 30, 1987.

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

8 (5) The current wage or salary of an employee shall
9 FOR THE BIENNIUM ENDING JUNE 30, 1991, MAY not be reduced by
10 the implementation of the pay schedules provided for in
11 2-18-312 through 2-18-315.

12 (6) The department may authorize a separate pay
13 schedule for medical doctors if the rates provided in
14 2-18-312 are not sufficient to attract and retain fully
15 licensed and qualified physicians at the state institutions.

16 (7) The department may develop programs which will
17 enable the department to mitigate problems associated with
18 difficult recruitment, retention, transfer, or other
19 exceptional circumstances. Insofar as the program may apply
20 to employees within a collective bargaining unit, it shall
21 be a negotiable subject under 39-31-305."

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

23 "2-18-313. Institutional teachers' pay schedules. The
24 department of institutions shall adjust the 1987 pay
25 schedules for institutional teachers so that the cost of

1 implementing the adjusted schedules is equal to the
2 appropriation provided for in section 3, Chapter 621, Laws
3 of 1987. The adjusted schedules must be applied as provided
4 in 2-18-303(3)(a)."

5 NEW SECTION. **Section 3. Extension of authority.** Any
6 existing authority to make rules on the subject of the
7 provisions of [this act] is extended to the provisions of
8 [this act].

9 NEW SECTION. **Section 4. Retroactive applicability.**
10 [This act] applies retroactively, within the meaning of
11 1-2-109, to the first day of the first pay period in January
12 1989.

13 NEW SECTION. **Section 5. Effective date.** [This act] is
14 effective on passage and approval.

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positions classified under the provisions of part 2 of this
chapter.

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