

HOUSE BILL NO. 198

INTRODUCED BY PETERSON
BY REQUEST OF THE GOVERNOR

IN THE HOUSE

JANUARY 15, 1993 INTRODUCED AND REFERRED TO COMMITTEE
 ON APPROPRIATIONS.

 FIRST READING.

MARCH 19, 1993 COMMITTEE RECOMMEND BILL
 DO PASS AS AMENDED. REPORT ADOPTED.

MARCH 22, 1993 PRINTING REPORT.

MARCH 23, 1993 SECOND READING, DO PASS AS AMENDED.

MARCH 24, 1993 ENGROSSING REPORT.

 THIRD READING, PASSED.
 AYES, 60; NOES, 40.

MARCH 25, 1993 TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 26, 1993 INTRODUCED AND REFERRED TO COMMITTEE
 ON FINANCE & CLAIMS.

 FIRST READING.

APRIL 13, 1993 COMMITTEE RECOMMEND BILL BE
 CONCURRED IN AS AMENDED. REPORT
 ADOPTED.

APRIL 14, 1993 SECOND READING, CONCURRED IN AS
 AMENDED.

APRIL 15, 1993 THIRD READING, CONCURRED IN.
 AYES, 32; NOES, 17.

 RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 16, 1993 SECOND READING, AMENDMENTS NOT
 CONCURRED IN.

APRIL 17, 1993 ON MOTION, CONFERENCE COMMITTEE

REQUESTED AND APPOINTED.

IN THE SENATE

APRIL 20, 1993

ON MOTION, CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE HOUSE

APRIL 21, 1993

ON MOTION, CONFERENCE COMMITTEE
DISSOLVED.

ON MOTION, FREE CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE SENATE

APRIL 22, 1993

ON MOTION, CONFERENCE COMMITTEE
DISSOLVED.

ON MOTION, FREE CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

APRIL 24, 1993

FREE CONFERENCE COMMITTEE REPORT ADOPTED.

IN THE HOUSE

APRIL 24, 1993

SECOND READING, FREE CONFERENCE
COMMITTEE REPORT ADOPTED.

THIRD READING, FREE CONFERENCE
COMMITTEE REPORT ADOPTED.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 198
 2 INTRODUCED BY Robison
 3 BY REQUEST OF THE GOVERNOR
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING STATE
 6 EMPLOYEE COMPENSATION PLANS AND BENEFIT LEVELS; PROVIDING
 7 PAY SCHEDULES FOR FISCAL YEARS 1994 AND 1995; APPROPRIATING
 8 MONEY TO IMPLEMENT THE SCHEDULES; AND AMENDING SECTIONS
 9 2-6-110, 2-18-301, 2-18-303, 2-18-305, 2-18-312, 2-18-313,
 10 2-18-314, 2-18-315, AND 2-18-703, MCA."
 11

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

13 **Section 1.** Section 2-18-301, MCA, is amended to read:
 14 "2-18-301. Purpose and intent of part -- rules. (1) The
 15 purpose of this part is to provide the market-based
 16 compensation necessary to attract and retain competent and
 17 qualified employees in order to perform the services the
 18 state is required to provide to its citizens.

19 (2) It is the intent of the legislature that
 20 compensation plans for state employees, excluding those
 21 employees excepted under 2-18-103 or 2-18-104 and excluding
 22 employees compensated under 2-18-313, 2-18-314, and
 23 2-18-315, be based on an analysis of the labor market as
 24 provided by the department in a salary survey report to the
 25 legislature at the start of each legislative session.

1 (3) Except as provided in 2-18-110 and 2-18-305(4), pay
 2 schedules provided for in 2-18-312 through 2-18-315
 3 supersede any other plan or systems established through
 4 collective bargaining after the adjournment of the 52nd 53rd
 5 legislature.

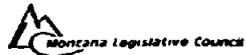
6 (4) Pay levels provided for in 2-18-312 through
 7 2-18-315 may not be increased through collective bargaining
 8 after adjournment of the 52nd 53rd legislature.

9 (5) Total funds required to implement the pay schedules
 10 provided for in 2-18-312 through 2-18-315 for any employee
 11 group or bargaining unit may not be increased through
 12 collective bargaining over the amount appropriated by the
 13 52nd 53rd legislature.

14 (6) The department shall administer the pay program
 15 established by the legislature on the basis of merit,
 16 internal equity, and competitiveness to external labor
 17 markets when fiscally able.

18 (7) The department may promulgate rules not
 19 inconsistent with the provisions of this part, collective
 20 bargaining statutes, or negotiated contracts to carry out
 21 the purposes of this part."

22 **Section 2.** Section 2-18-303, MCA, is amended to read:
 23 "2-18-303. Procedures for utilizing pay schedules. (1)
 24 The pay schedules provided in 2-18-312 must be implemented
 25 as follows:



1 (a) The pay schedules provided in 2-18-312 indicate the
2 entry salary and market salary for the fiscal years ending
3 June 30, 1992 1994, and June 30, 1993 1995, for each grade
4 for positions classified under the provisions of part 2 of
5 this chapter.

6 (b) Each employee newly hired by the state of Montana
7 must be hired at the entry rate, except as provided in
8 subsections (7) and (8).

9 (c) Except as provided in subsection (1)(g) (1)(e), on
10 the first day of the first complete pay period in fiscal
11 year 1992 1994, each employee hired before July 1, 1991
12 1993, is entitled to the amount of his the employee's base
13 salary as it was on June 30, 1991 1993, plus the following
14 increases:

15 (i) an increase of 60 cents an hour above the
16 employee's base salary as it was on June 30, 1991, and

17 (ii) an additional increase of 1/8 of 1% of his base
18 salary as it is after the 60-cent-an-hour increase, for each
19 full percentage point that the employee's base salary, as it
20 is after the 60-cent-an-hour increase, is below the market
21 salary for the employee's assigned grade.

22 (d) Except as provided in subsection (1)(g) (1)(e), on
23 the first day of the first pay period in fiscal year 1993
24 1995, each employee hired before July 1, 1992 1994, is
25 entitled to the amount of the employee's base salary as it

1 was on June 30, 1992 1994, plus an increase calculated as
2 follows:

3 (i) add 45 cents an hour to the employee's base salary
4 as it was on June 30, 1992, then

5 (ii) add an amount equal to 1/8 of 1% of the amount
6 computed in subsection (i)(d)(i) for each full percentage
7 point that the employee's base salary, as it is after the
8 45-cent-an-hour increase, is below the market salary for the
9 employee's assigned grade, then

10 (iii) from the sum calculated in subsection (i)(d)(ii),
11 subtract 20 cents an hour.

12 (e) Except as provided in subsection (1)(g), on the
13 first day of the first pay period in January 1993, each
14 employee hired before January 1, 1993, is entitled to the
15 amount of the employee's base salary as it was on December
16 31, 1992, plus an increase of 20 cents an hour above the
17 employee's base salary as it was on December 31, 1992.

18 (f) The department shall determine the number of full
19 percentage points that an employee's base salary is below
20 the market salary by dividing the employee's base salary by
21 the market salary for his assigned grade, multiplying the
22 result by 100, and subtracting that total from 100.

23 (g)(e) An employee's base salary may be no less than
24 the entry salary for his the employee's assigned grade.

25 (h)(f) Except as provided in subsections (5) through

~~(8) An~~ An employee's base salary may not exceed the market maximum salary by a percentage greater than the percentage that the market salary for the employee's grade exceeds the entry salary for that grade. The salary of an employee may not be reduced because of this provision.

(g) The maximum salary for each grade is determined by subtracting the entry salary from the market salary and adding that amount to the market salary.

(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 pay schedules provided in 2-18-313 through 2-18-315.

(3) The pay schedules provided in 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 corrections and human services or the department of family services for fiscal years 1992 1994 and 1993 1995.

(ii) The compensation of each teacher on the first day of the first pay period in July 1991 1993 is that amount corresponding to determined by the teacher's level of academic achievement and ~~years of experience~~ the step

occupied on June 30, 1993.

(iii) On The compensation of each teacher on the first day of the first pay period of each fiscal year each teacher shall advance one step on the appropriate pay schedule adopted in 2-18-313 in July 1994 is determined by the teacher's level of academic achievement and the step occupied on June 30, 1994.

(b) (i) The pay schedules provided in 2-18-314 indicate the maximum hourly compensation for fiscal years ending June 30, 1992 1994, and June 30, 1993 1995, 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 1992 1994 or 1993 1995 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, 1992 1994, and June 30, 1993 1995, 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

1 of the first pay period in fiscal year ~~1992~~ 1994 or 1993
2 1995 is that amount corresponding to the grade occupied on
3 the last day of the preceding fiscal year.

4 (4) (a) (i) A member of a bargaining unit may not
5 receive the amounts indicated in the respective pay
6 schedules provided in 2-18-312 through 2-18-315 until the
7 bargaining unit of which he the employee is a member
8 ratifies a completely integrated collective bargaining
9 agreement covering the biennium ending June 30, ~~1993~~ 1995.

10 (ii) If negotiation and ratification of a completely
11 integrated collective bargaining agreement as required by
12 subsection (4)(a)(i) are not completed by July 1, ~~1993~~ 1993,
13 retroactivity to that date may be negotiated.

14 (iii) If negotiation and ratification of a completely
15 integrated collective bargaining agreement as required by
16 subsection (4)(a)(i) are not completed by July 1, ~~1993~~ 1993,
17 members of the bargaining unit involved must continue to
18 receive the compensation they were receiving as of June 30,
19 ~~1993~~ 1993.

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

24 (5) The current wage or salary of an employee may not
25 be reduced by the implementation of the pay schedules

1 provided for in 2-18-312 through 2-18-315.

2 (6) The department may authorize a separate pay
3 schedule for medical doctors if the rates provided in
4 2-18-312 are not sufficient to attract and retain fully
5 licensed and qualified physicians at the state institutions.

6 (7) The department may develop programs that enable the
7 department to mitigate problems associated with difficult
8 recruitment, retention, transfer, or other exceptional
9 circumstances. Insofar as the program may apply to employees
10 within a collective bargaining unit, it is a negotiable
11 subject under 39-31-305. ~~To maintain the internal equity of~~
12 ~~the statewide pay plan provided for in 2-18-312 and~~
13 ~~subsection (1) of this section, when a majority of~~
14 ~~registered nurses classified under the provisions of part 2~~
15 ~~of this chapter have been granted a pay plan exception~~
16 ~~through a collectively bargained agreement, then all other~~
17 ~~classified registered nurses, including those employed in~~
18 ~~the university system, must be paid a salary equivalent to~~
19 ~~the salary negotiated in the negotiated agreement, except~~
20 ~~that in no case may the salary of a classified registered~~
21 ~~nurse be reduced by this provision.~~

22 (8) The department shall review the competitiveness of
23 the compensation provided to all occupations under this
24 part. If the department finds that substantial problems
25 exist with recruitment and retention because of inadequate

1 salaries when compared to competing employers, the
 2 department may establish criteria allowing an adjustment in
 3 pay or classification to mitigate the problems. Insofar as
 4 these adjustments may apply to employees within a collective
 5 bargaining unit, the implementation of these adjustments is
 6 a negotiable subject under 39-31-305."

7 **Section 3.** Section 2-18-305, MCA, is amended to read:

8 "2-18-305. Allocation between wages and group benefits.

9 (1) The dollar amounts shown in the respective pay schedules
 10 provided in 2-18-313, 2-18-314, and 2-18-315 represent the
 11 maximum amount allocated by the state for wages and group
 12 benefits, exclusive of longevity as defined in 2-18-304 for
 13 an employee covered by a pay schedule provided in 2-18-313,
 14 2-18-314, or 2-18-315.

15 (2) Except as provided in subsection (4), the amount
 16 specifically allocated for group benefits must be determined
 17 by 2-18-703.

18 (3) (a) An employee covered under the pay schedules
 19 provided in 2-18-312 who elects not to be covered by a state
 20 employee group benefit plan under the provisions of 2-18-703
 21 must receive as wages his the employee's base salary,
 22 including adjustments provided in 2-18-303(1)(c) through
 23 ~~the~~ (1)(d) and 2-18-304.

24 (b) An employee covered under the pay schedules
 25 provided in 2-18-313, 2-18-314, or 2-18-315 who elects not

1 to be covered by a state employee group benefit plan shall,
 2 under the provisions of 2-18-703, receive as wages the
 3 amount shown in the appropriate pay schedule less the state
 4 contribution for group benefits as determined by 2-18-703.

5 (4) Employees may, through collective bargaining,
 6 determine the allocation between wages and group benefits,
 7 except that in no case may the group benefits allocation be
 8 less than the amounts provided in 2-18-703."

9 **Section 4.** Section 2-18-312, MCA, is amended to read:

10 "2-18-312. Statewide pay schedules for fiscal years
 11 ~~1992~~ 1994 and ~~1993~~ 1995. (1) The statewide classification
 12 pay schedule for fiscal year ~~1992~~ 1994 is as follows:

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

15 Pay Range: Entry Salary to Market Salary

16 GRADE	16 ENTRY SALARY	16 MARKET SALARY
17 -1	17 -8,426	17 -9,913
18 -2	18 -9,877	18 -10,704
19 -3	19 -9,777	19 -11,557
20 -4	20 -10,536	20 -12,404
21 -5	21 -11,305	21 -13,522
22 -6	22 -12,303	22 -14,647
23 -7	23 -13,209	23 -15,850
24 -8	24 -14,404	24 -17,230
25 -9	25 -15,596	25 -18,701

1	10	167916	207332
2	11	187353	227112
3	12	197946	247090
4	13	217674	267240
5	14	237588	287626
6	15	257694	317258
7	16	287044	347200
8	17	307665	377400
9	18	337555	417122
10	19	367793	457201
11	20	407406	497761
12	21	447421	547841
13	22	487906	607527
14	23	537965	667954
15	24	597645	747105
16	25	657930	827206
17	<u>1</u>	<u>8,679</u>	<u>10,210</u>
18	<u>2</u>	<u>9,349</u>	<u>11,025</u>
19	<u>3</u>	<u>10,070</u>	<u>11,903</u>
20	<u>4</u>	<u>10,852</u>	<u>12,858</u>
21	<u>5</u>	<u>11,727</u>	<u>13,927</u>
22	<u>6</u>	<u>12,672</u>	<u>15,086</u>
23	<u>7</u>	<u>13,688</u>	<u>16,334</u>
24	<u>8</u>	<u>14,836</u>	<u>17,747</u>
25	<u>9</u>	<u>16,064</u>	<u>19,262</u>

1	<u>10</u>	<u>17,424</u>	<u>20,942</u>
2	<u>11</u>	<u>18,904</u>	<u>22,775</u>
3	<u>12</u>	<u>20,545</u>	<u>24,812</u>
4	<u>13</u>	<u>22,325</u>	<u>27,027</u>
5	<u>14</u>	<u>24,295</u>	<u>29,485</u>
6	<u>15</u>	<u>26,465</u>	<u>32,196</u>
7	<u>16</u>	<u>28,885</u>	<u>35,226</u>
8	<u>17</u>	<u>31,585</u>	<u>38,613</u>
9	<u>18</u>	<u>34,562</u>	<u>42,355</u>
10	<u>19</u>	<u>37,897</u>	<u>46,557</u>
11	<u>20</u>	<u>41,618</u>	<u>51,254</u>
12	<u>21</u>	<u>45,754</u>	<u>56,487</u>
13	<u>22</u>	<u>50,373</u>	<u>62,343</u>
14	<u>23</u>	<u>55,584</u>	<u>68,963</u>
15	<u>24</u>	<u>61,434</u>	<u>76,410</u>
16	<u>25</u>	<u>67,907</u>	<u>84,673</u>

(2) The statewide classification pay schedule for fiscal year 1993 1995 is as follows:

Annual Hours -- 2080 Note: Does Not Include Insurance

Pay Matrix -- State Matrix Type -- Annual

Pay Range: Entry Salary to Market Salary

GRADE	ENTRY SALARY	MARKET SALARY
1	8,679	10,210
2	9,349	11,025
3	10,070	11,903

1	4	10,852	12,858
2	5	11,727	13,927
3	6	12,672	15,086
4	7	13,688	16,334
5	8	14,836	17,747
6	9	16,064	19,262
7	10	17,424	20,942
8	11	18,904	22,775
9	12	20,545	24,812
10	13	22,325	27,027
11	14	24,295	29,485
12	15	26,465	32,196
13	16	28,885	35,226
14	17	31,585	38,613
15	18	34,562	42,355
16	19	37,897	46,557
17	20	41,618	51,254
18	21	45,754	56,487
19	22	50,373	62,343
20	23	55,584	68,963
21	24	61,434	76,410
22	25	67,907	84,673"

1 is as follows:

2	Annual Hours -- 2080	Note: Includes Insurance					
3	Term -- Twelve Months	Matrix Type -- Annual					
4	Education Level						
5	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
6	-1	23,7516	24,7175	24,817	25,7138	25,7461	26,7120
7	-2	24,7271	24,987	25,784	26,863	26,7426	27,7169
8	-3	25,826	25,817	26,599	27,813	27,7427	28,7242
9	-4	25,782	26,660	27,525	27,982	28,7438	29,7312
10	-5	26,7542	27,525	28,457	28,952	29,7450	30,7384
11	-6	27,7330	28,481	29,392	29,926	30,7462	31,7456
12	-7	28,7120	29,270	30,321	30,897	31,7471	32,7524
13	-8	28,914	30,143	31,257	31,871	32,7485	33,7594
14	-9	29,787	31,814	32,189	32,841	33,7498	34,7665
15	10	30,7580	31,898	33,120	33,813	34,7507	35,7737
16	11	31,7295	32,732	34,849	34,784	35,7519	36,806
17	12	31,7295	32,732	34,849	34,784	35,7519	36,806
18	13	31,7295	32,732	34,849	34,784	35,7519	36,806
19	1	24,932	25,591	26,233	26,554	26,877	27,536
20	2	25,687	26,403	27,120	27,479	27,842	28,585
21	3	26,442	27,233	28,015	28,429	28,843	29,658
22	4	27,198	28,076	28,941	29,398	29,854	30,728
23	5	27,958	28,941	29,873	30,368	30,866	31,800
24	6	28,746	29,817	30,808	31,342	31,878	32,872
25	7	29,536	30,686	31,737	32,313	32,887	33,940

23 **Section 5.** Section 2-18-313, MCA, is amended to read:
 24 "2-18-313. Teachers' pay schedules. (1) (a) The
 25 12-month pay schedule for teachers for fiscal year 1992 1994

1	8	30,330	31,559	32,673	33,287	33,901	35,010
2	9	31,123	32,430	33,605	34,257	34,914	36,081
3	10	31,916	33,306	34,536	35,229	35,923	37,153
4	11	32,711	34,148	35,465	36,200	36,935	38,222
5	12	32,711	34,148	35,465	36,200	36,935	38,222
6	13	32,711	34,148	35,465	36,200	36,935	38,222

7 (b) The 9-month pay schedule for teachers for fiscal
8 year 1992 1994 is as follows:

9 Annual Hours -- 1560 Note: Includes Insurance
10 Term -- Nine Months Matrix Type -- Annual

Education Level							
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1	
12							
13	-1	19,262	19,770	20,291	20,545	20,800	21,321
14	-2	19,859	20,425	20,992	21,275	21,560	22,126
15	-3	20,455	21,080	21,693	22,000	22,320	22,932
16	-4	21,054	21,739	22,394	22,730	23,081	23,730
17	-5	21,649	22,394	23,095	23,460	23,842	24,545
18	-6	22,247	23,053	23,799	24,200	24,603	25,351
19	-7	22,841	23,706	24,490	24,931	25,363	26,155
20	-8	23,439	24,364	25,202	25,663	26,126	26,960
21	-9	24,036	25,019	25,903	26,394	26,887	27,701
22	10	24,633	25,677	26,604	27,124	27,659	28,630
23	11	25,230	26,312	27,306	27,875	28,457	29,473
24	12	25,230	26,312	27,306	27,875	28,457	29,473
25	13	25,230	26,312	27,306	27,875	28,457	29,473

1	1	20,384	20,892	21,413	21,667	21,922	22,443
2	2	20,981	21,547	22,114	22,397	22,682	23,248
3	3	21,577	22,202	22,815	23,310	23,442	24,054
4	4	22,176	22,861	23,516	23,860	24,203	24,860
5	5	22,771	23,516	24,217	24,590	24,964	25,667
6	6	23,369	24,175	24,921	25,322	25,725	26,473
7	7	23,963	24,828	25,620	26,053	26,485	27,277
8	8	24,561	25,486	26,294	26,785	27,248	28,082
9	9	25,158	26,141	27,025	27,516	28,009	28,903
10	10	25,755	26,799	27,726	28,246	28,781	29,752
11	11	26,352	27,434	28,428	28,997	29,579	30,595
12	12	26,352	27,434	28,428	28,997	29,579	30,595
13	13	26,352	27,434	28,428	28,997	29,579	30,595

14 ~~(2) -- (a) The 12-month pay schedule for teachers for the~~
15 ~~first 6 months of fiscal year 1993 is as follows:~~

16 ~~Annual Hours --- 2080 Note: Includes Insurance~~
17 ~~Term --- Twelve Months Matrix Type --- Annual~~

Education Level							
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1	
19							
20	-1	24,276	24,935	25,577	25,898	26,221	26,800
21	-2	25,031	25,747	26,464	26,823	27,186	27,929
22	-3	25,786	26,577	27,359	27,773	28,187	29,002
23	-4	26,542	27,420	28,285	28,742	29,190	30,072
24	-5	27,302	28,285	29,217	29,712	30,210	31,144
25	-6	28,090	29,161	30,152	30,686	31,222	32,216

1	-7	207000	307030	317001	317657	327231	337204
2	-8	297674	307903	327017	327631	337245	347354
3	-9	307467	317774	327949	337601	347250	357425
4	10	317260	327650	337000	347573	357267	367497
5	11	327055	337492	347009	357544	367279	377566
6	12	327055	337492	347009	357544	367279	377566
7	13	327055	337492	347009	357544	367279	377566
8	(b)---The 9-month-pay-schedule-for-teachers-for-the-first						
9	6-months-of-fiscal-year-1993-is-as-follows:						
10	Annual-Hours----	1560	Note:-Includes-insurance				
11	Term----	Nine-Months	Matrix-Type----Annual				
12	Education-level						
13	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
14	-1	197092	207400	207921	217175	217430	217951
15	-2	207409	217055	217622	217905	227190	227756
16	-3	217005	217710	227323	227630	227950	237562
17	-4	217604	227369	237024	237360	237711	247360
18	-5	227279	237024	237725	247090	247472	257175
19	-6	227077	237603	247429	247030	257233	257981
20	-7	237471	247336	257120	257561	257993	267705
21	-8	247069	247994	257032	267293	267756	277590
22	-9	247666	257649	267533	277024	277517	287411
23	10	257263	267307	277234	277754	287209	297260
24	11	257060	267942	277936	287505	297007	307103
25	12	257060	267942	277936	287505	297007	307103

1	13	257060	267942	277936	287505	297007	307103
2	(3)(2) (a) The 12-month pay schedule for teachers for						
3	the-last-6-months-of fiscal year 1993 1995 is as follows:						
4	Annual Hours --	2080	Note: Includes Insurance				
5	Term --	Twelve Months	Matrix Type -- Annual				
6	Education Level						
7	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
8	-1	247692	257351	257993	267314	267637	277296
9	-2	257447	267163	267000	277239	277602	287345
10	-3	267202	267993	277775	287109	287603	297410
11	-4	267950	277036	287701	297150	297614	307400
12	-5	277710	287701	297633	307120	307626	317560
13	-6	287506	297577	307560	317102	317630	327632
14	-7	297296	307446	317497	327073	327647	337700
15	-8	307090	317319	327433	337047	337661	347770
16	-9	307003	327190	337365	347017	347674	357041
17	10	317676	337066	347296	347909	357603	367913
18	11	327471	337900	357225	357960	367695	377902
19	12	327471	337900	357225	357960	367695	377902
20	13	327471	337900	357225	357960	367695	377902
21	<u>1</u>	<u>25,172</u>	<u>25,831</u>	<u>26,473</u>	<u>26,794</u>	<u>27,117</u>	<u>27,776</u>
22	<u>2</u>	<u>25,927</u>	<u>26,643</u>	<u>27,360</u>	<u>27,719</u>	<u>28,082</u>	<u>28,825</u>
23	<u>3</u>	<u>26,682</u>	<u>27,473</u>	<u>28,255</u>	<u>28,669</u>	<u>29,083</u>	<u>29,898</u>
24	<u>4</u>	<u>27,438</u>	<u>28,316</u>	<u>29,181</u>	<u>29,638</u>	<u>30,094</u>	<u>30,968</u>
25	<u>5</u>	<u>28,198</u>	<u>29,181</u>	<u>30,113</u>	<u>30,608</u>	<u>31,106</u>	<u>32,040</u>

1	6	28,986	30,057	31,048	31,582	32,118	33,112
2	7	29,776	30,926	31,977	32,553	33,127	34,180
3	8	30,570	31,799	32,913	33,527	34,141	35,250
4	9	31,363	32,670	33,845	34,497	35,154	36,321
5	10	32,156	33,546	34,776	35,469	36,163	37,393
6	11	32,951	34,388	35,705	36,440	37,175	38,462
7	12	32,951	34,388	35,705	36,440	37,175	38,462
8	13	32,951	34,388	35,705	36,440	37,175	38,462

1	12	26,172	27,254	28,240	28,817	29,399	30,415
2	13	26,172	27,254	28,240	28,817	29,399	30,415
3	1	20,564	21,072	21,593	21,847	22,102	22,623
4	2	21,161	21,727	22,294	22,577	22,862	23,428
5	3	21,757	22,382	22,995	23,310	23,622	24,234
6	4	22,356	23,041	23,696	24,040	24,383	25,040
7	5	22,951	23,696	24,397	24,770	25,144	25,847
8	6	23,549	24,355	25,101	25,502	25,905	26,653
9	7	24,143	25,008	25,800	26,233	26,665	27,457
10	8	24,741	25,666	26,474	26,965	27,428	28,262
11	9	25,338	26,321	27,205	27,696	28,189	29,083
12	10	25,935	26,979	27,906	28,426	28,961	29,932
13	11	26,532	27,614	28,608	29,177	29,759	30,775
14	12	26,532	27,614	28,608	29,177	29,759	30,775
15	13	26,532	27,614	28,608	29,177	29,759	30,775

9 (b) The 9-month pay schedule for teachers for the last
 10 6-months of fiscal year 1993 1995 is as follows:

11 Annual Hours -- 1560 Note: Includes Insurance
 12 Term -- Nine Months Matrix Type -- Annual

13	Education Level						
14	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
15	-1	20,720	20,712	21,233	21,407	21,742	22,263
16	-2	20,801	21,367	21,934	22,217	22,502	23,060
17	-3	21,397	22,022	22,635	22,950	23,262	23,874
18	-4	21,996	22,601	23,336	23,680	24,023	24,600
19	-5	22,591	23,336	24,037	24,410	24,704	25,407
20	-6	23,189	23,995	24,741	25,142	25,545	26,293
21	-7	23,783	24,648	25,440	25,873	26,305	27,097
22	-8	24,381	25,306	26,144	26,605	27,068	27,902
23	-9	24,978	25,961	26,845	27,336	27,829	28,723
24	10	25,575	26,619	27,546	28,066	28,601	29,572
25	11	26,172	27,254	28,240	28,817	29,399	30,415

16 **Section 6.** Section 2-18-314, MCA, is amended to read:
 17 "2-18-314. Liquor store occupations pay schedules. (1)
 18 The pay schedule for liquor store occupations for fiscal
 19 year 1992 1994 is as follows:

20	Annual Hours -- 2080	Note: With Insurance
21	Pay Matrix -- Retail Clerk	Matrix Type -- Hourly
22	Grade	\$/Hour
23		W/Ins.
24	B1	-8-000
25	B2	-9-140

1	B3	-9-640
2	B4	-9-920
3	B5	10-210
4	B6	10-820
5	B7	11-400
6	B8	12-230

(2) (a) The pay schedule for liquor store occupations for the first 6 months of fiscal year 1993 is as follows:

Annual Hours --- 2080	Note: With Insurance	
Pay Matrix --- Retail Clerk	Matrix Type --- Hourly	
Grade	\$/Hour	
	W/Ins.	
11	B1	-8-000
12	B2	-9-505
13	B3	10-005
14	B4	10-205
15	B5	10-575
16	B6	11-105
17	B7	11-645
18	B8	12-595
19	L1	0.000
20	L2	9.820
21	L3	10.320
22	L4	10.600
23	L5	10.890

1	L6	11.500
2	L7	12.160
3	L8	12.910

(b) (2) The pay schedule for liquor store occupations for the last 6 months of fiscal year 1993 1995 is as follows:

Annual Hours -- 2080	Note: With Insurance	
Pay Matrix -- Retail Clerk	Matrix Type -- Hourly	
Grade	\$/Hour	
	W/Ins.	
11	B1	-8-000
12	B2	-9-705
13	B3	10-205
14	B4	10-405
15	B5	10-775
16	B6	11-305
17	B7	12-045
18	B8	12-795
19	L1	0.000
20	L2	9.935
21	L3	10.435
22	L4	10.715
23	L5	11.005
24	L6	11.615
25	L7	12.275

1 L8 13.025"
 2 **Section 7.** Section 2-18-315, MCA, is amended to read:
 3 "2-18-315. Blue-collar pay schedules. (1) The pay
 4 schedule for blue-collar workers for fiscal year ~~1992~~ 1994
 5 is as follows:

6	Annual Hours -- 2080	Note: With Insurance
7	Pay Matrix -- Blue-Collar	Matrix Type -- Hourly
8	Grade	\$/Hour
9		W/Ins.
10	B1	9.615
11	B2	10.015
12	B3	10.415
13	B4	10.815
14	B5	11.215
15	B6	11.615
16	B7	12.015
17	B8	12.415
18	B9	12.815
19	B10	13.215
20	B11	13.615
21	B12	14.015
22	B00	14.415
23	<u>B1</u>	<u>10.295</u>
24	<u>B2</u>	<u>10.695</u>
25	<u>B3</u>	<u>11.095</u>

1	<u>B4</u>	<u>11.495</u>
2	<u>B5</u>	<u>11.895</u>
3	<u>B6</u>	<u>12.295</u>
4	<u>B7</u>	<u>12.695</u>
5	<u>B8</u>	<u>13.095</u>
6	<u>B9</u>	<u>13.495</u>
7	<u>B10</u>	<u>13.895</u>
8	<u>B11</u>	<u>14.295</u>
9	<u>B12</u>	<u>14.695</u>
10	<u>B00</u>	<u>15.095</u>

11 (2) -- The pay schedule for blue-collar workers for the
 12 first 6 months of fiscal year 1993 is as follows:

13	Annual Hours ---- 2080	Note: With Insurance
14	Pay Matrix ---- Blue-Collar	Matrix Type ---- Hourly
15	Grade	\$/Hour
16		W/ins.
17	B1	9.980
18	B2	10.380
19	B3	10.780
20	B4	11.180
21	B5	11.580
22	B6	11.980
23	B7	12.380
24	B8	12.780
25	B9	13.180

1	B10	13-500
2	B11	13-900
3	B12	14-300
4	B00	14-700
5	†3†(2) The pay schedule for blue-collar workers for the	
6	last-6-months-of fiscal year 1993 1995 is as follows:	
7	Annual Hours -- 2080	Note: With Insurance
8	Pay Matrix -- Blue-Collar	Matrix Type -- Hourly
9	Grade	\$/Hour
10		W/Ins.
11	B1	10-100
12	B2	10-500
13	B3	10-900
14	B4	11-300
15	B5	11-700
16	B6	12-100
17	B7	12-500
18	B8	12-900
19	B9	13-300
20	B10	13-700
21	B11	14-100
22	B12	14-500
23	B00	14-900
24	<u>B1</u>	<u>10.410</u>
25	<u>B2</u>	<u>10.810</u>

1	<u>B3</u>	<u>11.210</u>
2	<u>B4</u>	<u>11.610</u>
3	<u>B5</u>	<u>12.010</u>
4	<u>B6</u>	<u>12.410</u>
5	<u>B7</u>	<u>12.810</u>
6	<u>B8</u>	<u>13.210</u>
7	<u>B9</u>	<u>13.610</u>
8	<u>B10</u>	<u>14.010</u>
9	<u>B11</u>	<u>14.410</u>
10	<u>B12</u>	<u>14.810</u>
11	<u>B00</u>	<u>15.210"</u>

12 **Section 8.** Section 2-18-703, MCA, is amended to read:

13 "2-18-703. Contributions. (1) Each agency, as defined

14 in 2-18-601, shall contribute the amount specified in this

15 section towards the group benefits cost.

16 (2) For employees defined in 2-18-701, other than

17 members of collective bargaining units, and for members of

18 the legislature, the employer contribution for group

19 benefits shall be \$170 \$210 per month for the fiscal year

20 ending June 30, 1992 1994, and \$190 \$230 per month for the

21 fiscal year ending June 30, 1993 1995, and for each fiscal

22 year thereafter. When a state employee is terminated to

23 achieve a reduction in force, the continuation of

24 contributions for group benefits beyond the termination date

25 is subject to negotiation under 39-31-305. Permanent

1 part-time, seasonal part-time, and temporary part-time
 2 employees who are regularly scheduled to work less than 20
 3 hours a week are not eligible for the group benefit
 4 contribution. An employee who elects not to be covered by a
 5 state-sponsored group benefit plan may not receive the state
 6 contribution as wages. A portion of the employer
 7 contribution for group benefits may be applied to an
 8 employee's costs for participation in Part B of medicare
 9 under Title XVIII of the Social Security Act of 1965, as
 10 amended, if the state group benefit plan is the secondary
 11 payer and medicare the primary payer.

12 (3) For employees of elementary and high school
 13 districts and of local government units, the employer's
 14 premium contributions may exceed but may not be less than
 15 \$10 per month.

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

21 (5) Unused employer contributions for any government
 22 employee may be transferred to an account established for
 23 this purpose by a self-insured government and upon transfer
 24 may be used to offset losses occurring to the group of which
 25 the employee is eligible to be a member or to increase the

1 reserves of the group."

2 **Section 9.** Section 2-6-110, MCA, is amended to read:

3 **"2-6-110. Electronic information -- public access. (1)**

4 Except as provided by law, each person is entitled to a copy
 5 of information compiled, created, or otherwise in the
 6 custody of public agencies that is in electronic format,
 7 subject to the same restrictions applicable to the
 8 information in printed form. All restrictions relating to
 9 confidentiality, privacy, business secrets, and copyright
 10 are applicable to the electronic information.

11 (2) Except as provided by law, an agency may charge a
 12 fee, not to exceed:

13 (a) the agency's actual cost of purchasing the
 14 electronic media used for transferring data, if the person
 15 requesting the information does not provide the media; or

16 (b) expenses incurred by the agency as a result of
 17 mainframe processing charges or other out-of-pocket expenses
 18 directly associated with the request for information.

19 (3) An agency may also charge an hourly fee for each
 20 hour, or fraction of an hour, after one-half hour of copying
 21 service has been provided. The hourly fee may not exceed the
 22 hourly rate for the current fiscal year for a state employee
 23 classified as grade 10, step--2 market salary, under
 24 2-18-312.

25 (4) For the purposes of this section, the term "agency"

1 has the meaning provided in 2-3-102 but includes
2 legislative, judicial, and state military agencies.

3 (5) This section does not authorize the release of
4 electronic security codes giving access to private
5 information."

6 NEW SECTION. **Section 10.** Appropriation. The following
7 money for the indicated fiscal years is appropriated to the
8 listed agencies to implement [this act]:

	FISCAL 1994		FISCAL 1995	
	General Fund	Other Funds	General Fund	Other Funds
11 Legislative Auditor				
12	7,315	7,925	14,630	15,850
13 Legislative Fiscal Analyst				
14	4,080	-0-	8,160	-0-
15 Legislative Council				
16	7,379	2,934	19,627	3,480
17 Environmental Quality Council				
18	1,620	60	3,240	120
19 Consumer Counsel				
20	-0-	1,260	-0-	2,520
21 Judiciary				
22	19,560	2,640	39,120	5,280
23 Office of Budget and Program Planning for Distribution to				
24 All Other Agencies				
25	1,079,781	1,573,171	2,206,710	3,161,769

APPROVED BY COMMITTEE
ON APPROPRIATIONS

1 HOUSE BILL NO. 198
2 INTRODUCED BY PETERSON
3 BY REQUEST OF THE GOVERNOR
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING STATE
6 EMPLOYEE COMPENSATION PLANS AND BENEFIT LEVELS; PROVIDING
7 PAY SCHEDULES FOR FISCAL YEARS 1994 AND 1995; APPROPRIATING
8 MONEY TO IMPLEMENT THE SCHEDULES; AND AMENDING SECTIONS
9 2-6-110, 2-18-301, 2-18-303, 2-18-305, 2-18-312, 2-18-313,
10 2-18-314, 2-18-315, AND 2-18-703, MCA."
11

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

13 **Section 1.** Section 2-18-301, MCA, is amended to read:

14 "2-18-301. Purpose and intent of part -- rules. (1) The
15 purpose of this part is to provide the market-based
16 compensation necessary to attract and retain competent and
17 qualified employees in order to perform the services the
18 state is required to provide to its citizens.

19 (2) It is the intent of the legislature that
20 compensation plans for state employees, excluding those
21 employees excepted under 2-18-103 or 2-18-104 and excluding
22 employees compensated under 2-18-313, 2-18-314, and
23 2-18-315, be based on an analysis of the labor market as
24 provided by the department in a salary survey report to the
25 legislature at the start of each legislative session.

1 (3) Except as provided in 2-18-110 and 2-18-305(4), pay
2 schedules provided for in 2-18-312 through 2-18-315
3 supersede any other plan or systems established through
4 collective bargaining after the adjournment of the 52nd 53rd
5 legislature.

6 (4) Pay levels provided for in 2-18-312 through
7 2-18-315 may not be increased through collective bargaining
8 after adjournment of the 52nd 53rd legislature.

9 (5) Total funds required to implement the pay schedules
10 provided for in 2-18-312 through 2-18-315 for any employee
11 group or bargaining unit may not be increased through
12 collective bargaining over the amount appropriated by the
13 52nd 53rd legislature.

14 (6) The department shall administer the pay program
15 established by the legislature on the basis of merit,
16 internal equity, and competitiveness to external labor
17 markets when fiscally able.

18 (7) The department may promulgate rules not
19 inconsistent with the provisions of this part, collective
20 bargaining statutes, or negotiated contracts to carry out
21 the purposes of this part."

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

23 "2-18-303. Procedures for utilizing pay schedules. (1)
24 The pay schedules provided in 2-18-312 must be implemented
25 as follows:

1 (a) The pay schedules provided in 2-18-312 indicate the
 2 entry salary and market salary for the fiscal years ending
 3 June 30, 1992 1994, and June 30, 1993 1995, for each grade
 4 for positions classified under the provisions of part 2 of
 5 this chapter.

6 (b) Each employee newly hired by the state of Montana
 7 must be hired at the entry rate, except as provided in
 8 subsections (7) and (8).

9 (c) Except as provided in subsection (1)(g) (1)(e), on
 10 the first day of the first complete pay period in fiscal
 11 year 1992 1994, each employee hired before July 1, 1991
 12 1993, is entitled to the amount of his the employee's base
 13 salary as it was on June 30, 1991 1993, plus the following
 14 increases:

15 (i) an increase of 60 cents an hour above the
 16 employee's base salary as it was on June 30, 1991, and

17 (ii) an additional increase of 1/8 of 1% of his base
 18 salary as it is after the 60-cent-an-hour increase, for each
 19 full-percentage-point that the employee's base salary, as it
 20 is after the 60-cent-an-hour increase, is below the market
 21 salary for the employee's assigned grade.

22 (d) Except as provided in subsection (1)(g) (1)(e), on
 23 the first day of the first COMPLETE pay period in fiscal
 24 year 1993 1995, each employee hired before July 1, 1992
 25 1994, is entitled to the amount of the employee's base

1 salary as it was on June 30, 1992 1994, plus an increase
 2 calculated as follows:

3 (i) add 45 cents an hour to the employee's base salary
 4 as it was on June 30, 1992, then

5 (ii) add an amount equal to 1/8 of 1% of the amount
 6 computed in subsection (i)(d)(i) for each full-percentage
 7 point that the employee's base salary, as it is after the
 8 45-cent-an-hour increase, is below the market salary for the
 9 employee's assigned grade, then

10 (iii) from the sum calculated in subsection (i)(d)(i),
 11 subtract 20 cents an hour.

12 (e) Except as provided in subsection (1)(g), on the
 13 first day of the first pay period in January 1993, each
 14 employee hired before January 1, 1993, is entitled to the
 15 amount of the employee's base salary as it was on December
 16 31, 1992, plus an increase of 20 cents an hour above the
 17 employee's base salary as it was on December 31, 1992.

18 (f) The department shall determine the number of full
 19 percentage points that an employee's base salary is below
 20 the market salary by dividing the employee's base salary by
 21 the market salary for his assigned grade, multiplying the
 22 result by 100, and subtracting that total from 100.

23 (g)(e) An employee's base salary may be no less than
 24 the entry salary for his the employee's assigned grade.

25 (h)(f) Except as provided in subsections (5) through

1 ~~†077-~~ An employee's base salary may not exceed the market
 2 maximum salary by a percentage greater than the percentage
 3 ~~that the market salary for the employee's grade exceeds the~~
 4 ~~entry salary for that grade.~~ The salary of an employee may
 5 not be reduced because of this provision.

6 (g) The maximum salary for each grade is determined by
 7 subtracting the entry salary from the market salary and
 8 adding that amount to the market salary.

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

14 (3) The pay schedules provided in 2-18-313 through
 15 2-18-315 must be implemented as follows:

16 (a) (i) The pay schedules provided for in 2-18-313
 17 indicate the annual compensation for the contracted school
 18 term for teachers employed under the authority of the
 19 department of corrections and human services or the
 20 department of family services for fiscal years 1992 1994 and
 21 1993 1995.

22 (ii) The compensation of each teacher on the first day
 23 of the first pay period in July 1991 1993 is ~~that amount~~
 24 ~~corresponding to~~ determined by the teacher's level of
 25 ~~academic achievement and years of experience~~ the step

1 occupied on June 30, 1993.

2 (iii) ~~On~~ The compensation of each teacher on the first
 3 ~~day of the first pay period of each fiscal year each~~
 4 ~~teacher shall advance one step on the appropriate pay~~
 5 ~~schedule adopted in 2-18-313~~ in July 1994 is determined by
 6 the teacher's level of academic achievement and the step
 7 occupied on June 30, 1994.

8 (b) (i) The pay schedules provided in 2-18-314 indicate
 9 the maximum hourly compensation for fiscal years ending June
 10 30, 1992 1994, and June 30, 1993 1995, for those employees
 11 in liquor store occupations who have collectively bargained
 12 separate classification and pay plans.

13 (ii) The compensation of each employee on the first day
 14 of the first pay period in fiscal year 1992 1994 or 1993
 15 1995 is that amount corresponding to the grade occupied on
 16 the last day of the preceding fiscal year.

17 (c) (i) The pay schedules provided in 2-18-315 indicate
 18 the maximum hourly compensation for fiscal years ending June
 19 30, 1992 1994, and June 30, 1993 1995, for employees in
 20 apprentice trades and crafts and other blue-collar
 21 occupations recognized in the state blue-collar
 22 classification plan who are members of units that have
 23 collectively bargained separate classification and pay
 24 plans.

25 (ii) The compensation of each employee on the first day

1 of the first pay period in fiscal year ~~1992~~ 1994 or ~~1993~~
 2 1995 is that amount corresponding to the grade occupied on
 3 the last day of the preceding fiscal year.

4 (4) (a) (i) A member of a bargaining unit may not
 5 receive the amounts indicated in the respective pay
 6 schedules provided in 2-18-312 through 2-18-315 until the
 7 bargaining unit of which he the employee is a member
 8 ratifies a completely integrated collective bargaining
 9 agreement covering the biennium ending June 30, ~~1993~~ 1995.

10 (ii) If negotiation and ratification of a completely
 11 integrated collective bargaining agreement as required by
 12 subsection (4)(a)(i) are not completed by July 1, ~~1991~~ 1993,
 13 retroactivity to that date may be negotiated.

14 (iii) If negotiation and ratification of a completely
 15 integrated collective bargaining agreement as required by
 16 subsection (4)(a)(i) are not completed by July 1, ~~1991~~ 1993,
 17 members of the bargaining unit involved must continue to
 18 receive the compensation they were receiving as of June 30,
 19 ~~1991~~ 1993.

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

24 (5) The current wage or salary of an employee may not
 25 be reduced by the implementation of the pay schedules

1 provided for in 2-18-312 through 2-18-315.

2 (6) The department may authorize a separate pay
 3 schedule for medical doctors if the rates provided in
 4 2-18-312 are not sufficient to attract and retain fully
 5 licensed and qualified physicians at the state institutions.

6 (7) The department may develop programs that enable the
 7 department to mitigate problems associated with difficult
 8 recruitment, retention, transfer, or other exceptional
 9 circumstances. Insofar as the program may apply to employees
 10 within a collective bargaining unit, it is a negotiable
 11 subject under 39-31-305. ~~To maintain the internal equity of~~
 12 ~~the statewide pay plan provided for in 2-18-312 and~~
 13 ~~subsection (i) of this section, when a majority of~~
 14 ~~registered nurses classified under the provisions of part 2~~
 15 ~~of this chapter have been granted a pay plan exception~~
 16 ~~through a collectively bargained agreement, then all other~~
 17 ~~classified registered nurses, including those employed in~~
 18 ~~the university system, must be paid a salary equivalent to~~
 19 ~~the salary negotiated in the negotiated agreement, except~~
 20 ~~that in no case may the salary of a classified registered~~
 21 ~~nurse be reduced by this provision.~~

22 (8) The department shall review the competitiveness of
 23 the compensation provided to all occupations under this
 24 part. If the department finds that substantial problems
 25 exist with recruitment and retention because of inadequate

1 salaries when compared to competing employers, the
2 department may establish criteria allowing an adjustment in
3 pay or classification to mitigate the problems. Insofar as
4 these adjustments may apply to employees within a collective
5 bargaining unit, the implementation of these adjustments is
6 a negotiable subject under 39-31-305."

7 **Section 3.** Section 2-18-305, MCA, is amended to read:

8 **"2-18-305. Allocation between wages and group benefits.**

9 (1) The dollar amounts shown in the respective pay schedules
10 provided in 2-18-313, 2-18-314, and 2-18-315 represent the
11 maximum amount allocated by the state for wages and group
12 benefits, exclusive of longevity as defined in 2-18-304 for
13 an employee covered by a pay schedule provided in 2-18-313,
14 2-18-314, or 2-18-315.

15 (2) Except as provided in subsection (4), the amount
16 specifically allocated for group benefits must be determined
17 by 2-18-703.

18 (3) (a) An employee covered under the pay schedules
19 provided in 2-18-312 who elects not to be covered by a state
20 employee group benefit plan under the provisions of 2-18-703
21 must receive as wages ~~his~~ the employee's base salary,
22 including adjustments provided in 2-18-303(1)(c) through
23 ~~(1)(e)~~ (1)(d) and 2-18-304.

24 (b) An employee covered under the pay schedules
25 provided in 2-18-313, 2-18-314, or 2-18-315 who elects not

1 to be covered by a state employee group benefit plan shall,
2 under the provisions of 2-18-703, receive as wages the
3 amount shown in the appropriate pay schedule less the state
4 contribution for group benefits as determined by 2-18-703.

5 (4) Employees may, through collective bargaining,
6 determine the allocation between wages and group benefits,
7 except that in no case may the group benefits allocation be
8 less than the amounts provided in 2-18-703."

9 **Section 4.** Section 2-18-312, MCA, is amended to read:

10 **"2-18-312. Statewide pay schedules for fiscal years**
11 **1992 1994 and 1993 1995.** (1) The statewide classification
12 pay schedule for fiscal year 1992 1994 is as follows:

13 Annual Hours -- 2080 Note: Does Not Include Insurance

14 Pay Matrix -- State Matrix Type -- Annual

15 Pay Range: Entry Salary to Market Salary

16 GRADE	16 ENTRY SALARY	16 MARKET SALARY
17 -1	17 -87426	17 -97913
18 -2	18 -97077	18 107704
19 -3	19 -97777	19 117557
20 -4	20 107536	20 127484
21 -5	21 117305	21 137522
22 -6	22 127303	22 147647
23 -7	23 137289	23 157850
24 -8	24 147404	24 177230
25 -9	25 157596	25 187701

1	10	167916	207332
2	11	187353	227112
3	12	197946	247090
4	13	217674	267240
5	14	237500	287626
6	15	257694	317258
7	16	287044	347200
8	17	307665	377488
9	18	337555	417122
10	19	367793	457201
11	20	407406	497761
12	21	447421	547841
13	22	487906	607527
14	23	537965	667954
15	24	597645	747185
16	25	657930	827206
17	<u>1</u>	<u>8,679</u>	<u>10,210</u>
18	<u>2</u>	<u>9,349</u>	<u>11,025</u>
19	<u>3</u>	<u>10,070</u>	<u>11,903</u>
20	<u>4</u>	<u>10,852</u>	<u>12,858</u>
21	<u>5</u>	<u>11,727</u>	<u>13,927</u>
22	<u>6</u>	<u>12,672</u>	<u>15,086</u>
23	<u>7</u>	<u>13,688</u>	<u>16,334</u>
24	<u>8</u>	<u>14,836</u>	<u>17,747</u>
25	<u>9</u>	<u>16,064</u>	<u>19,262</u>

1	<u>10</u>	<u>17,424</u>	<u>20,942</u>
2	<u>11</u>	<u>18,904</u>	<u>22,775</u>
3	<u>12</u>	<u>20,545</u>	<u>24,812</u>
4	<u>13</u>	<u>22,325</u>	<u>27,027</u>
5	<u>14</u>	<u>24,295</u>	<u>29,485</u>
6	<u>15</u>	<u>26,465</u>	<u>32,196</u>
7	<u>16</u>	<u>28,885</u>	<u>35,226</u>
8	<u>17</u>	<u>31,585</u>	<u>38,613</u>
9	<u>18</u>	<u>34,562</u>	<u>42,355</u>
10	<u>19</u>	<u>37,897</u>	<u>46,557</u>
11	<u>20</u>	<u>41,618</u>	<u>51,254</u>
12	<u>21</u>	<u>45,754</u>	<u>56,487</u>
13	<u>22</u>	<u>50,373</u>	<u>62,343</u>
14	<u>23</u>	<u>55,584</u>	<u>68,963</u>
15	<u>24</u>	<u>61,434</u>	<u>76,410</u>
16	<u>25</u>	<u>67,907</u>	<u>84,673</u>

(2) The statewide classification pay schedule for fiscal year 1993 1995 is as follows:

Annual Hours -- 2080 Note: Does Not Include Insurance

Pay Matrix -- State Matrix Type -- Annual

Pay Range: Entry Salary to Market Salary

GRADE	ENTRY SALARY	MARKET SALARY
1	8,679	10,210
2	9,349	11,025
3	10,070	11,903

1	4	10,852	12,858
2	5	11,727	13,927
3	6	12,672	15,086
4	7	13,688	16,334
5	8	14,836	17,747
6	9	16,064	19,262
7	10	17,424	20,942
8	11	18,904	22,775
9	12	20,545	24,812
10	13	22,325	27,027
11	14	24,295	29,485
12	15	26,465	32,196
13	16	28,885	35,226
14	17	31,585	38,613
15	18	34,562	42,355
16	19	37,897	46,557
17	20	41,618	51,254
18	21	45,754	56,487
19	22	50,373	62,343
20	23	55,584	68,963
21	24	61,434	76,410
22	25	67,907	84,673"

23 **Section 5.** Section 2-18-313, MCA, is amended to read:
 24 "2-18-313. Teachers' pay schedules. (1) (a) The
 25 12-month pay schedule for teachers for fiscal year ~~1992~~ 1994

1 is as follows:

2	Annual Hours -- 2080		Note: Includes Insurance			
3	Term -- Twelve Months		Matrix Type -- Annual			
4	Education Level					
5	STEP	BA	BA+1	BA+2	BA+3	MA MA+1
6	-1	237516	247175	247817	257138	257461 267120
7	-2	247271	247987	257704	267063	267426 277169
8	-3	257026	257017	267599	277013	277427 287242
9	-4	257782	267660	277525	277982	287438 297312
10	-5	267542	277525	287457	287952	297450 307384
11	-6	277330	287401	297392	297926	307462 317456
12	-7	287120	297270	307321	307897	317471 327524
13	-8	287914	307143	317257	317871	327485 337594
14	-9	297707	317014	327189	327841	337498 347665
15	10	307500	317090	337120	337813	347507 357737
16	11	317295	327732	347049	347784	357519 367806
17	12	317295	327732	347049	347784	357519 367806
18	13	317295	327732	347049	347784	357519 367806
19	<u>1</u>	<u>24,932</u>	<u>25,591</u>	<u>26,233</u>	<u>26,554</u>	<u>26,877</u> <u>27,536</u>
20	<u>2</u>	<u>25,687</u>	<u>26,403</u>	<u>27,120</u>	<u>27,479</u>	<u>27,842</u> <u>28,585</u>
21	<u>3</u>	<u>26,442</u>	<u>27,233</u>	<u>28,015</u>	<u>28,429</u>	<u>28,843</u> <u>29,658</u>
22	<u>4</u>	<u>27,198</u>	<u>28,076</u>	<u>28,941</u>	<u>29,398</u>	<u>29,854</u> <u>30,728</u>
23	<u>5</u>	<u>27,958</u>	<u>28,941</u>	<u>29,873</u>	<u>30,368</u>	<u>30,866</u> <u>31,800</u>
24	<u>6</u>	<u>28,746</u>	<u>29,817</u>	<u>30,808</u>	<u>31,342</u>	<u>31,878</u> <u>32,872</u>
25	<u>7</u>	<u>29,536</u>	<u>30,686</u>	<u>31,737</u>	<u>32,313</u>	<u>32,887</u> <u>33,940</u>

1	8	30,330	31,559	32,673	33,287	33,901	35,010
2	9	31,123	32,430	33,605	34,257	34,914	36,081
3	10	31,916	33,306	34,536	35,229	35,923	37,153
4	11	32,711	34,148	35,465	36,200	36,935	38,222
5	12	32,711	34,148	35,465	36,200	36,935	38,222
6	13	32,711	34,148	35,465	36,200	36,935	38,222

1	1	20,384	20,892	21,413	21,667	21,922	22,443
2	2	20,981	21,547	22,114	22,397	22,682	23,248
3	3	21,577	22,202	22,815	23,310	23,442	24,054
4	4	22,176	22,861	23,516	23,860	24,203	24,860
5	5	22,771	23,516	24,217	24,590	24,964	25,667
6	6	23,369	24,175	24,921	25,322	25,725	26,473
7	7	23,963	24,828	25,620	26,053	26,485	27,277
8	8	24,561	25,486	26,294	26,785	27,248	28,082
9	9	25,158	26,141	27,025	27,516	28,009	28,903
10	10	25,755	26,799	27,726	28,246	28,781	29,752
11	11	26,352	27,434	28,428	28,997	29,579	30,595
12	12	26,352	27,434	28,428	28,997	29,579	30,595
13	13	26,352	27,434	28,428	28,997	29,579	30,595

(b) The 9-month pay schedule for teachers for fiscal year 1992 1994 is as follows:

Annual Hours -- 1560 Note: Includes Insurance
 Term -- Nine Months Matrix Type -- Annual
 Education Level

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
-1	197262	197770	207291	207545	207800	217321
-2	197859	207425	207992	217275	217560	227126
-3	207455	217000	217693	227000	227320	227932
-4	217054	217739	227394	227730	237001	237730
-5	217649	227394	237095	237460	237842	247545
-6	227247	237053	237799	247200	247603	257351
-7	227841	237706	247490	247931	257363	267155
-8	237439	247364	257202	257663	267126	267960
-9	247036	257019	257903	267394	267807	277701
10	247633	257677	267604	277124	277659	287630
11	257230	267312	277306	277875	287457	297473
12	257230	267312	277306	277875	287457	297473
13	257230	267312	277306	277875	287457	297473

(2) -- (a) The 12-month pay schedule for teachers for the first 6 months of fiscal year 1993 is as follows:

Annual Hours ---- 2080 Note: -- Includes Insurance
 Term ---- Twelve Months Matrix Type ---- Annual
 Education Level

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
-1	247276	247935	257577	257890	267221	267800
-2	257031	257747	267464	267823	277106	277929
-3	257706	267577	277359	277773	287107	297002
-4	267542	277420	287205	287742	297190	307072
-5	277302	287205	297217	297712	307210	317144
-6	287090	297161	307152	307606	317222	327216

1	-7	287880	307030	317881	317657	327231	337284
2	-8	297674	307903	327017	327631	337245	347354
3	-9	307467	317774	327949	337601	347258	357425
4	10	317268	327650	337880	347573	357267	367497
5	11	327055	337492	347809	357544	367279	377566
6	12	327055	337492	347809	357544	367279	377566
7	13	327055	337492	347809	357544	367279	377566
8	(b)--The 9-month pay schedule for teachers for the first						
9	6-months-of-fiscal-year-1993-is-as-follows:						
10	Annual-Hours----	1560	Note:-includes-insurance				
11	Term-----	Nine-Months	Matrix-Type-----Annual				
12	Education-level						
13	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
14	-1	197892	207400	207921	217175	217430	217951
15	-2	207489	217055	217622	217905	227198	227756
16	-3	217085	217710	227323	227638	227950	237562
17	-4	217684	227369	237024	237368	237711	247368
18	-5	227279	237024	237725	247098	247472	257175
19	-6	227877	237683	247429	247838	257233	257981
20	-7	237471	247336	257128	257561	257993	267785
21	-8	247069	247994	257832	267293	267756	277598
22	-9	247666	257649	267533	277024	277517	287411
23	10	257263	267387	277234	277754	287289	297260
24	11	257860	267942	277936	287505	297087	307183
25	12	257860	267942	277936	287505	297087	307183

1	13	257860	267942	277936	287505	297087	307183
2	(3)(2) (a) The 12-month pay schedule for teachers for						
3	the-last-6-months-of fiscal year 1993 1995 is as follows:						
4	Annual Hours --	2080	Note: Includes Insurance				
5	Term --	Twelve Months	Matrix Type -- Annual				
6	Education Level						
7	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
8	-1	247692	257351	257993	267314	267637	277296
9	-2	257447	267163	267888	277239	277602	287345
10	-3	267202	267993	277775	287189	287603	297418
11	-4	267958	277836	287781	297158	297614	307488
12	-5	277718	287781	297633	307128	307626	317568
13	-6	287586	297577	307568	317182	317638	327632
14	-7	297296	307446	317497	327073	327647	337788
15	-8	307898	317319	327433	337047	337661	347778
16	-9	307883	327198	337365	347817	347674	357841
17	10	317676	337866	347296	347989	357683	367913
18	11	327471	337988	357225	357968	367695	377982
19	12	327471	337988	357225	357968	367695	377982
20	13	327471	337988	357225	357968	367695	377982
21	<u>1</u>	<u>25,172</u>	<u>25,831</u>	<u>26,473</u>	<u>26,794</u>	<u>27,117</u>	<u>27,776</u>
22	<u>2</u>	<u>25,927</u>	<u>26,643</u>	<u>27,360</u>	<u>27,719</u>	<u>28,082</u>	<u>28,825</u>
23	<u>3</u>	<u>26,682</u>	<u>27,473</u>	<u>28,255</u>	<u>28,669</u>	<u>29,083</u>	<u>29,898</u>
24	<u>4</u>	<u>27,438</u>	<u>28,316</u>	<u>29,181</u>	<u>29,638</u>	<u>30,094</u>	<u>30,968</u>
25	<u>5</u>	<u>28,198</u>	<u>29,181</u>	<u>30,113</u>	<u>30,608</u>	<u>31,106</u>	<u>32,040</u>

1	6	28,986	30,057	31,048	31,582	32,118	33,112
2	7	29,776	30,926	31,977	32,553	33,127	34,180
3	8	30,570	31,799	32,913	33,527	34,141	35,250
4	9	31,363	32,670	33,845	34,497	35,154	36,321
5	10	32,156	33,546	34,776	35,469	36,163	37,393
6	11	32,951	34,388	35,705	36,440	37,175	38,462
7	12	32,951	34,388	35,705	36,440	37,175	38,462
8	13	32,951	34,388	35,705	36,440	37,175	38,462

1	12	26,172	27,254	28,240	28,817	29,399	30,415
2	13	26,172	27,254	28,240	28,817	29,399	30,415
3	1	20,564	21,072	21,593	21,847	22,102	22,623
4	2	21,161	21,727	22,294	22,577	22,862	23,428
5	3	21,757	22,382	22,995	23,310	23,622	24,234
6	4	22,356	23,041	23,696	24,040	24,383	25,040
7	5	22,951	23,696	24,397	24,770	25,144	25,847
8	6	23,549	24,355	25,101	25,502	25,905	26,653
9	7	24,143	25,008	25,800	26,233	26,665	27,457
10	8	24,741	25,666	26,474	26,965	27,428	28,262
11	9	25,338	26,321	27,205	27,696	28,189	29,083
12	10	25,935	26,979	27,906	28,426	28,961	29,932
13	11	26,532	27,614	28,608	29,177	29,759	30,775
14	12	26,532	27,614	28,608	29,177	29,759	30,775
15	13	26,532	27,614	28,608	29,177	29,759	30,775"

9 (b) The 9-month pay schedule for teachers for the--last
 10 6-months-of fiscal year 1993 1995 is as follows:

11 Annual Hours -- 1560 Note: Includes Insurance
 12 Term -- Nine Months Matrix Type -- Annual

Education Level							
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1	
15	-1	20,720	20,712	21,223	21,487	21,742	22,263
16	-2	20,801	21,367	21,934	22,217	22,502	23,068
17	-3	21,397	22,022	22,635	22,950	23,262	23,874
18	-4	21,996	22,681	23,336	23,680	24,023	24,680
19	-5	22,591	23,336	24,037	24,410	24,784	25,487
20	-6	23,189	23,995	24,741	25,142	25,545	26,293
21	-7	23,783	24,648	25,440	25,873	26,305	27,097
22	-8	24,381	25,306	26,144	26,605	27,068	27,902
23	-9	24,978	25,961	26,845	27,336	27,829	28,723
24	10	25,575	26,619	27,546	28,066	28,601	29,572
25	11	26,172	27,254	28,240	28,817	29,399	30,415

9	7	24,143	25,008	25,800	26,233	26,665	27,457
10	8	24,741	25,666	26,474	26,965	27,428	28,262
11	9	25,338	26,321	27,205	27,696	28,189	29,083
12	10	25,935	26,979	27,906	28,426	28,961	29,932
13	11	26,532	27,614	28,608	29,177	29,759	30,775
14	12	26,532	27,614	28,608	29,177	29,759	30,775
15	13	26,532	27,614	28,608	29,177	29,759	30,775"

16 Section 6. Section 2-18-314, MCA, is amended to read:

17 "2-18-314. Liquor store occupations pay schedules. (1)
 18 The pay schedule for liquor store occupations for fiscal
 19 year 1992 1994 is as follows:

Annual Hours -- 2080		Note: With Insurance	
Pay Matrix -- Retail Clerk		Matrix Type -- Hourly	
Grade		\$/Hour	
		W/Ins.	
24	b1	-0-000	
25	b2	-9,140	

1	b3	-9-640
2	b4	-9-920
3	b5	10-210
4	b6	10-820
5	b7	11-400
6	b8	12-230
7	(2) -- (a) The pay schedule for liquor store occupations	
8	for the first 6 months of fiscal year 1993 is as follows:	
9	Annual Hours --- 2000	Note: With Insurance
10	Pay Matrix --- Retail Clerk	Matrix Type --- Hourly
11	Grade	\$/Hour
12		W/Ins.
13	b1	-0-000
14	b2	-9-505
15	b3	10-005
16	b4	10-205
17	b5	10-575
18	b6	11-105
19	b7	11-045
20	b8	12-595
21	L1	<u>0.000</u>
22	L2	<u>9.820</u>
23	L3	<u>10.320</u>
24	L4	<u>10.600</u>
25	L5	<u>10.890</u>

1	L6	<u>11.500</u>
2	L7	<u>12.160</u>
3	L8	<u>12.910</u>
4	(b)(2) The pay schedule for liquor store occupations	
5	for the last 6 months of fiscal year 1993 <u>1995</u> is as	
6	follows:	
7	Annual Hours -- 2080	Note: With Insurance
8	Pay Matrix -- Retail Clerk	Matrix Type -- Hourly
9	Grade	\$/Hour
10		W/Ins.
11	b1	-0-000
12	b2	-9-705
13	b3	10-205
14	b4	10-485
15	b5	10-775
16	b6	11-385
17	b7	12-045
18	b8	12-795
19	L1	<u>0.000</u>
20	L2	<u>9.935</u>
21	L3	<u>10.435</u>
22	L4	<u>10.715</u>
23	L5	<u>11.005</u>
24	L6	<u>11.615</u>
25	L7	<u>12.275</u>

L8 13.025*

Section 7. 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 ~~1992~~ 1994 is as follows:

Annual Hours -- 2080	Note: With Insurance
Pay Matrix -- Blue-Collar	Matrix Type -- Hourly
Grade	\$/Hour
	W/Ins.
B1	9.615
B2	10.015
B3	10.415
B4	10.815
B5	11.215
B6	11.615
B7	12.015
B8	12.415
B9	12.815
B10	13.215
B11	13.615
B12	14.015
B00	14.415
<u>B1</u>	<u>10.295</u>
<u>B2</u>	<u>10.695</u>
<u>B3</u>	<u>11.095</u>

1	<u>B4</u>	<u>11.495</u>
2	<u>B5</u>	<u>11.895</u>
3	<u>B6</u>	<u>12.295</u>
4	<u>B7</u>	<u>12.695</u>
5	<u>B8</u>	<u>13.095</u>
6	<u>B9</u>	<u>13.495</u>
7	<u>B10</u>	<u>13.895</u>
8	<u>B11</u>	<u>14.295</u>
9	<u>B12</u>	<u>14.695</u>
10	<u>B00</u>	<u>15.095</u>

(2) -- The pay schedule for blue-collar workers for the first 6 months of fiscal year 1993 is as follows:

Annual Hours ---- 2080	Note: With Insurance
Pay Matrix ---- Blue-Collar	Matrix Type ---- Hourly
Grade	\$/Hour
	W/Ins.
B1	9.980
B2	10.380
B3	10.780
B4	11.180
B5	11.580
B6	11.980
B7	12.380
B8	12.780
B9	13.180

1	B10	\$3,500
2	B11	\$3,900
3	B12	\$4,300
4	B00	\$4,700

(3)(2) The pay schedule for blue-collar workers for the last-6-months-of fiscal year 1993 1995 is as follows:

7	Annual Hours -- 2080	Note: With Insurance
8	Pay Matrix -- Blue-Collar	Matrix Type -- Hourly
9	Grade	\$/Hour
10		W/Ins.
11	B1	\$0-100
12	B2	\$0-500
13	B3	\$0-900
14	B4	\$1-300
15	B5	\$1-700
16	B6	\$2-100
17	B7	\$2-500
18	B8	\$2-900
19	B9	\$3-300
20	B10	\$3-700
21	B11	\$4-100
22	B12	\$4-500
23	B00	\$4-900
24	<u>B1</u>	<u>10.410</u>
25	<u>B2</u>	<u>10.810</u>

1	<u>B3</u>	<u>11.210</u>
2	<u>B4</u>	<u>11.610</u>
3	<u>B5</u>	<u>12.010</u>
4	<u>B6</u>	<u>12.410</u>
5	<u>B7</u>	<u>12.810</u>
6	<u>B8</u>	<u>13.210</u>
7	<u>B9</u>	<u>13.610</u>
8	<u>B10</u>	<u>14.010</u>
9	<u>B11</u>	<u>14.410</u>
10	<u>B12</u>	<u>14.810</u>
11	<u>B00</u>	<u>15.210"</u>

Section 8. 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 specified in this section towards the group benefits cost.

(2) For employees defined in 2-18-701, other than members of collective bargaining units, and for members of the legislature, the employer contribution for group benefits shall be \$170 \$210 per month for the fiscal year ending June 30, 1992 1994, and \$190 \$230 per month for the fiscal year ending June 30, 1993 1995, and for each fiscal year thereafter. When a state employee is terminated to achieve a reduction in force, the continuation of contributions for group benefits beyond the termination date is subject to negotiation under 39-31-305. Permanent

1 part-time, seasonal part-time, and temporary part-time
 2 employees who are regularly scheduled to work less than 20
 3 hours a week are not eligible for the group benefit
 4 contribution. An employee who elects not to be covered by a
 5 state-sponsored group benefit plan may not receive the state
 6 contribution as wages. A portion of the employer
 7 contribution for group benefits may be applied to an
 8 employee's costs for participation in Part B of medicare
 9 under Title XVIII of the Social Security Act of 1965, as
 10 amended, if the state group benefit plan is the secondary
 11 payer and medicare the primary payer.

12 (3) For employees of elementary and high school
 13 districts and of local government units, the employer's
 14 premium contributions may exceed but may not be less than
 15 \$10 per month.

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

21 (5) Unused employer contributions for any government
 22 employee may be transferred to an account established for
 23 this purpose by a self-insured government and upon transfer
 24 may be used to offset losses occurring to the group of which
 25 the employee is eligible to be a member or to increase the

1 reserves of the group."

2 **Section 9.** Section 2-6-110, MCA, is amended to read:

3 "2-6-110. **Electronic information -- public access.** (1)

4 Except as provided by law, each person is entitled to a copy
 5 of information compiled, created, or otherwise in the
 6 custody of public agencies that is in electronic format,
 7 subject to the same restrictions applicable to the
 8 information in printed form. All restrictions relating to
 9 confidentiality, privacy, business secrets, and copyright
 10 are applicable to the electronic information.

11 (2) Except as provided by law, an agency may charge a
 12 fee, not to exceed:

13 (a) the agency's actual cost of purchasing the
 14 electronic media used for transferring data, if the person
 15 requesting the information does not provide the media; or

16 (b) expenses incurred by the agency as a result of
 17 mainframe processing charges or other out-of-pocket expenses
 18 directly associated with the request for information.

19 (3) An agency may also charge an hourly fee for each
 20 hour, or fraction of an hour, after one-half hour of copying
 21 service has been provided. The hourly fee may not exceed the
 22 hourly rate for the current fiscal year for a state employee
 23 classified as grade 10, step--2 market salary, under
 24 2-18-312.

25 (4) For the purposes of this section, the term "agency"

1 has the meaning provided in 2-3-102 but includes
2 legislative, judicial, and state military agencies.

3 (5) This section does not authorize the release of
4 electronic security codes giving access to private
5 information."

6 NEW SECTION. Section 10. Appropriation. (1) The
7 following money for the indicated fiscal years is
8 appropriated to the listed agencies to implement [this act]:

	FISCAL 1994		FISCAL 1995	
	General Fund	Other Funds	General Fund	Other Funds
9				
10	General Fund	Other Funds	General Fund	Other Funds
11	Legislative Auditor			
12	7,315	7,925	14,630	15,850
13	<u>7,096</u>	<u>7,268</u>	<u>14,361</u>	<u>14,367</u>
14	Legislative Fiscal Analyst			
15	4,880	-0-	8,160	-0-
16	<u>3,602</u>		<u>7,205</u>	
17	Legislative Council			
18	7,379	2,934	19,627	3,480
19	<u>6,240</u>	<u>3,108</u>	<u>15,499</u>	<u>3,197</u>
20	Environmental Quality Council			
21	1,620	60	3,240	120
22	<u>1,466</u>	<u>0</u>	<u>2,932</u>	<u>0</u>
23	Consumer Counsel			
24	-0-	1,260	-0-	2,520
25		<u>1,140</u>		<u>2,280</u>

1	Judiciary			
2	19,560	2,640	39,120	5,280
3	<u>18,240</u>	<u>2,508</u>	<u>36,480</u>	<u>5,016</u>
4	<u>MONTANA UNIVERSITY SYSTEM</u>			
5	605,746	293,708	1,211,491	588,785
6	Office of Budget and Program Planning for Distribution to			
7	All Other Agencies			
8	1,079,781	1,573,171	2,206,710	3,161,769
9	<u>905,094</u>	<u>1,538,072</u>	<u>1,794,223</u>	<u>3,096,075</u>
10	<u>(2) THE APPROPRIATION TO THE MONTANA UNIVERSITY SYSTEM</u>			
11	<u>INCLUDES FUNDING FOR UNIVERSITY SYSTEM UNITS AS DEFINED IN</u>			
12	<u>17-7-102(16).</u>			

-End-

1 HOUSE BILL NO. 198
 2 INTRODUCED BY PETERSON
 3 BY REQUEST OF THE GOVERNOR
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING STATE
 6 EMPLOYEE COMPENSATION PLANS AND BENEFIT LEVELS; PROVIDING
 7 PAY SCHEDULES FOR FISCAL YEARS 1994 AND 1995; APPROPRIATING
 8 MONEY TO IMPLEMENT THE SCHEDULES; AND AMENDING SECTIONS
 9 2-6-110, 2-18-301, 2-18-303, 2-18-305, 2-18-312, 2-18-313,
 10 2-18-314, 2-18-315, AND 2-18-703, MCA."
 11

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

13 Section 1. Section 2-18-301, MCA, is amended to read:

14 "2-18-301. Purpose and intent of part -- rules. (1) The
 15 purpose of this part is to provide the market-based
 16 compensation necessary to attract and retain competent and
 17 qualified employees in order to perform the services the
 18 state is required to provide to its citizens.

19 (2) It is the intent of the legislature that
 20 compensation plans for state employees, excluding those
 21 employees excepted under 2-18-103 or 2-18-104 and excluding
 22 employees compensated under 2-18-313, 2-18-314, and
 23 2-18-315, be based on an analysis of the labor market as
 24 provided by the department in a salary survey report to the
 25 legislature at the start of each legislative session.

1 (3) Except as provided in 2-18-110 and 2-18-305(4), pay
 2 schedules provided for in 2-18-312 through 2-18-315
 3 supersede any other plan or systems established through
 4 collective bargaining after the adjournment of the 52nd 53rd
 5 legislature.

6 (4) Pay levels provided for in 2-18-312 through
 7 2-18-315 may not be increased through collective bargaining
 8 after adjournment of the 52nd 53rd legislature.

9 (5) Total funds required to implement the pay schedules
 10 provided for in 2-18-312 through 2-18-315 for any employee
 11 group or bargaining unit may not be increased through
 12 collective bargaining over the amount appropriated by the
 13 52nd 53rd legislature.

14 (6) The department shall administer the pay program
 15 established by the legislature on the basis of merit,
 16 internal equity, and competitiveness to external labor
 17 markets when fiscally able.

18 (7) The department may promulgate rules not
 19 inconsistent with the provisions of this part, collective
 20 bargaining statutes, or negotiated contracts to carry out
 21 the purposes of this part."

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

23 "2-18-303. Procedures for utilizing pay schedules. (1)
 24 The pay schedules provided in 2-18-312 must be implemented
 25 as follows:

1 (a) The pay schedules provided in 2-18-312 indicate the
 2 entry salary and market salary for the fiscal years ending
 3 June 30, 1992 1994, and June 30, 1993 1995, for each grade
 4 for positions classified under the provisions of part 2 of
 5 this chapter.

6 (b) Each employee newly hired by the state of Montana
 7 must be hired at the entry rate, except as provided in
 8 subsections (7) and (8).

9 (c) Except as provided in subsection (i)(g) (1)(e), on
 10 the first day of the first complete pay period in fiscal
 11 year 1992 1994, each employee hired before July 1, 1991
 12 1993, is entitled to the amount of his the employee's base
 13 salary as it was on June 30, 1991 1993, plus the following
 14 increases:

15 (i) an increase of 60 cents an hour above the
 16 employee's base salary as it was on June 30, 1991, and

17 (ii) an additional increase of 1/8 of 1% of his base
 18 salary as it is after the 60-cent-an-hour increase, for each
 19 full percentage point that the employee's base salary, as it
 20 is after the 60-cent-an-hour increase, is below the market
 21 salary for the employee's assigned grade.

22 (d) Except as provided in subsection (i)(g) (1)(e), on
 23 the first day of the first COMPLETE pay period in fiscal
 24 year 1993 1995, each employee hired before July 1, 1992
 25 1994, is entitled to the amount of the employee's base

1 salary as it was on June 30, 1992 1994, plus an increase
 2 calculated as follows:

3 (i) add 45 cents an hour to the employee's base salary
 4 as it was on June 30, 1992, then

5 (ii) add an amount equal to 1/8 of 1% of the amount
 6 computed in subsection (i)(d)(i) for each full percentage
 7 point that the employee's base salary, as it is after the
 8 45-cent-an-hour increase, is below the market salary for the
 9 employee's assigned grade, then

10 (iii) from the sum calculated in subsection (i)(d)(ii),
 11 subtract 20 cents an hour.

12 (e) Except as provided in subsection (i)(g), on the
 13 first day of the first pay period in January 1993, each
 14 employee hired before January 1, 1993, is entitled to the
 15 amount of the employee's base salary as it was on December
 16 31, 1992, plus an increase of 20 cents an hour above the
 17 employee's base salary as it was on December 31, 1992.

18 (f) The department shall determine the number of full
 19 percentage points that an employee's base salary is below
 20 the market salary by dividing the employee's base salary by
 21 the market salary for his assigned grade, multiplying the
 22 result by 100, and subtracting that total from 100.

23 (g)(e) An employee's base salary may be no less than
 24 the entry salary for his the employee's assigned grade.

25 (h)(f) Except as provided in subsections (5) through

1 ~~(8)~~ ~~an~~ An employee's base salary may not exceed the market
 2 ~~maximum~~ salary by a percentage greater than the percentage
 3 ~~that the market salary~~ for the employee's grade exceeds the
 4 ~~entry salary~~ for that grade. The salary of an employee may
 5 not be reduced because of this provision.

6 (g) The maximum salary for each grade is determined by
 7 subtracting the entry salary from the market salary and
 8 adding that amount to the market salary.

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

14 (3) The pay schedules provided in 2-18-313 through
 15 2-18-315 must be implemented as follows:

16 (a) (i) The pay schedules provided for in 2-18-313
 17 indicate the annual compensation for the contracted school
 18 term for teachers employed under the authority of the
 19 department of corrections and human services or the
 20 department of family services for fiscal years 1992 1994 and
 21 1993 1995.

22 (ii) The compensation of each teacher on the first day
 23 of the first pay period in July 1991 1993 is that amount
 24 corresponding to determined by the teacher's level of
 25 academic achievement and ~~years of experience~~ the step

1 ~~occupied on June 30, 1993~~ YEARS OF EXPERIENCE.

2 (iii) On The compensation of each teacher on ON the
 3 first day of the first pay period of each fiscal year, each
 4 teacher shall advance one step on the appropriate pay
 5 schedule adopted in 2-18-313 in July 1994 is determined by
 6 the teacher's level of academic achievement and the step
 7 occupied on June 30, 1994 OF EACH FISCAL YEAR, EACH TEACHER
 8 SHALL ADVANCE ONE STEP ON THE APPROPRIATE PAY SCHEDULE
 9 ADOPTED IN 2-18-313.

10 (b) (i) The pay schedules provided in 2-18-314 indicate
 11 the maximum hourly compensation for fiscal years ending June
 12 30, 1992 1994, and June 30, 1993 1995, for those employees
 13 in liquor store occupations who have collectively bargained
 14 separate classification and pay plans.

15 (ii) The compensation of each employee on the first day
 16 of the first pay period in fiscal year 1992 1994 or 1993
 17 1995 is that amount corresponding to the grade occupied on
 18 the last day of the preceding fiscal year.

19 (c) (i) The pay schedules provided in 2-18-315 indicate
 20 the maximum hourly compensation for fiscal years ending June
 21 30, 1992 1994, and June 30, 1993 1995, for employees in
 22 apprentice trades and crafts and other blue-collar
 23 occupations recognized in the state blue-collar
 24 classification plan who are members of units that have
 25 collectively bargained separate classification and pay

1 plans.

2 (ii) The compensation of each employee on the first day
3 of the first pay period in fiscal year ~~1992~~ 1994 or ~~1993~~
4 1995 is that amount corresponding to the grade occupied on
5 the last day of the preceding fiscal year.

6 (4) (a) (i) A member of a bargaining unit may not
7 receive the amounts indicated in the respective pay
8 schedules provided in 2-18-312 through 2-18-315 until the
9 bargaining unit of which he the employee is a member
10 ratifies a completely integrated collective bargaining
11 agreement covering the biennium ending June 30, ~~1993~~ 1995.

12 (ii) If negotiation and ratification of a completely
13 integrated collective bargaining agreement as required by
14 subsection (4)(a)(i) are not completed by July 1, ~~1991~~ 1993,
15 retroactivity to that date may be negotiated.

16 (iii) If negotiation and ratification of a completely
17 integrated collective bargaining agreement as required by
18 subsection (4)(a)(i) are not completed by July 1, ~~1991~~ 1993,
19 members of the bargaining unit involved must continue to
20 receive the compensation they were receiving as of June 30,
21 ~~1991~~ 1993.

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

1 (5) The current wage or salary of an employee may not
2 be reduced by the implementation of the pay schedules
3 provided for in 2-18-312 through 2-18-315.

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

8 (7) The department may develop programs that enable the
9 department to mitigate problems associated with difficult
10 recruitment, retention, transfer, or other exceptional
11 circumstances. Insofar as the program may apply to employees
12 within a collective bargaining unit, it is a negotiable
13 subject under 39-31-305. ~~To maintain the internal equity of~~
14 ~~the statewide pay plan provided for in 2-18-312 and~~
15 ~~subsection (1) of this section, when a majority of~~
16 ~~registered nurses classified under the provisions of part 2~~
17 ~~of this chapter have been granted a pay plan exception~~
18 ~~through a collectively bargained agreement, then all other~~
19 ~~classified registered nurses, including those employed in~~
20 ~~the university system, must be paid a salary equivalent to~~
21 ~~the salary negotiated in the negotiated agreement, except~~
22 ~~that in no case may the salary of a classified registered~~
23 ~~nurse be reduced by this provision.~~

24 (8) The department shall review the competitiveness of
25 the compensation provided to all occupations under this

1 part. If the department finds that substantial problems
 2 exist with recruitment and retention because of inadequate
 3 salaries when compared to competing employers, the
 4 department may establish criteria allowing an adjustment in
 5 pay or classification to mitigate the problems. Insofar as
 6 these adjustments may apply to employees within a collective
 7 bargaining unit, the implementation of these adjustments is
 8 a negotiable subject under 39-31-305."

9 **Section 3.** Section 2-18-305, MCA, is amended to read:

10 "2-18-305. Allocation between wages and group benefits.

11 (1) The dollar amounts shown in the respective pay schedules
 12 provided in 2-18-313, 2-18-314, and 2-18-315 represent the
 13 maximum amount allocated by the state for wages and group
 14 benefits, exclusive of longevity as defined in 2-18-304 for
 15 an employee covered by a pay schedule provided in 2-18-313,
 16 2-18-314, or 2-18-315.

17 (2) Except as provided in subsection (4), the amount
 18 specifically allocated for group benefits must be determined
 19 by 2-18-703.

20 (3) (a) An employee covered under the pay schedules
 21 provided in 2-18-312 who elects not to be covered by a state
 22 employee group benefit plan under the provisions of 2-18-703
 23 must receive as wages his the employee's base salary,
 24 including adjustments provided in 2-18-303(1)(c) through
 25 ~~(1)(e)~~ (1)(d) and 2-18-304.

1 (b) An employee covered under the pay schedules
 2 provided in 2-18-313, 2-18-314, or 2-18-315 who elects not
 3 to be covered by a state employee group benefit plan shall,
 4 under the provisions of 2-18-703, receive as wages the
 5 amount shown in the appropriate pay schedule less the state
 6 contribution for group benefits as determined by 2-18-703.

7 (4) Employees may, through collective bargaining,
 8 determine the allocation between wages and group benefits,
 9 except that in no case may the group benefits allocation be
 10 less than the amounts provided in 2-18-703."

11 **Section 4.** Section 2-18-312, MCA, is amended to read:

12 "2-18-312. Statewide pay schedules for fiscal years
 13 ~~1992~~ 1994 and ~~1993~~ 1995. (1) The statewide classification
 14 pay schedule for fiscal year ~~1992~~ 1994 is as follows:

15 Annual Hours -- 2080 Note: Does Not Include Insurance

16 Pay Matrix -- State Matrix Type -- Annual

17 Pay Range: Entry Salary to Market Salary

18 GRADE	ENTRY SALARY	MARKET SALARY
19 -1	-87426	-97913
20 -2	-97077	107704
21 -3	-97777	117557
22 -4	107536	127404
23 -5	117305	137522
24 -6	127303	147647
25 -7	137209	157058

1	-8	14,740	17,230
2	-9	15,596	18,701
3	10	16,916	20,332
4	11	18,353	22,112
5	12	19,946	24,090
6	13	21,674	26,240
7	14	23,588	28,626
8	15	25,694	31,250
9	16	28,044	34,200
10	17	30,765	37,480
11	18	33,755	41,122
12	19	36,793	45,201
13	20	40,740	49,761
14	21	44,741	54,841
15	22	48,906	60,527
16	23	53,965	66,954
17	24	59,745	74,185
18	25	65,930	82,206
19	<u>1</u>	<u>8,679</u>	<u>10,210</u>
20	<u>2</u>	<u>9,349</u>	<u>11,025</u>
21	<u>3</u>	<u>10,070</u>	<u>11,903</u>
22	<u>4</u>	<u>10,852</u>	<u>12,858</u>
23	<u>5</u>	<u>11,727</u>	<u>13,927</u>
24	<u>6</u>	<u>12,672</u>	<u>15,086</u>
25	<u>7</u>	<u>13,688</u>	<u>16,334</u>

1	<u>8</u>	<u>14,836</u>	<u>17,747</u>
2	<u>9</u>	<u>16,064</u>	<u>19,262</u>
3	<u>10</u>	<u>17,424</u>	<u>20,942</u>
4	<u>11</u>	<u>18,904</u>	<u>22,775</u>
5	<u>12</u>	<u>20,545</u>	<u>24,812</u>
6	<u>13</u>	<u>22,325</u>	<u>27,027</u>
7	<u>14</u>	<u>24,295</u>	<u>29,485</u>
8	<u>15</u>	<u>26,465</u>	<u>32,196</u>
9	<u>16</u>	<u>28,885</u>	<u>35,226</u>
10	<u>17</u>	<u>31,585</u>	<u>38,613</u>
11	<u>18</u>	<u>34,562</u>	<u>42,355</u>
12	<u>19</u>	<u>37,897</u>	<u>46,557</u>
13	<u>20</u>	<u>41,618</u>	<u>51,254</u>
14	<u>21</u>	<u>45,754</u>	<u>56,487</u>
15	<u>22</u>	<u>50,373</u>	<u>62,343</u>
16	<u>23</u>	<u>55,584</u>	<u>68,963</u>
17	<u>24</u>	<u>61,434</u>	<u>76,410</u>
18	<u>25</u>	<u>67,907</u>	<u>84,673</u>

(2) The statewide classification pay schedule for fiscal year 1993 1995 is as follows:

Annual Hours -- 2080 Note: Does Not Include Insurance

Pay Matrix -- State Matrix Type -- Annual

Pay Range: Entry Salary to Market Salary

GRADE	ENTRY SALARY	MARKET SALARY
1	8,679	10,210

1	6	28,746	29,817	30,808	31,342	31,878	32,872
2	7	29,536	30,686	31,737	32,313	32,887	33,940
3	8	30,330	31,559	32,673	33,287	33,901	35,010
4	9	31,123	32,430	33,605	34,257	34,914	36,081
5	10	31,916	33,306	34,536	35,229	35,923	37,153
6	11	32,711	34,148	35,465	36,200	36,935	38,222
7	12	32,711	34,148	35,465	36,200	36,935	38,222
8	13	32,711	34,148	35,465	36,200	36,935	38,222

9 (b) The 9-month pay schedule for teachers for fiscal
 10 year 1992 1994 is as follows:

11 Annual Hours -- 1560 Note: Includes Insurance
 12 Term -- Nine Months Matrix Type -- Annual

		Education Level					
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1	
15	-1	197262	197770	207291	207545	207800	217321
16	-2	197859	207425	207992	217275	217560	227126
17	-3	207455	217080	217693	227088	227320	227932
18	-4	217054	217739	227394	227738	237081	237738
19	-5	217649	227394	237095	237468	237842	247545
20	-6	227247	237053	237799	247280	247683	257351
21	-7	227841	237706	247498	247931	257363	267155
22	-8	237439	247364	257282	257663	267126	267968
23	-9	247036	257019	257903	267394	267887	277781
24	-10	247633	257677	267684	277124	277659	287638
25	-11	257230	267312	277306	277875	287457	297473

1	12	257230	267312	277306	277875	287457	297473
2	13	257230	267312	277306	277875	287457	297473
3	1	20,384	20,892	21,413	21,667	21,922	22,443
4	2	20,981	21,547	22,114	22,397	22,682	23,248
5	3	21,577	22,202	22,815	23,310	23,442	24,054
6	4	22,176	22,861	23,516	23,860	24,203	24,860
7	5	22,771	23,516	24,217	24,590	24,964	25,667
8	6	23,369	24,175	24,921	25,322	25,725	26,473
9	7	23,963	24,828	25,620	26,053	26,485	27,277
10	8	24,561	25,486	26,294	26,785	27,248	28,082
11	9	25,158	26,141	27,025	27,516	28,009	28,903
12	10	25,755	26,799	27,726	28,246	28,781	29,752
13	11	26,352	27,434	28,428	28,997	29,579	30,595
14	12	26,352	27,434	28,428	28,997	29,579	30,595
15	13	26,352	27,434	28,428	28,997	29,579	30,595

16 (c) The 12-month pay schedule for teachers for the
 17 first 6 months of fiscal year 1993 is as follows:

18 Annual Hours --- 2080 Note: Includes Insurance
 19 Term --- Twelve Months Matrix Type --- Annual

		Education Level					
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1	
21	-1	247276	247935	257577	257898	267221	267888
22	-2	257831	257747	267464	267823	277186	277929
23	-3	257786	267577	277359	277773	287187	297002
24	-4	267542	277428	287285	287742	297198	307872

1	-5	27,302	28,205	29,217	29,712	30,210	31,144
2	-6	28,090	29,161	30,152	30,606	31,222	32,216
3	-7	28,800	30,030	31,001	31,657	32,231	33,284
4	-8	29,674	30,903	32,017	32,631	33,245	34,354
5	-9	30,467	31,774	32,949	33,601	34,258	35,425
6	10	31,260	32,650	33,800	34,573	35,267	36,497
7	11	32,055	33,492	34,809	35,544	36,279	37,566
8	12	32,055	33,492	34,809	35,544	36,279	37,566
9	13	32,055	33,492	34,809	35,544	36,279	37,566
10	(b) -- The 9-month pay schedule for teachers for the first 6 months of fiscal year 1993 is as follows:						
11	Annual Hours ---- 1560		Note: Includes Insurance				
12	Term ---- Nine Months		Matrix Type ---- Annual				
13	Education Level						
14	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
15	-1	19,892	20,400	20,921	21,175	21,430	21,951
16	-2	20,409	21,055	21,622	21,905	22,190	22,756
17	-3	21,005	21,710	22,323	22,630	22,950	23,562
18	-4	21,604	22,369	23,024	23,360	23,711	24,360
19	-5	22,279	23,024	23,725	24,090	24,472	25,175
20	-6	22,877	23,683	24,429	24,830	25,233	25,901
21	-7	23,471	24,336	25,120	25,561	25,993	26,705
22	-8	24,069	24,994	25,732	26,293	26,756	27,590
23	-9	24,666	25,649	26,533	27,024	27,517	28,411
24	10	25,263	26,307	27,234	27,754	28,289	29,260

1	11	25,860	26,942	27,936	28,505	29,007	30,103
2	12	25,860	26,942	27,936	28,505	29,007	30,103
3	13	25,860	26,942	27,936	28,505	29,007	30,103
4	(c) (2) (a) The 12-month pay schedule for teachers for the last 6 months of fiscal year 1993 1995 is as follows:						
5	Annual Hours -- 2080		Note: Includes Insurance				
6	Term -- Twelve Months		Matrix Type -- Annual				
7	Education Level						
8	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
9	-1	24,692	25,351	25,993	26,314	26,637	27,296
10	-2	25,447	26,163	26,800	27,239	27,602	28,345
11	-3	26,202	26,993	27,775	28,189	28,603	29,410
12	-4	26,958	27,836	28,701	29,150	29,614	30,480
13	-5	27,718	28,701	29,633	30,120	30,626	31,560
14	-6	28,506	29,577	30,560	31,102	31,630	32,632
15	-7	29,296	30,446	31,497	32,073	32,647	33,700
16	-8	30,090	31,319	32,433	33,047	33,661	34,770
17	-9	30,803	32,190	33,365	34,017	34,674	35,841
18	10	31,676	33,066	34,296	34,989	35,603	36,913
19	11	32,471	33,900	35,225	35,960	36,695	37,982
20	12	32,471	33,900	35,225	35,960	36,695	37,982
21	13	32,471	33,900	35,225	35,960	36,695	37,982
22	1	<u>25,172</u>	<u>25,831</u>	<u>26,473</u>	<u>26,794</u>	<u>27,117</u>	<u>27,776</u>
23	2	<u>25,927</u>	<u>26,643</u>	<u>27,360</u>	<u>27,719</u>	<u>28,082</u>	<u>28,825</u>
24	3	<u>26,682</u>	<u>27,473</u>	<u>28,255</u>	<u>28,669</u>	<u>29,083</u>	<u>29,898</u>

1	4	<u>27,438</u>	<u>28,316</u>	<u>29,181</u>	<u>29,638</u>	<u>30,094</u>	<u>30,968</u>
2	5	<u>28,198</u>	<u>29,181</u>	<u>30,113</u>	<u>30,608</u>	<u>31,106</u>	<u>32,040</u>
3	6	<u>28,986</u>	<u>30,057</u>	<u>31,048</u>	<u>31,582</u>	<u>32,118</u>	<u>33,112</u>
4	7	<u>29,776</u>	<u>30,926</u>	<u>31,977</u>	<u>32,553</u>	<u>33,127</u>	<u>34,180</u>
5	8	<u>30,570</u>	<u>31,799</u>	<u>32,913</u>	<u>33,527</u>	<u>34,141</u>	<u>35,250</u>
6	9	<u>31,363</u>	<u>32,670</u>	<u>33,845</u>	<u>34,497</u>	<u>35,154</u>	<u>36,321</u>
7	10	<u>32,156</u>	<u>33,546</u>	<u>34,776</u>	<u>35,469</u>	<u>36,163</u>	<u>37,393</u>
8	11	<u>32,951</u>	<u>34,388</u>	<u>35,705</u>	<u>36,440</u>	<u>37,175</u>	<u>38,462</u>
9	12	<u>32,951</u>	<u>34,388</u>	<u>35,705</u>	<u>36,440</u>	<u>37,175</u>	<u>38,462</u>
10	13	<u>32,951</u>	<u>34,388</u>	<u>35,705</u>	<u>36,440</u>	<u>37,175</u>	<u>38,462</u>

1	10	<u>25,575</u>	<u>26,619</u>	<u>27,546</u>	<u>28,066</u>	<u>28,601</u>	<u>29,572</u>
2	11	<u>26,172</u>	<u>27,254</u>	<u>28,240</u>	<u>28,817</u>	<u>29,399</u>	<u>30,415</u>
3	12	<u>26,172</u>	<u>27,254</u>	<u>28,240</u>	<u>28,817</u>	<u>29,399</u>	<u>30,415</u>
4	13	<u>26,172</u>	<u>27,254</u>	<u>28,240</u>	<u>28,817</u>	<u>29,399</u>	<u>30,415</u>
5	1	<u>20,564</u>	<u>21,072</u>	<u>21,593</u>	<u>21,847</u>	<u>22,102</u>	<u>22,623</u>
6	2	<u>21,161</u>	<u>21,727</u>	<u>22,294</u>	<u>22,577</u>	<u>22,862</u>	<u>23,428</u>
7	3	<u>21,757</u>	<u>22,382</u>	<u>22,995</u>	<u>23,310</u>	<u>23,622</u>	<u>24,234</u>
8	4	<u>22,356</u>	<u>23,041</u>	<u>23,696</u>	<u>24,040</u>	<u>24,383</u>	<u>25,040</u>
9	5	<u>22,951</u>	<u>23,696</u>	<u>24,397</u>	<u>24,770</u>	<u>25,144</u>	<u>25,847</u>
10	6	<u>23,549</u>	<u>24,355</u>	<u>25,101</u>	<u>25,502</u>	<u>25,905</u>	<u>26,653</u>
11	7	<u>24,143</u>	<u>25,008</u>	<u>25,800</u>	<u>26,233</u>	<u>26,665</u>	<u>27,457</u>
12	8	<u>24,741</u>	<u>25,666</u>	<u>26,474</u>	<u>26,965</u>	<u>27,428</u>	<u>28,262</u>
13	9	<u>25,338</u>	<u>26,321</u>	<u>27,205</u>	<u>27,696</u>	<u>28,189</u>	<u>29,083</u>
14	10	<u>25,935</u>	<u>26,979</u>	<u>27,906</u>	<u>28,426</u>	<u>28,961</u>	<u>29,932</u>
15	11	<u>26,532</u>	<u>27,614</u>	<u>28,608</u>	<u>29,177</u>	<u>29,759</u>	<u>30,775</u>
16	12	<u>26,532</u>	<u>27,614</u>	<u>28,608</u>	<u>29,177</u>	<u>29,759</u>	<u>30,775</u>
17	13	<u>26,532</u>	<u>27,614</u>	<u>28,608</u>	<u>29,177</u>	<u>29,759</u>	<u>30,775</u>

(b) The 9-month pay schedule for teachers for the--last 6-months-of fiscal year 1993 1995 is as follows:

13	Annual Hours --	1560	Note: Includes Insurance				
14	Term --	Nine Months	Matrix Type -- Annual				
15		Education Level					
16	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
17	-1	<u>20,720</u>	<u>20,712</u>	<u>21,723</u>	<u>21,740</u>	<u>21,742</u>	<u>22,263</u>
18	-2	<u>20,801</u>	<u>21,367</u>	<u>21,934</u>	<u>22,217</u>	<u>22,502</u>	<u>23,068</u>
19	-3	<u>21,397</u>	<u>22,022</u>	<u>22,635</u>	<u>22,950</u>	<u>23,262</u>	<u>23,874</u>
20	-4	<u>21,996</u>	<u>22,601</u>	<u>23,336</u>	<u>23,680</u>	<u>24,023</u>	<u>24,680</u>
21	-5	<u>22,591</u>	<u>23,336</u>	<u>24,037</u>	<u>24,410</u>	<u>24,784</u>	<u>25,487</u>
22	-6	<u>23,189</u>	<u>23,995</u>	<u>24,741</u>	<u>25,142</u>	<u>25,545</u>	<u>26,293</u>
23	-7	<u>23,783</u>	<u>24,640</u>	<u>25,440</u>	<u>25,873</u>	<u>26,305</u>	<u>27,097</u>
24	-8	<u>24,381</u>	<u>25,306</u>	<u>26,144</u>	<u>26,605</u>	<u>27,068</u>	<u>27,902</u>
25	-9	<u>24,978</u>	<u>25,961</u>	<u>26,845</u>	<u>27,336</u>	<u>27,829</u>	<u>28,723</u>

Section 6. 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 1992 1994 is as follows:
 Annual Hours -- 2080 Note: With Insurance
 Pay Matrix -- Retail Clerk Matrix Type -- Hourly
 Grade \$/Hour
 W/Ins.

1	b1	-0.000
2	b2	-9.140
3	b3	-9.640
4	b4	-9.920
5	b5	10.210
6	b6	10.820
7	b7	11.480
8	b8	12.230

(2) -- (a) The pay schedule for liquor store occupations for the first 6 months of fiscal year 1993 is as follows:

Annual Hours --- 2080	Note: With Insurance
Pay Matrix --- Retail Clerk	Matrix Type --- Hourly
Grade	\$/Hour
	W/Ins.
b1	-0.000
b2	-9.585
b3	10.005
b4	10.285
b5	10.575
b6	11.185
b7	11.845
b8	12.595
L1	0.000
L2	9.820
L3	10.320

1	L4	10.600
2	L5	10.890
3	L6	11.500
4	L7	12.160
5	L8	12.910

(b)(2) The pay schedule for liquor store occupations for the last 6 months of fiscal year 1993 1995 is as follows:

Annual Hours -- 2080	Note: With Insurance
Pay Matrix -- Retail Clerk	Matrix Type -- Hourly
Grade	\$/Hour
	W/Ins.
b1	-0.000
b2	-9.705
b3	10.205
b4	10.485
b5	10.775
b6	11.385
b7	12.045
b8	12.795
L1	0.000
L2	9.935
L3	10.435
L4	10.715
L5	11.005

1 L6 11.615
 2 L7 12.275
 3 L8 13.025"
 4 **Section 7.** Section 2-18-315, MCA, is amended to read:
 5 "2-18-315. Blue-collar pay schedules. (1) The pay
 6 schedule for blue-collar workers for fiscal year ~~1992~~ 1994
 7 is as follows:

8	Annual Hours -- 2080	Note: With Insurance
9	Pay Matrix -- Blue-Collar	Matrix Type -- Hourly
10	Grade	\$/Hour
11		W/Ins.
12	B1	9.615
13	B2	10.015
14	B3	10.415
15	B4	10.815
16	B5	11.215
17	B6	11.615
18	B7	12.015
19	B8	12.415
20	B9	12.815
21	B10	13.215
22	B11	13.615
23	B12	14.015
24	B00	14.415
25	<u>B1</u>	<u>10.295</u>

1	<u>B2</u>	<u>10.695</u>
2	<u>B3</u>	<u>11.095</u>
3	<u>B4</u>	<u>11.495</u>
4	<u>B5</u>	<u>11.895</u>
5	<u>B6</u>	<u>12.295</u>
6	<u>B7</u>	<u>12.695</u>
7	<u>B8</u>	<u>13.095</u>
8	<u>B9</u>	<u>13.495</u>
9	<u>B10</u>	<u>13.895</u>
10	<u>B11</u>	<u>14.295</u>
11	<u>B12</u>	<u>14.695</u>
12	<u>B00</u>	<u>15.095</u>

13 (2) -- The pay schedule for blue-collar workers for the
 14 first 6 months of fiscal year 1993 is as follows:

15	Annual Hours --- 2080	Note: With Insurance
16	Pay Matrix --- Blue-Collar	Matrix Type --- Hourly
17	Grade	\$/Hour
18		W/Ins.
19	B1	9.980
20	B2	10.380
21	B3	10.780
22	B4	11.180
23	B5	11.580
24	B6	11.980
25	B7	12.380

1	B0	12,700
2	B9	13,100
3	B10	13,500
4	B11	13,900
5	B12	14,300
6	B00	14,700

7 (3)(2) The pay schedule for blue-collar workers for the
 8 last-6-months-of fiscal year 1993 1995 is as follows:

9	Annual Hours -- 2080	Note: With Insurance
10	Pay Matrix -- Blue-Collar	Matrix Type -- Hourly
11	Grade	\$/Hour
12		W/Ins.
13	B1	10,100
14	B2	10,500
15	B3	10,900
16	B4	11,300
17	B5	11,700
18	B6	12,100
19	B7	12,500
20	B8	12,900
21	B9	13,300
22	B10	13,700
23	B11	14,100
24	B12	14,500
25	B00	14,900

1	B1	10,410
2	B2	10,810
3	B3	11,210
4	B4	11,610
5	B5	12,010
6	B6	12,410
7	B7	12,810
8	B8	13,210
9	B9	13,610
10	B10	14,010
11	B11	14,410
12	B12	14,810
13	B00	15,210*

14 **Section 8.** Section 2-18-703, MCA, is amended to read:
 15 "2-18-703. Contributions. (1) Each agency, as defined
 16 in 2-18-601, shall contribute the amount specified in this
 17 section towards the group benefits cost.
 18 (2) For employees defined in 2-18-701, other than
 19 members of collective bargaining units, and for members of
 20 the legislature, the employer contribution for group
 21 benefits shall be \$170 \$210 per month for the fiscal year
 22 ending June 30, 1992 1994, and \$190 \$230 per month for the
 23 fiscal year ending June 30, 1993 1995, and for each fiscal
 24 year thereafter. When a state employee is terminated to
 25 achieve a reduction in force, the continuation of

1 contributions for group benefits beyond the termination date
 2 is subject to negotiation under 39-31-305. Permanent
 3 part-time, seasonal part-time, and temporary part-time
 4 employees who are regularly scheduled to work less than 20
 5 hours a week are not eligible for the group benefit
 6 contribution. An employee who elects not to be covered by a
 7 state-sponsored group benefit plan may not receive the state
 8 contribution as wages. A portion of the employer
 9 contribution for group benefits may be applied to an
 10 employee's costs for participation in Part B of medicare
 11 under Title XVIII of the Social Security Act of 1965, as
 12 amended, if the state group benefit plan is the secondary
 13 payer and medicare the primary payer.

14 (3) For employees of elementary and high school
 15 districts and of local government units, the employer's
 16 premium contributions may exceed but may not be less than
 17 \$10 per month.

18 (4) Unused employer contributions for any state
 19 employee must be transferred to an account established for
 20 this purpose by the department of administration and upon
 21 transfer may be used to offset losses occurring to the group
 22 of which the employee is eligible to be a member.

23 (5) Unused employer contributions for any government
 24 employee may be transferred to an account established for
 25 this purpose by a self-insured government and upon transfer

1 may be used to offset losses occurring to the group of which
 2 the employee is eligible to be a member or to increase the
 3 reserves of the group."

4 **Section 9.** Section 2-6-110, MCA, is amended to read:

5 "2-6-110. Electronic information -- public access. (1)
 6 Except as provided by law, each person is entitled to a copy
 7 of information compiled, created, or otherwise in the
 8 custody of public agencies that is in electronic format,
 9 subject to the same restrictions applicable to the
 10 information in printed form. All restrictions relating to
 11 confidentiality, privacy, business secrets, and copyright
 12 are applicable to the electronic information.

13 (2) Except as provided by law, an agency may charge a
 14 fee, not to exceed:

15 (a) the agency's actual cost of purchasing the
 16 electronic media used for transferring data, if the person
 17 requesting the information does not provide the media; or

18 (b) expenses incurred by the agency as a result of
 19 mainframe processing charges or other out-of-pocket expenses
 20 directly associated with the request for information.

21 (3) An agency may also charge an hourly fee for each
 22 hour, or fraction of an hour, after one-half hour of copying
 23 service has been provided. The hourly fee may not exceed the
 24 hourly rate for the current fiscal year for a state employee
 25 classified as grade 10, step--2 market salary, under

1 2-18-312.
 2 (4) For the purposes of this section, the term "agency"
 3 has the meaning provided in 2-3-102 but includes
 4 legislative, judicial, and state military agencies.
 5 (5) This section does not authorize the release of
 6 electronic security codes giving access to private
 7 information."

8 NEW SECTION. Section 10. Appropriation. (1) The
 9 following money for the indicated fiscal years is
 10 appropriated to the listed agencies to implement [this act]:

	FISCAL 1994		FISCAL 1995	
	General Fund	Other Funds	General Fund	Other Funds
13 Legislative Auditor	77315	77925	147630	157850
	<u>7,096</u>	<u>7,268</u>	<u>14,361</u>	<u>14,367</u>
16 Legislative Fiscal Analyst	47000	-0-	07160	-0-
	<u>3,602</u>		<u>7,205</u>	
19 Legislative Council	77379	27934	197627	37400
	<u>6,240</u>	<u>3,108</u>	<u>15,499</u>	<u>3,197</u>
22 Environmental Quality Council	17620	60	37240	120
	<u>1,466</u>	<u>0</u>	<u>2,932</u>	<u>0</u>
25 Consumer Counsel				

1	-0-	17260	-0-	27520
2		<u>1,140</u>		<u>2,280</u>
3	Judiciary			
4		197560	27640	397120
5		<u>18,240</u>	<u>2,508</u>	<u>36,480</u>
6	<u>MONTANA UNIVERSITY SYSTEM</u>			
7		<u>605,746</u>	<u>293,708</u>	<u>1,211,491</u>
8	Office of Budget and Program Planning for Distribution to			
9	All Other Agencies			
10		17079781	175737171	272067710
11		<u>9057094</u>	<u>1,538,072</u>	<u>177947223</u>
12		<u>963,220</u>		<u>1,910,475</u>
13	<u>(2) THE APPROPRIATION TO THE MONTANA UNIVERSITY SYSTEM</u>			
14	<u>INCLUDES FUNDING FOR UNIVERSITY SYSTEM UNITS AS DEFINED IN</u>			
15	<u>17-7-102(16).</u>			

-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 2
April 13, 1993

Page 2 of 2
April 13, 1993

MR. PRESIDENT:

We, your committee on Finance and Claims having had under consideration House Bill No. 198 (third reading copy -- blue), respectfully report that House Bill No. 198 be amended as follows and as so amended be concurred in.

Signed: Judy H. Jacobson
Senator Judy H. Jacobson, Chair

That such amendments read:

1. Title, line 8.
Following: "SCHEDULES;"
Strike: "AND"
Insert: "REMOVING RESTRICTIONS ON RECEIVING PAY DUE TO THE LACK OF A COLLECTIVE BARGAINING AGREEMENT; PROVIDING LIMITED SEVERANCE PAY TO STATE EMPLOYEES TERMINATED UNDER CERTAIN CONDITIONS;"
2. Title, line 10.
Following: "2-18-315,"
Insert: "2-18-622,"
Following: "MCA"
Insert: "; AND PROVIDING A TERMINATION DATE"
3. Page 3, line 8.
Strike: "(7) and (8)"
Insert: "(6) and (7)"
4. Page 6, line 1.
Strike: "YEARS OF EXPERIENCE"
Insert: "the step occupied on June 30, 1993"
5. Page 6, line 2.
Strike: "ON"
Insert: "The compensation of each teacher on"
6. Page 6, lines 7 through 9.
Strike: lines 7 through 9 in their entirety.
Insert: "in July 1994 is determined by the teacher's level of academic achievement and the step occupied on June 30, 1994."

7. Page 6.

Following: line 9.

Insert: "(iv) On the first day of the first pay period of each fiscal year, each teacher employed by the Montana school for the deaf and blind shall advance one step on the teacher pay matrix used by the school."

8. Page 7, lines 6 through 25.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

9. Page 26.

Following: line 13

Insert: "Section 8. Section 2-18-622, MCA, is amended to read:

"2-18-622. Reduction in force -- severance pay and retraining allowance required. (1) If a reduction in force is necessary, the state may shall provide severance pay, as provided in subsection (2), and may provide a retraining allowance. Within a collective bargaining unit, severance pay and the retraining allowance are negotiable subjects under 39-31-305.

(2) A state employee whose employment is terminated because of a reduction in force is entitled to 1 week of severance pay for each year the employee has been employed by the state, not to exceed a total of 2 weeks of severance pay. Payment of the severance pay is to be made in a lump sum to the employee on the employee's termination date."

Renumber: subsequent sections

10. Page 30, line 12.

Strike: "963,220" (general fund FY94) "1,910,475" (general fund FY95)

Insert: "930,761" (general fund FY94) "1,845,556" (general fund FY95)

11. Page 30.

Following: line 15

Insert:

"NEW SECTION. Section 12. Termination. [Section 8] terminates June 30, 1995."

-END-

SENATE

H B 198
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AM Amd. Coord.
W Sec. of Senate

Deulin
Senator Carrying Bill

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SENATE COMMITTEE OF THE WHOLE AMENDMENT

April 14, 1993
Page 2 of 4

April 14, 1993 1:05 pm

Mr. Chairman: I move to amend House Bill No. 198 (third reading copy -- blue).

included in the calculation of the final average salary. A lump-sum payment may not be added to a single month's compensation.

ADOPT

REJECT

Signed: Senator Eleanor Vaughn
Senator Eleanor Vaughn

That such amendments read:

Amend Senate Committee on Finance and Claims amendment dated April 13, 1993, as follows:

Amendment No. 11

In Insert, following: ";"

Insert: "NEW SECTION. Section 12. Coordination instruction. If [this act] is passed and approved and if it includes a section that amends 2-18-622 to provide for lump-sum severance pay for state employees, then sections 44, 112, and 158 of Senate Bill No. 385 [Chapter 265, Laws of 1993] are amended as follows:

Section 44. Definitions. Unless the context requires otherwise, as used in this chapter, the following definitions apply:

- (1) "Compensation" means remuneration paid out of funds controlled by an employer. Compensation does not include the payments or contributions made in lieu of wages for an individual subject to 19-3-403(4)(a).
- (2) "Contracting employer" means any political subdivision or governmental entity that has contracted to come into the system under this chapter.
- (3) "Employer" means the state of Montana, its university system or any of the colleges, schools, components, or units of the university system for the purposes of this chapter, or any contracting employer.
- (4) "Employer contributions" means payments to the pension trust fund pursuant to 19-3-801 from appropriations of the state of Montana and from contracting employers.
- (5) "Final average salary", except as provided in 19-3-907, means a member's highest average monthly compensation during any 36 consecutive months of membership service. Lump-sum payments for severance pay, sick leave, and annual leave paid to the member upon termination of employment may be used in the calculation of a retirement benefit only to the extent that they are used to replace, on a month-for-month basis, the regular compensation for a month or months

Section 112. Section 19-6-101, MCA, is amended to read:

"19-6-101. Definitions. Unless the context requires otherwise, the following definitions apply in this chapter:

- (1) "Account" means the Montana highway patrol officers' retirement pension trust fund.
- (2) "Accumulated deductions" means the total of the amounts deducted from the salary of a member, paid into the account, and standing to his credit in the account, together with the regular interest thereon.
- (3) "Actuarial equivalent" means a benefit of equal value when computed on the basis of the 1971 Group Annuity Mortality Table, with ages set back 4 years and an interest rate of 8% compounded annually.
- (4) "Beneficiary" means a surviving spouse or dependent child or, if there is no surviving spouse or dependent child, a person nominated to receive benefits under 19-6-602.
- (5) "Board" means the public employees' retirement board provided for in 2-15-1009.
- (6) "Department" means the public employees' retirement division of the department of administration.
 - (1) "Compensation" means remuneration paid for services to a member out of funds controlled by an employer before any deductions have been made and exclusive of maintenance, allowances, and expenses.
 - (2) "Dependent child" means an unmarried child of a deceased retired patrol officer member, who is:
 - (a) under 18 years of age; or
 - (b) under 24 years of age and attending an accredited postsecondary educational institution as a full-time student in anticipation of receiving a certificate or degree.
 - (3) "Final average salary" means the average annual monthly compensation received by a member, before any deductions have been made and exclusive of maintenance, allowances, and expenses, for any 3 years of continuous service upon which contributions have been made or, in the event a member has not served 3 years, the total compensation earned divided by the number of years months served. Lump-sum payments for severance pay, sick leave, and annual leave paid to an employee upon termination of employment service may be used in the calculation of a retirement allowance benefit only to the extent that they are used to replace, on a month-for-month month-for-month basis, the normal compensation for a month or months included in the calculation of the final average salary. A

lump-sum payment may not be added to a single month's compensation.

~~(9) "Member" means a person who has accumulated deductions in the account standing to his credit.~~

~~(10) "Member's annuity" means payments for life derived from contributions made by the member.~~

~~(11) "Retired patrol officer" means a person in receipt of a retirement allowance under this chapter.~~

~~(12) "Retirement age" means the age at which a member retires after 25 years of creditable service with the Montana highway patrol.~~

~~(13) "Retirement allowance" means the state annuity plus the member's annuity.~~

~~(14) "State annuity" means payments for life derived from contributions made by the state of Montana.~~

~~(15)(4) "Surviving spouse" means the spouse married to a retired patrol officer member at the time of the retired patrol officer's member's death.~~

~~(5) "Survivor" means a surviving spouse or dependent child of a member.~~

Section 158. Section 19-8-101, MCA, is amended to read:

"19-8-101. Definitions. Unless the context requires otherwise, the following definitions apply in this chapter:

~~(1) "Account" means the Montana state game wardens' retirement pension trust fund.~~

~~(2) "Accumulated deductions" or "accumulated contributions" means the sum of all contributions standing to the credit of a member's individual account together with the regular interest thereon.~~

~~(3) "Actuarial equivalent" means a benefit of equal value when computed upon the basis of the 1971 Group Annuity Mortality Table, with ages set back 4 years and an interest rate of 8% compounded annually.~~

~~(4) "Beneficiary" means a person nominated to receive benefits under this chapter by a member's written designation, witnessed and filed with the board.~~

~~(5) "Board" means the public employees' retirement board.~~

~~(6) "Contributor" means any person who has accumulated deductions in the account standing to his credit.~~

(1) "Compensation" means remuneration paid for services to a member out of funds controlled by an employer before any deductions are made and exclusive of maintenance, allowances, and expenses.

~~(7)(2) "Final average salary" means the average annual monthly compensation received by a contributor, before any deductions have been made and exclusive of maintenance, allowances, and expenses, member for any 3 years of~~

continuous service upon which contributions have been ~~were~~ made or, in the event a member has not served 3 years, the total retirement compensation earned divided by the number of years ~~months~~ served. Lump-sum payments for severance pay, sick leave, and annual leave paid to an employee upon termination of employment may be used in the calculation of a retirement allowance benefit only to the extent that they are used to replace, on a month-for-month month-for-month basis, the normal compensation for a month or months included in the calculation of the final average salary. A lump-sum payment may not be added to a single month's compensation.

~~(8) "Member's annuity" means payments for life derived from contributions made by the contributor.~~

~~(9) "Retired state game warden" means any person in receipt of a retirement allowance under this chapter.~~

~~(10) "Retirement allowance" means the state annuity plus the member's annuity.~~

~~(11) "State annuity" means payments for life derived from contributions made by the state from department of fish, wildlife, and parks moneys.~~

~~(12)(3) "State game warden" means all a state fish and game wardens warden hired by the department of fish, wildlife, and parks and includes all warden supervisory personnel whose salaries or compensation is paid out of the department of fish, wildlife, and parks moneys money."~~

Renumber: subsequent section

-END-

SENATE COMMITTEE OF THE WHOLE AMENDMENT

April 14, 1993 2:32 pm

April 14, 1993

Page 2 of 3

Mr. Chairman: I move to amend House Bill No. 198 (third reading copy -- blue).

ADOPT

REJECT

Signed: 
Senator Mignon Waterman

That such amendments read:

1. Amend Senate Committee on Finance and Claims amendment dated April 13, 1993, as follows:

Amendment No. 2
In the second insert:
Following: "PROVIDING"
Insert: "EFFECTIVE DATES AND"

Amendment No. 10
Following: "(general fund FY94)"
Strike: "1,845,556"
Insert: "3,830,979"

Amendment No. 11
In the termination section:
Strike: "8"
Insert: "9"

AND THAT HOUSE BILL NO. 198, THIRD READING COPY, BE FURTHER AMENDED AS FOLLOWS:

2. Title, line 6.
Following: ","
Insert: "PROVIDING LONGEVITY PAY FOR UNIVERSITY SYSTEM EMPLOYEES;"

3. Title, line 7.
Following: "1995;"
Insert: "REVISING THE LONGEVITY ALLOWANCE;"

4. Title, line 9.
Following: "2-18-303,"
Insert: "2-18-304,"

5. Page 9.
Following: line 8
Insert:

"Section 3. Section 2-18-304, MCA, is amended to read:
"2-18-304. Longevity allowance. (1) (a) 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 at least 3 years of uninterrupted state service shall must receive, beginning the first full pay period in January 1995, the greater of:

(i) ~~\$10 a month, or~~
(ii) ~~9/10 of 1% of the employee's base salary 25 cents an hour multiplied by the number of completed, contiguous 5-year 3-year periods of uninterrupted state service. For fiscal year 1995 only, an employee may not receive more than \$1 per hour in longevity pay.~~

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

(c) Longevity is part of the base for calculating market progression.

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

(i) 2,080 hours of service following his the employee's date of employment; an employee must be credited with 80 hours of service for each biweekly pay period in which he the employee 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

(ii) 12 uninterrupted calendar months following his the employee's date of employment in which he the employee 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 1 year of service if he the employee 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)(i) to calculate years of service under this section."

Renumber: subsequent sections

6. Page 29, line 15.
Strike: "14,361" (general fund FY95)
Insert: "29,810" (general fund FY95)
Strike: "14,367" (other funds FY95)
Insert: "20,440" (other funds FY95)

7. Page 29, line 18.
Strike: "7,205" (general fund FY95)
Insert: "14,956" (general fund FY95)

April 14, 1993
Page 3 of 3

8. Page 29, line 21.
Strike: "15,499" (general fund FY95)
Insert: "32,173" (general fund FY95)
Strike: "3,197" (other funds FY95)
Insert: "4,548" (other funds FY95)

9. Page 29, line 24.
Strike: "2,932" (general fund FY95)
Insert: "6,068" (general fund FY95)

10. Page 30, line 2.
Strike: "2,280" (other funds FY95)
Insert: "3,244" (other funds FY95)

11. Page 30, line 5.
Strike: "36,480" (general fund FY95)
Insert: "75,723" (general fund FY95)
Strike: "5,016" (other funds FY95)
Insert: "7,136" (other funds FY95)

12. Page 30, line 7.
Strike: "1,211,491" (general fund FY95)
Insert: "2,514,796" (general fund FY95)
Strike: "588,785" (other funds FY95)
Insert: "837,649" (other funds FY95)

13. Page 30, line 11.
Strike: "3,096,075" (other funds FY95)
Insert: "4,404,704" (other funds FY95)

14. Page 30.
Following: line 15
Insert: "NEW SECTION. Section 13. Effective dates. (1) Except
as provided in subsection (2), [this act] is effective July
1, 1993.
(2) [Section 3] is effective January 1, 1995."
Renumber: subsequent section

-END-

SENATE COMMITTEE OF THE WHOLE AMENDMENT

April 14, 1993 2:59 pm

Mr. Chairman: I move to amend House Bill No. 198 (third reading copy -- blue).

ADOPT

REJECT

Signed: Sue Bartlett
Senator Sue Bartlett

That such amendments read:

Amend the Finance and Claims committee report dated April 13, 1993, as follows:

Strip amendments 4, 5, 6, and 10 in their entirety.

-END-

1 HOUSE BILL NO. 198

2 INTRODUCED BY PETERSON

3 BY REQUEST OF THE GOVERNOR

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING STATE
6 EMPLOYEE COMPENSATION PLANS AND BENEFIT LEVELS; PROVIDING
7 LONGEVITY PAY FOR UNIVERSITY SYSTEM EMPLOYEES; PROVIDING PAY
8 SCHEDULES FOR FISCAL YEARS 1994 AND 1995; REVISING THE
9 LONGEVITY ALLOWANCE; APPROPRIATING MONEY TO IMPLEMENT THE
10 SCHEDULES; REMOVING RESTRICTIONS ON RECEIVING PAY DUE TO THE
11 LACK OF A COLLECTIVE BARGAINING AGREEMENT; PROVIDING LIMITED
12 SEVERANCE PAY TO STATE EMPLOYEES TERMINATED UNDER CERTAIN
13 CONDITIONS; AND AMENDING SECTIONS 2-6-110, 2-18-301,
14 2-18-303, 2-18-304, 2-18-305, 2-18-312, 2-18-313, 2-18-314,
15 2-18-315, 2-18-622, AND 2-18-703, MCA; AND PROVIDING
16 EFFECTIVE DATES AND A TERMINATION DATE."

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

19 **Section 1.** Section 2-18-301, MCA, is amended to read:

20 "2-18-301. Purpose and intent of part -- rules. (1) The
21 purpose of this part is to provide the market-based
22 compensation necessary to attract and retain competent and
23 qualified employees in order to perform the services the
24 state is required to provide to its citizens.

25 (2) It is the intent of the legislature that

1 compensation plans for state employees, excluding those
2 employees excepted under 2-18-103 or 2-18-104 and excluding
3 employees compensated under 2-18-313, 2-18-314, and
4 2-18-315, be based on an analysis of the labor market as
5 provided by the department in a salary survey report to the
6 legislature at the start of each legislative session.

7 (3) Except as provided in 2-18-110 and 2-18-305(4), pay
8 schedules provided for in 2-18-312 through 2-18-315
9 supersede any other plan or systems established through
10 collective bargaining after the adjournment of the 52nd 53rd
11 legislature.

12 (4) Pay levels provided for in 2-18-312 through
13 2-18-315 may not be increased through collective bargaining
14 after adjournment of the 52nd 53rd legislature.

15 (5) Total funds required to implement the pay schedules
16 provided for in 2-18-312 through 2-18-315 for any employee
17 group or bargaining unit may not be increased through
18 collective bargaining over the amount appropriated by the
19 52nd 53rd legislature.

20 (6) The department shall administer the pay program
21 established by the legislature on the basis of merit,
22 internal equity, and competitiveness to external labor
23 markets when fiscally able.

24 (7) The department may promulgate rules not
25 inconsistent with the provisions of this part, collective

1 bargaining statutes, or negotiated contracts to carry out
2 the purposes of this part."

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

4 "2-18-303. Procedures for utilizing pay schedules. (1)
5 The pay schedules provided in 2-18-312 must be implemented
6 as follows:

7 (a) The pay schedules provided in 2-18-312 indicate the
8 entry salary and market salary for the fiscal years ending
9 June 30, 1992 1994, and June 30, 1993 1995, for each grade
10 for positions classified under the provisions of part 2 of
11 this chapter.

12 (b) Each employee newly hired by the state of Montana
13 must be hired at the entry rate, except as provided in
14 subsections (7) and (8) (6) AND (7).

15 (c) Except as provided in subsection (1)(g) (1)(e), on
16 the first day of the first complete pay period in fiscal
17 year 1992 1994, each employee hired before July 1, 1991
18 1993, is entitled to the amount of his the employee's base
19 salary as it was on June 30, 1991 1993, plus the following
20 increases:

21 (i) an increase of 60 cents an hour above the
22 employee's base salary as it was on June 30, 1991, and

23 (ii) an additional increase of 1/8 of 1% of his base
24 salary as it is after the 60-cent-an-hour increase, for each
25 full percentage point that the employee's base salary, as it

1 is after the 60-cent-an-hour increase, is below the market
2 salary for the employee's assigned grade.

3 (d) Except as provided in subsection (1)(g) (1)(e), on
4 the first day of the first COMPLETE pay period in fiscal
5 year 1993 1995, each employee hired before July 1, 1992
6 1994, is entitled to the amount of the employee's base
7 salary as it was on June 30, 1992 1994, plus an increase
8 calculated as follows:

9 (i) add 45 cents an hour to the employee's base salary
10 as it was on June 30, 1992, then

11 (ii) add an amount equal to 1/8 of 1% of the amount
12 computed in subsection (1)(d)(i) for each full percentage
13 point that the employee's base salary, as it is after the
14 45-cent-an-hour increase, is below the market salary for the
15 employee's assigned grade, then

16 (iii) from the sum calculated in subsection (1)(d)(ii) ~~and~~
17 subtract 20 cents an hour.

18 (e) Except as provided in subsection (1)(g), on the
19 first day of the first pay period in January 1993, each
20 employee hired before January 1, 1993, is entitled to the
21 amount of the employee's base salary as it was on December
22 31, 1992, plus an increase of 20 cents an hour above the
23 employee's base salary as it was on December 31, 1992.

24 (f) The department shall determine the number of full
25 percentage points that an employee's base salary is below

~~the market salary by dividing the employee's base salary by the market salary for his assigned grade, multiplying the result by 100, and subtracting that total from 100.~~

(g)(e) An employee's base salary may be no less than the entry salary for his the employee's assigned grade.

~~(h)(f) Except as provided in subsections (5) through (8), an An employee's base salary may not exceed the market maximum salary by a percentage greater than the percentage that the market salary for the employee's grade exceeds the entry salary for that grade. The salary of an employee may not be reduced because of this provision.~~

(g) The maximum salary for each grade is determined by subtracting the entry salary from the market salary and adding that amount to the market salary.

(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 pay schedules provided in 2-18-313 through 2-18-315.

(3) The pay schedules provided in 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 corrections and human services or the

department of family services for fiscal years 1992 1994 and 1993 1995.

(ii) The compensation of each teacher on the first day of the first pay period in July 1991 1993 is that amount corresponding to determined by the teacher's level of academic achievement and years of experience the step occupied on June 30, 1993 YEARS OF EXPERIENCE.

(iii) On The compensation of each teacher on ON the first day of the first pay period of each fiscal year, each teacher shall advance one step on the appropriate pay schedule adopted in 2-18-313 in July 1994 is determined by the teacher's level of academic achievement and the step occupied on June 30, 1994 OF EACH FISCAL YEAR, EACH TEACHER SHALL ADVANCE ONE STEP ON THE APPROPRIATE PAY SCHEDULE ADOPTED IN 2-18-313.

(IV) ON THE FIRST DAY OF THE FIRST PAY PERIOD OF EACH FISCAL YEAR, EACH TEACHER EMPLOYED BY THE MONTANA SCHOOL FOR THE DEAF AND BLIND SHALL ADVANCE ONE STEP ON THE TEACHER PAY MATRIX USED BY THE SCHOOL.

(b) (i) The pay schedules provided in 2-18-314 indicate the maximum hourly compensation for fiscal years ending June 30, 1992 1994, and June 30, 1993 1995, 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

1 of the first pay period in fiscal year ~~1992~~ 1994 or ~~1993~~
2 1995 is that amount corresponding to the grade occupied on
3 the last day of the preceding fiscal year.

4 (c) (i) The pay schedules provided in 2-18-315 indicate
5 the maximum hourly compensation for fiscal years ending June
6 30, ~~1992~~ 1994, and June 30, ~~1993~~ 1995, for employees in
7 apprentice trades and crafts and other blue-collar
8 occupations recognized in the state blue-collar
9 classification plan who are members of units that have
10 collectively bargained separate classification and pay
11 plans.

12 (ii) The compensation of each employee on the first day
13 of the first pay period in fiscal year ~~1992~~ 1994 or ~~1993~~
14 1995 is that amount corresponding to the grade occupied on
15 the last day of the preceding fiscal year.

16 ~~{4}{a}{i} A member of a bargaining unit may not
17 receive the amounts indicated in the respective pay
18 schedules provided in 2-18-312 through 2-18-315 until the
19 bargaining unit of which he the employee is a member
20 ratifies a completely integrated collective bargaining
21 agreement covering the biennium ending June 30, 1993 1995.~~

22 ~~{ii} If negotiation and ratification of a completely
23 integrated collective bargaining agreement as required by
24 subsection {4}{a}{i} are not completed by July 1, 1991 1993,
25 retroactivity to that date may be negotiated.~~

1 ~~{ii} If negotiation and ratification of a completely
2 integrated collective bargaining agreement as required by
3 subsection {4}{a}{i} are not completed by July 1, 1991 1993,
4 members of the bargaining unit involved must continue to
5 receive the compensation they were receiving as of June 30,
6 1991 1993.~~

7 ~~{b} Methods of administration not inconsistent with the
8 purpose of this part and necessary to properly implement the
9 pay schedules provided in 2-18-312 through 2-18-315 may be
10 provided for in collective bargaining agreements.~~

11 ~~{5}{4} The current wage or salary of an employee may
12 not be reduced by the implementation of the pay schedules
13 provided for in 2-18-312 through 2-18-315.~~

14 ~~{6}{5} The department may authorize a separate pay
15 schedule for medical doctors if the rates provided in
16 2-18-312 are not sufficient to attract and retain fully
17 licensed and qualified physicians at the state institutions.~~

18 ~~{7}{6} The department may develop programs that enable
19 the department to mitigate problems associated with
20 difficult recruitment, retention, transfer, or other
21 exceptional circumstances. Insofar as the program may apply
22 to employees within a collective bargaining unit, it is a
23 negotiable subject under 39-31-305. To maintain the internal
24 equity of the statewide pay plan provided for in 2-18-312
25 and subsection {i} of this section, when a majority of~~

1 registered nurses classified under the provisions of part 2
 2 of this chapter have been granted a pay plan exception
 3 through a collectively bargained agreement, then all other
 4 classified registered nurses, including those employed in
 5 the university system, must be paid a salary equivalent to
 6 the salary negotiated in the negotiated agreement, except
 7 that in no case may the salary of a classified registered
 8 nurse be reduced by this provision.

9 (b)(7) The department shall review the competitiveness
 10 of the compensation provided to all occupations under this
 11 part. If the department finds that substantial problems
 12 exist with recruitment and retention because of inadequate
 13 salaries when compared to competing employers, the
 14 department may establish criteria allowing an adjustment in
 15 pay or classification to mitigate the problems. Insofar as
 16 these adjustments may apply to employees within a collective
 17 bargaining unit, the implementation of these adjustments is
 18 a negotiable subject under 39-31-305."

19 **SECTION 3. SECTION 2-18-304, MCA, IS AMENDED TO READ:**

20 "2-18-304. Longevity allowance. (1) (a) In addition to
 21 the compensation provided for in 2-18-312, 2-18-313,
 22 2-18-314, or 2-18-315, each employee who has completed 5 at
 23 least 3 years of uninterrupted state service shall must
 24 receive, beginning the first full pay period in January
 25 1995, the greater of:

1 (i) \$10 a month, or
 2 (ii) 9/10 of 1% of the employee's base salary 25 cents
 3 an hour multiplied by the number of completed, contiguous
 4 5-year 3-year periods of uninterrupted state service. For
 5 fiscal year 1995 only, an employee may not receive more than
 6 \$1 per hour in longevity pay.

7 (b) Service to the state is not interrupted by
 8 authorized leaves of absence.

9 (c) Longevity is part of the base for calculating
 10 market progression.

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

14 (i) 2,080 hours of service following his the employee's
 15 date of employment; an employee must be credited with 80
 16 hours of service for each biweekly pay period in which he
 17 the employee is in a pay status or on an authorized leave of
 18 absence without pay, regardless of the number of hours of
 19 service in the pay period; or

20 (ii) 12 uninterrupted calendar months following his the
 21 employee's date of employment in which he the employee was
 22 in a pay status or on an authorized leave of absence without
 23 pay, regardless of the number of hours of service in any one
 24 month. An employee of a school at a state institution or the
 25 university system must be credited with 1 year of service if

1 he the employee is employed for an entire academic year.

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

6 **Section 4.** Section 2-18-305, MCA, is amended to read:

7 "2-18-305. Allocation between wages and group benefits.

8 (1) The dollar amounts shown in the respective pay schedules
9 provided in 2-18-313, 2-18-314, and 2-18-315 represent the
10 maximum amount allocated by the state for wages and group
11 benefits, exclusive of longevity as defined in 2-18-304 for
12 an employee covered by a pay schedule provided in 2-18-313,
13 2-18-314, or 2-18-315.

14 (2) Except as provided in subsection (4), the amount
15 specifically allocated for group benefits must be determined
16 by 2-18-703.

17 (3) (a) An employee covered under the pay schedules
18 provided in 2-18-312 who elects not to be covered by a state
19 employee group benefit plan under the provisions of 2-18-703
20 must receive as wages his the employee's base salary,
21 including adjustments provided in 2-18-303(1)(c) through
22 ~~(1)(e)~~ (1)(d) and 2-18-304.

23 (b) An employee covered under the pay schedules
24 provided in 2-18-313, 2-18-314, or 2-18-315 who elects not
25 to be covered by a state employee group benefit plan shall,

1 under the provisions of 2-18-703, receive as wages the
2 amount shown in the appropriate pay schedule less the state
3 contribution for group benefits as determined by 2-18-703.

4 (4) Employees may, through collective bargaining,
5 determine the allocation between wages and group benefits,
6 except that in no case may the group benefits allocation be
7 less than the amounts provided in 2-18-703."

8 **Section 5.** Section 2-18-312, MCA, is amended to read:

9 "2-18-312. Statewide pay schedules for fiscal years
10 ~~1992~~ 1994 and ~~1993~~ 1995. (1) The statewide classification
11 pay schedule for fiscal year ~~1992~~ 1994 is as follows:

12 Annual Hours -- 2080 Note: Does Not Include Insurance

13 Pay Matrix -- State Matrix Type -- Annual

14 Pay Range: Entry Salary to Market Salary

15 GRADE	ENTRY SALARY	MARKET SALARY
16 -1	-87426	-97913
17 -2	-97077	107704
18 -3	-97777	117557
19 -4	107536	127404
20 -5	117385	137522
21 -6	127303	147647
22 -7	137289	157850
23 -8	147404	177230
24 -9	157596	187701
25 10	167916	207332

1	11	18,353	22,112
2	12	19,946	24,090
3	13	21,674	26,240
4	14	23,588	28,626
5	15	25,694	31,250
6	16	28,044	34,200
7	17	30,665	37,488
8	18	33,555	41,122
9	19	36,793	45,201
10	20	40,406	49,761
11	21	44,421	54,841
12	22	48,906	60,527
13	23	53,965	66,954
14	24	59,645	74,185
15	25	65,930	82,206
16	<u>1</u>	<u>8,679</u>	<u>10,210</u>
17	<u>2</u>	<u>9,349</u>	<u>11,025</u>
18	<u>3</u>	<u>10,070</u>	<u>11,903</u>
19	<u>4</u>	<u>10,852</u>	<u>12,858</u>
20	<u>5</u>	<u>11,727</u>	<u>13,927</u>
21	<u>6</u>	<u>12,672</u>	<u>15,086</u>
22	<u>7</u>	<u>13,688</u>	<u>16,334</u>
23	<u>8</u>	<u>14,836</u>	<u>17,747</u>
24	<u>9</u>	<u>16,064</u>	<u>19,262</u>
25	<u>10</u>	<u>17,424</u>	<u>20,942</u>

1	<u>11</u>	<u>18,904</u>	<u>22,775</u>
2	<u>12</u>	<u>20,545</u>	<u>24,812</u>
3	<u>13</u>	<u>22,325</u>	<u>27,027</u>
4	<u>14</u>	<u>24,295</u>	<u>29,485</u>
5	<u>15</u>	<u>26,465</u>	<u>32,196</u>
6	<u>16</u>	<u>28,885</u>	<u>35,226</u>
7	<u>17</u>	<u>31,585</u>	<u>38,613</u>
8	<u>18</u>	<u>34,562</u>	<u>42,355</u>
9	<u>19</u>	<u>37,897</u>	<u>46,557</u>
10	<u>20</u>	<u>41,618</u>	<u>51,254</u>
11	<u>21</u>	<u>45,754</u>	<u>56,487</u>
12	<u>22</u>	<u>50,373</u>	<u>62,343</u>
13	<u>23</u>	<u>55,584</u>	<u>68,963</u>
14	<u>24</u>	<u>61,434</u>	<u>76,410</u>
15	<u>25</u>	<u>67,907</u>	<u>84,673</u>

(2) The statewide classification pay schedule for fiscal year 1993-1995 is as follows:

18	Annual Hours -- 2080	Note: Does Not Include Insurance
19	Pay Matrix -- State	Matrix Type -- Annual
20	Pay Range: Entry Salary to Market Salary	
21	GRADE	ENTRY SALARY MARKET SALARY
22	1	8,679 10,210
23	2	9,349 11,025
24	3	10,070 11,903
25	4	10,852 12,858

1	5	11,727	13,927
2	6	12,672	15,086
3	7	13,688	16,334
4	8	14,836	17,747
5	9	16,064	19,262
6	10	17,424	20,942
7	11	18,904	22,775
8	12	20,545	24,812
9	13	22,325	27,027
10	14	24,295	29,485
11	15	26,465	32,196
12	16	28,885	35,226
13	17	31,585	38,613
14	18	34,562	42,355
15	19	37,897	46,557
16	20	41,618	51,254
17	21	45,754	56,487
18	22	50,373	62,343
19	23	55,584	68,963
20	24	61,434	76,410
21	25	67,907	84,673"

Section 6. 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 1992 1994 is as follows:

1	Annual Hours -- 2080						Note: Includes Insurance
2	Term -- Twelve Months						Matrix Type -- Annual
3	Education Level						
4	STEP	BA	BA+1	BA+2	BA+3	MA MA+1	
5	-1	237516	247175	247817	257138	257461 267128	
6	-2	247271	247987	257784	267863	267426 277169	
7	-3	257826	257817	267599	277813	277427 287242	
8	-4	257782	267668	277525	277982	287438 297312	
9	-5	267542	277525	287457	287952	297458 307384	
10	-6	277338	287481	297392	297926	307462 317456	
11	-7	287128	297278	307321	307897	317471 327524	
12	-8	287914	307143	317257	317871	327485 337594	
13	-9	297787	317814	327189	327841	337498 347665	
14	10	307588	317898	337128	337813	347587 357737	
15	11	317295	327732	347849	347784	357519 367886	
16	12	317295	327732	347849	347784	357519 367886	
17	13	317295	327732	347849	347784	357519 367886	
18	1	24,932	25,591	26,233	26,554	26,877 27,536	
19	2	25,687	26,403	27,120	27,479	27,842 28,585	
20	3	26,442	27,233	28,015	28,429	28,843 29,658	
21	4	27,198	28,076	28,941	29,398	29,854 30,728	
22	5	27,958	28,941	29,873	30,368	30,866 31,800	
23	6	28,746	29,817	30,808	31,342	31,878 32,872	
24	7	29,536	30,686	31,737	32,313	32,887 33,940	
25	8	30,330	31,559	32,673	33,287	33,901 35,010	

1	<u>9</u>	<u>31,123</u>	<u>32,430</u>	<u>33,605</u>	<u>34,257</u>	<u>34,914</u>	<u>36,081</u>
2	<u>10</u>	<u>31,916</u>	<u>33,306</u>	<u>34,536</u>	<u>35,229</u>	<u>35,923</u>	<u>37,153</u>
3	<u>11</u>	<u>32,711</u>	<u>34,148</u>	<u>35,465</u>	<u>36,200</u>	<u>36,935</u>	<u>38,222</u>
4	<u>12</u>	<u>32,711</u>	<u>34,148</u>	<u>35,465</u>	<u>36,200</u>	<u>36,935</u>	<u>38,222</u>
5	<u>13</u>	<u>32,711</u>	<u>34,148</u>	<u>35,465</u>	<u>36,200</u>	<u>36,935</u>	<u>38,222</u>

6 (b) The 9-month pay schedule for teachers for fiscal
7 year 1992 1994 is as follows:

8	Annual Hours -- 1560	Note: Includes Insurance					
9	Term -- Nine Months	Matrix Type -- Annual					
10	Education Level						
11	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
12	-1	197262	197770	207291	207545	207800	217321
13	-2	197859	207425	207992	217275	217560	227126
14	-3	207455	217000	217693	227000	227320	227932
15	-4	217054	217739	227394	227730	237001	237730
16	-5	217649	227394	237095	237460	237842	247545
17	-6	227247	237053	237799	247200	247603	257351
18	-7	227841	237706	247490	247931	257363	267155
19	-8	237439	247364	257202	257663	267126	267960
20	-9	247036	257019	257903	267394	267807	277781
21	10	247633	257677	267604	277124	277659	287630
22	11	257230	267312	277306	277875	287457	297473
23	12	257230	267312	277306	277875	287457	297473
24	13	257230	267312	277306	277875	287457	297473
25	<u>1</u>	<u>20,384</u>	<u>20,892</u>	<u>21,413</u>	<u>21,667</u>	<u>21,922</u>	<u>22,443</u>

1	<u>2</u>	<u>20,981</u>	<u>21,547</u>	<u>22,114</u>	<u>22,397</u>	<u>22,682</u>	<u>23,248</u>
2	<u>3</u>	<u>21,577</u>	<u>22,202</u>	<u>22,815</u>	<u>23,310</u>	<u>23,442</u>	<u>24,054</u>
3	<u>4</u>	<u>22,176</u>	<u>22,861</u>	<u>23,516</u>	<u>23,860</u>	<u>24,203</u>	<u>24,860</u>
4	<u>5</u>	<u>22,771</u>	<u>23,516</u>	<u>24,217</u>	<u>24,590</u>	<u>24,964</u>	<u>25,667</u>
5	<u>6</u>	<u>23,369</u>	<u>24,175</u>	<u>24,921</u>	<u>25,322</u>	<u>25,725</u>	<u>26,473</u>
6	<u>7</u>	<u>23,963</u>	<u>24,828</u>	<u>25,620</u>	<u>26,053</u>	<u>26,485</u>	<u>27,277</u>
7	<u>8</u>	<u>24,561</u>	<u>25,486</u>	<u>26,294</u>	<u>26,785</u>	<u>27,248</u>	<u>28,082</u>
8	<u>9</u>	<u>25,158</u>	<u>26,141</u>	<u>27,025</u>	<u>27,516</u>	<u>28,009</u>	<u>28,903</u>
9	<u>10</u>	<u>25,755</u>	<u>26,799</u>	<u>27,726</u>	<u>28,246</u>	<u>28,781</u>	<u>29,752</u>
10	<u>11</u>	<u>26,352</u>	<u>27,434</u>	<u>28,428</u>	<u>28,997</u>	<u>29,579</u>	<u>30,595</u>
11	<u>12</u>	<u>26,352</u>	<u>27,434</u>	<u>28,428</u>	<u>28,997</u>	<u>29,579</u>	<u>30,595</u>
12	<u>13</u>	<u>26,352</u>	<u>27,434</u>	<u>28,428</u>	<u>28,997</u>	<u>29,579</u>	<u>30,595</u>

13 ~~(2) -- (a) The 12-month pay schedule for teachers for the~~
14 ~~first 6 months of fiscal year 1993 is as follows:~~

15	Annual Hours ---- 2000	Note: -- Includes Insurance					
16	Term ---- Twelve Months	Matrix Type ---- Annual					
17	Education Level						
18	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
19	-1	247276	247935	257577	257890	267221	267880
20	-2	257031	257747	267464	267823	277106	277929
21	-3	257706	267577	277359	277773	287107	297002
22	-4	267542	277420	287285	287742	297198	307072
23	-5	277302	287205	297217	297712	307210	317144
24	-6	287090	297161	307152	307606	317222	327216
25	-7	287880	307030	317001	317657	327231	337284

1	-8	297674	307903	327017	327631	337245	347354
2	-9	307467	317774	327949	337601	347250	357425
3	10	317260	327650	337800	347573	357267	367497
4	11	327055	337492	347809	357544	367279	377566
5	12	327055	337492	347809	357544	367279	377566
6	13	327055	337492	347809	357544	367279	377566

(b) -- The 9-month pay schedule for teachers for the first 6-months of fiscal year 1993 is as follows:

Annual Hours --- 1560 Note: Includes Insurance
 Term --- Nine Months Matrix Type --- Annual

Education Level							
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1	
13	-1	197892	207400	207921	217175	217430	217951
14	-2	207409	217055	217622	217905	227190	227756
15	-3	217005	217710	227323	227630	227950	237562
16	-4	217604	227369	237024	237360	237711	247360
17	-5	227279	237024	237725	247098	247472	257175
18	-6	227877	237603	247429	247830	257233	257901
19	-7	237471	247336	257120	257561	257993	267785
20	-8	247069	247994	257832	267293	267756	277590
21	-9	247666	257640	267533	277024	277517	287411
22	10	257263	267307	277234	277754	287209	297260
23	11	257860	267942	277936	287505	297007	307103
24	12	257860	267942	277936	287505	297007	307103
25	13	257860	267942	277936	287505	297007	307103

(c)(2) (a) The 12-month pay schedule for teachers for the last 6 months of fiscal year 1993 1995 is as follows:

Annual Hours -- 2080 Note: Includes Insurance
 Term -- Twelve Months Matrix Type -- Annual

Education Level							
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1	
7	-1	247692	257351	257993	267314	267637	277296
8	-2	257447	267163	267800	277239	277602	287345
9	-3	267202	267993	277775	287189	287603	297410
10	-4	267958	277036	287701	297150	297614	307480
11	-5	277710	287701	297633	307120	307626	317560
12	-6	287506	297577	307560	317102	317630	327632
13	-7	297296	307446	317497	327073	327647	337700
14	-8	307090	317319	327433	337047	337661	347770
15	-9	307803	327190	337365	347017	347674	357041
16	10	317676	337066	347296	347989	357603	367913
17	11	327471	337900	357225	357960	367695	377902
18	12	327471	337900	357225	357960	367695	377902
19	13	327471	337900	357225	357960	367695	377902
20	1	<u>25,172</u>	<u>25,831</u>	<u>26,473</u>	<u>26,794</u>	<u>27,117</u>	<u>27,776</u>
21	2	<u>25,927</u>	<u>26,643</u>	<u>27,360</u>	<u>27,719</u>	<u>28,082</u>	<u>28,825</u>
22	3	<u>26,682</u>	<u>27,473</u>	<u>28,255</u>	<u>28,669</u>	<u>29,083</u>	<u>29,898</u>
23	4	<u>27,438</u>	<u>28,316</u>	<u>29,181</u>	<u>29,638</u>	<u>30,094</u>	<u>30,968</u>
24	5	<u>28,198</u>	<u>29,181</u>	<u>30,113</u>	<u>30,608</u>	<u>31,106</u>	<u>32,040</u>
25	6	<u>28,986</u>	<u>30,057</u>	<u>31,048</u>	<u>31,582</u>	<u>32,118</u>	<u>33,112</u>

1	7	29,776	30,926	31,977	32,553	33,127	34,180
2	8	30,570	31,799	32,913	33,527	34,141	35,250
3	9	31,363	32,670	33,845	34,497	35,154	36,321
4	10	32,156	33,546	34,776	35,469	36,163	37,393
5	11	32,951	34,388	35,705	36,440	37,175	38,462
6	12	32,951	34,388	35,705	36,440	37,175	38,462
7	13	32,951	34,388	35,705	36,440	37,175	38,462

(b) The 9-month pay schedule for teachers for the last 6-months-of fiscal year ~~1993~~ 1995 is as follows:

Annual Hours -- 1560 Note: Includes Insurance

Term -- Nine Months Matrix Type -- Annual

Education Level							
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1	
13	-1	207204	207712	217233	217407	217742	227263
14	-2	207801	217367	217934	227217	227502	237060
15	-3	217397	227022	227635	227950	237262	237874
16	-4	217996	227681	237336	237680	247023	247680
17	-5	227591	237336	247037	247410	247704	257487
18	-6	237189	237995	247741	257142	257545	267293
19	-7	237783	247648	257448	257873	267305	277097
20	-8	247381	257306	267144	267605	277060	277982
21	-9	247978	257961	267845	277336	277829	287723
22	10	257575	267619	277546	287866	287681	297572
23	11	267172	277254	287240	287817	297399	307415
24	12	267172	277254	287240	287817	297399	307415
25	13	267172	277254	287240	287817	297399	307415

1	13	267172	277254	287240	287817	297399	307415
2	1	20,564	21,072	21,593	21,847	22,102	22,623
3	2	21,161	21,727	22,294	22,577	22,862	23,428
4	3	21,757	22,382	22,995	23,310	23,622	24,234
5	4	22,356	23,041	23,696	24,040	24,383	25,040
6	5	22,951	23,696	24,397	24,770	25,144	25,847
7	6	23,549	24,355	25,101	25,502	25,905	26,653
8	7	24,143	25,008	25,800	26,233	26,665	27,457
9	8	24,741	25,666	26,474	26,965	27,428	28,262
10	9	25,338	26,321	27,205	27,696	28,189	29,083
11	10	25,935	26,979	27,906	28,426	28,961	29,932
12	11	26,532	27,614	28,608	29,177	29,759	30,775
13	12	26,532	27,614	28,608	29,177	29,759	30,775
14	13	26,532	27,614	28,608	29,177	29,759	30,775"

Section 7. 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 ~~1992~~ 1994 is as follows:

Annual Hours -- 2080	Note: With Insurance
Pay Matrix -- Retail Clerk	Matrix Type -- Hourly
Grade	\$/Hour
	W/Ins.
23	b1 -8-000
24	b2 -9-140
25	b3 -9-640

1	b4	-9,920
2	b5	10,210
3	b6	10,820
4	b7	11,480
5	b8	12,230
6	(2) (a) The pay schedule for liquor store occupations	
7	for the first 6 months of fiscal year 1993 is as follows:	
8	Annual Hours --- 2000	Note: With insurance
9	Pay Matrix --- Retail Clerk	Matrix Type --- Hourly
10	Grade	\$/Hour
11		W/Ins.
12	b1	-0,000
13	b2	-9,505
14	b3	10,005
15	b4	10,205
16	b5	10,575
17	b6	11,105
18	b7	11,845
19	b8	12,595
20	L1	0.000
21	L2	9.820
22	L3	10.320
23	L4	10.600
24	L5	10.890
25	L6	11.500

1	L7	12.160
2	L8	12.910
3	(b) (2) The pay schedule for liquor store occupations	
4	for the last 6 months of fiscal year 1993 1995 is as	
5	follows:	
6	Annual Hours -- 2000	Note: With insurance
7	Pay Matrix -- Retail Clerk	Matrix Type -- Hourly
8	Grade	\$/Hour
9		W/Ins.
10	b1	-0,000
11	b2	-9,705
12	b3	10,205
13	b4	10,405
14	b5	10,775
15	b6	11,305
16	b7	12,045
17	b8	12,795
18	L1	0.000
19	L2	9.935
20	L3	10.435
21	L4	10.715
22	L5	11.005
23	L6	11.615
24	L7	12.275
25	L8	13.025"

1 **Section 8.** Section 2-18-315, MCA, is amended to read:
 2 *2-18-315. Blue-collar pay schedules. (1) The pay
 3 schedule for blue-collar workers for fiscal year 1992 1994
 4 is as follows:

5 Annual Hours -- 2080	Note: With Insurance
6 Pay Matrix -- Blue-Collar	Matrix Type -- Hourly
7 Grade	\$/Hour
8	W/Ins.
9 B1	9.615
10 B2	10.015
11 B3	10.415
12 B4	10.815
13 B5	11.215
14 B6	11.615
15 B7	12.015
16 B8	12.415
17 B9	12.815
18 B10	13.215
19 B11	13.615
20 B12	14.015
21 B00	14.415
22 <u>B1</u>	<u>10.295</u>
23 <u>B2</u>	<u>10.695</u>
24 <u>B3</u>	<u>11.095</u>
25 <u>B4</u>	<u>11.495</u>

1	<u>B5</u>	<u>11.895</u>
2	<u>B6</u>	<u>12.295</u>
3	<u>B7</u>	<u>12.695</u>
4	<u>B8</u>	<u>13.095</u>
5	<u>B9</u>	<u>13.495</u>
6	<u>B10</u>	<u>13.895</u>
7	<u>B11</u>	<u>14.295</u>
8	<u>B12</u>	<u>14.695</u>
9	<u>B00</u>	<u>15.095</u>

10 (2) The pay schedule for blue-collar workers for the
 11 first 6 months of fiscal year 1993 is as follows:

12 Annual Hours --- 2080	Note: With Insurance
13 Pay Matrix --- Blue-Collar	Matrix Type --- Hourly
14 Grade	\$/Hour
15	W/Ins.
16 B1	9.980
17 B2	10.380
18 B3	10.780
19 B4	11.180
20 B5	11.580
21 B6	11.980
22 B7	12.380
23 B8	12.780
24 B9	13.180
25 B10	13.580

1	B11	137900
2	B12	147300
3	B00	147700
4	†3†(2) The pay schedule for blue-collar workers for the	
5	last-6-months-of fiscal year 1993 1995 is as follows:	
6	Annual Hours -- 2080	Note: With Insurance
7	Pay Matrix -- Blue-Collar	Matrix Type -- Hourly
8	Grade	\$/Hour
9		W/Ins.
10	B1	107100
11	B2	107500
12	B3	107900
13	B4	117300
14	B5	117700
15	B6	127100
16	B7	127500
17	B8	127900
18	B9	137300
19	B10	137700
20	B11	147100
21	B12	147500
22	B00	147900
23	<u>B1</u>	<u>10.410</u>
24	<u>B2</u>	<u>10.810</u>
25	<u>B3</u>	<u>11.210</u>

1	<u>B4</u>	<u>11.610</u>
2	<u>B5</u>	<u>12.010</u>
3	<u>B6</u>	<u>12.410</u>
4	<u>B7</u>	<u>12.810</u>
5	<u>B8</u>	<u>13.210</u>
6	<u>B9</u>	<u>13.610</u>
7	<u>B10</u>	<u>14.010</u>
8	<u>B11</u>	<u>14.410</u>
9	<u>B12</u>	<u>14.810</u>
10	<u>B00</u>	<u>15.210"</u>

SECTION 9. SECTION 2-18-622, MCA, IS AMENDED TO READ:

"2-18-622. Reduction in force -- severance pay and retraining allowance required. (1) If a reduction in force is necessary, the state may shall provide severance pay, as provided in subsection (2), and may provide a retraining allowance. Within a collective bargaining unit, severance pay and the retraining allowance are negotiable subjects under 39-31-305.

(2) A state employee whose employment is terminated because of a reduction in force is entitled to 1 week of severance pay for each year the employee has been employed by the state, not to exceed a total of 2 weeks of severance pay. Payment of the severance pay is to be made in a lump sum to the employee on the employee's termination date."

Section 10. Section 2-18-703, MCA, is amended to read:

1 **"2-18-703. Contributions.** (1) Each agency, as defined
2 in 2-18-601, shall contribute the amount specified in this
3 section towards the group benefits cost.

4 (2) For employees defined in 2-18-701, other than
5 members of collective bargaining units, and for members of
6 the legislature, the employer contribution for group
7 benefits shall be ~~\$170~~ \$210 per month for the fiscal year
8 ending June 30, ~~1992~~ 1994, and ~~\$190~~ \$230 per month for the
9 fiscal year ending June 30, ~~1993~~ 1995, and for each fiscal
10 year thereafter. When a state employee is terminated to
11 achieve a reduction in force, the continuation of
12 contributions for group benefits beyond the termination date
13 is subject to negotiation under 39-31-305. Permanent
14 part-time, seasonal part-time, and temporary part-time
15 employees who are regularly scheduled to work less than 20
16 hours a week are not eligible for the group benefit
17 contribution. An employee who elects not to be covered by a
18 state-sponsored group benefit plan may not receive the state
19 contribution as wages. A portion of the employer
20 contribution for group benefits may be applied to an
21 employee's costs for participation in Part B of medicare
22 under Title XVIII of the Social Security Act of 1965, as
23 amended, if the state group benefit plan is the secondary
24 payer and medicare the primary payer.

25 (3) For employees of elementary and high school

1 districts and of local government units, the employer's
2 premium contributions may exceed but may not be less than
3 \$10 per month.

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

9 (5) Unused employer contributions for any government
10 employee may be transferred to an account established for
11 this purpose by a self-insured government and upon transfer
12 may be used to offset losses occurring to the group of which
13 the employee is eligible to be a member or to increase the
14 reserves of the group."

15 **Section 11.** Section 2-6-110, MCA, is amended to read:

16 **"2-6-110. Electronic information -- public access.** (1)
17 Except as provided by law, each person is entitled to a copy
18 of information compiled, created, or otherwise in the
19 custody of public agencies that is in electronic format,
20 subject to the same restrictions applicable to the
21 information in printed form. All restrictions relating to
22 confidentiality, privacy, business secrets, and copyright
23 are applicable to the electronic information.

24 (2) Except as provided by law, an agency may charge a
25 fee, not to exceed:

1 (a) the agency's actual cost of purchasing the
2 electronic media used for transferring data, if the person
3 requesting the information does not provide the media; or

4 (b) expenses incurred by the agency as a result of
5 mainframe processing charges or other out-of-pocket expenses
6 directly associated with the request for information.

7 (3) An agency may also charge an hourly fee for each
8 hour, or fraction of an hour, after one-half hour of copying
9 service has been provided. The hourly fee may not exceed the
10 hourly rate for the current fiscal year for a state employee
11 classified as grade 10, step--2 market salary, under
12 2-18-312.

13 (4) For the purposes of this section, the term "agency"
14 has the meaning provided in 2-3-102 but includes
15 legislative, judicial, and state military agencies.

16 (5) This section does not authorize the release of
17 electronic security codes giving access to private
18 information."

19 NEW SECTION. Section 12. Appropriation. (1) The
20 following money for the indicated fiscal years is
21 appropriated to the listed agencies to implement [this act]:

	FISCAL 1994		FISCAL 1995	
	General Fund	Other Funds	General Fund	Other Funds
22				
23	Legislative Auditor			
24				
25	77315	77925	147630	157850

1	7,096	7,268	14,361	14,367
2			<u>29,810</u>	<u>20,440</u>
3	Legislative Fiscal Analyst			
4	47,000	-0-	87,160	-0-
5	<u>3,602</u>		<u>77,205</u>	
6			<u>14,956</u>	
7	Legislative Council			
8	77379	27934	197627	37480
9	<u>6,240</u>	<u>3,108</u>	<u>157,499</u>	<u>37,197</u>
10			<u>32,173</u>	<u>4,548</u>
11	Environmental Quality Council			
12	17620	60	37240	120
13	<u>1,466</u>	0	<u>27,932</u>	0
14			<u>6,068</u>	
15	Consumer Counsel			
16	-0-	17260	-0-	27520
17		<u>1,140</u>		<u>27,280</u>
18				<u>3,244</u>
19	Judiciary			
20	197560	27640	397120	57280
21	<u>18,240</u>	<u>2,508</u>	<u>367,480</u>	<u>57,016</u>
22			<u>75,725</u>	<u>7,136</u>
23	<u>MONTANA UNIVERSITY SYSTEM</u>			
24	<u>605,746</u>	<u>293,708</u>	<u>1,211,749</u>	<u>580,785</u>
25			<u>2,514,796</u>	<u>837,649</u>

1 Office of Budget and Program Planning for Distribution to
2 All Other Agencies

3	170797701	175737171	272067710	371617769
4	<u>9057094</u>	<u>1,538,072</u>	<u>177947223</u>	<u>370967875</u>
5	<u>963,220</u>		<u>1,910,475</u>	<u>4,404,704</u>

6 (2) THE APPROPRIATION TO THE MONTANA UNIVERSITY SYSTEM
7 INCLUDES FUNDING FOR UNIVERSITY SYSTEM UNITS AS DEFINED IN
8 17-7-102(16).

9 NEW SECTION. SECTION 13. COORDINATION INSTRUCTION. IF
10 [THIS ACT] IS PASSED AND APPROVED AND IF IT INCLUDES A
11 SECTION THAT AMENDS 2-18-622 TO PROVIDE FOR LUMP-SUM
12 SEVERANCE PAY FOR STATE EMPLOYEES, THEN SECTIONS 44, 112,
13 AND 158 OF SENATE BILL NO. 385 [CHAPTER 265, LAWS OF 1993]
14 ARE AMENDED AS FOLLOWS:

15 Section 44. Definitions. Unless the context requires
16 otherwise, as used in this chapter, the following
17 definitions apply:

18 (1) "Compensation" means remuneration paid out of funds
19 controlled by an employer. Compensation does not include the
20 payments or contributions made in lieu of wages for an
21 individual subject to 19-3-403(4)(a).

22 (2) "Contracting employer" means any political
23 subdivision or governmental entity that has contracted to
24 come into the system under this chapter.

25 (3) "Employer" means the state of Montana, its

1 university system or any of the colleges, schools,
2 components, or units of the university system for the
3 purposes of this chapter, or any contracting employer.

4 (4) "Employer contributions" means payments to the
5 pension trust fund pursuant to 19-3-801 from appropriations
6 of the state of Montana and from contracting employers.

7 (5) "Final average salary", except as provided in
8 19-3-907, means a member's highest average monthly
9 compensation during any 36 consecutive months of membership
10 service. Lump-sum payments for severance pay, sick leave,
11 and annual leave paid to the member upon termination of
12 employment may be used in the calculation of a retirement
13 benefit only to the extent that they are used to replace, on
14 a month-for-month basis, the regular compensation for a
15 month or months included in the calculation of the final
16 average salary. A lump-sum payment may not be added to a
17 single month's compensation.

18 Section 112. Section 19-6-101, MCA, is amended to read:
19 "19-6-101. Definitions. Unless the context requires
20 otherwise, the following definitions apply in this chapter:

21 (1) "Account" means the Montana highway patrol
22 officers' retirement pension trust fund.

23 (2) "Accumulated deductions" means the total of the
24 amounts deducted from the salary of a member, paid into the
25 account, and standing to his credit in the account together

1 with-the-regular-interest-thereon.
 2 (3)--"Actuarial-equivalent" means a benefit of equal
 3 value when computed on the basis of the 1971 Group Annuity
 4 Mortality Table, with ages set back 4 years and an interest
 5 rate of 8% compounded annually.
 6 (4)--"Beneficiary" means a surviving spouse or dependent
 7 child or, if there is no surviving spouse or dependent
 8 child, a person nominated to receive benefits under
 9 19-6-602.
 10 (5)--"Board" means the public employees' retirement
 11 board provided for in 2-15-1009.
 12 (6)--"Department" means the public employees' retirement
 13 division of the department of administration.
 14 (1) "Compensation" means remuneration paid for services
 15 to a member out of funds controlled by an employer before
 16 any deductions have been made and exclusive of maintenance,
 17 allowances, and expenses.
 18 (7)(2) "Dependent child" means an unmarried child of a
 19 deceased retired patrol officer member, who is:
 20 (a) under 18 years of age; or
 21 (b) under 24 years of age and attending an accredited
 22 postsecondary educational institution as a full-time student
 23 in anticipation of receiving a certificate or degree.
 24 (8)(3) "Final average salary" means the average annual
 25 monthly compensation received by a member before any

1 deductions have been made and exclusive of maintenance,
 2 allowances, and expenses, for any 3 years of continuous
 3 service upon which contributions have been made or, in the
 4 event a member has not served 3 years, the total
 5 compensation earned divided by the number of years months
 6 served. Lump-sum payments for severance pay, sick leave, and
 7 annual leave paid to an employee upon termination of
 8 employment service may be used in the calculation of a
 9 retirement allowance benefit only to the extent that they
 10 are used to replace, on a month-for-month month-for-month
 11 basis, the normal compensation for a month or months
 12 included in the calculation of the final average salary. A
 13 lump-sum payment may not be added to a single month's
 14 compensation.
 15 (9)--"Member" means a person who has accumulated
 16 deductions in the account standing to his credit.
 17 (10)--"Member's annuity" means payments for life derived
 18 from contributions made by the member.
 19 (11)--"Retired patrol officer" means a person in receipt
 20 of a retirement allowance under this chapter.
 21 (12)--"Retirement age" means the age at which a member
 22 retires after 25 years of creditable service with the
 23 Montana highway patrol.
 24 (13)--"Retirement allowance" means the state annuity plus
 25 the member's annuity.

~~{14}~~ "State annuity" means payments for life derived from contributions made by the state of Montana.

~~{15}~~(4) "Surviving spouse" means the spouse married to a retired patrol officer member at the time of the retired patrol officer's member's death.

~~{5}~~ "Survivor" means a surviving spouse or dependent child of a member."

Section 158. Section 19-8-101, MCA, is amended to read:

"19-8-101. Definitions. Unless the context requires otherwise, the following definitions apply in this chapter:

~~{1}~~ "Account" means the Montana state game wardens' retirement pension trust fund.

~~{2}~~ "Accumulated deductions" or "accumulated contributions" means the sum of all contributions standing to the credit of a member's individual account together with the regular interest thereon.

~~{3}~~ "Actuarial equivalent" means a benefit of equal value when computed upon the basis of the 1971 Group Annuity Mortality Table, with ages set back 4 years and an interest rate of 8% compounded annually.

~~{4}~~ "Beneficiary" means a person nominated to receive benefits under this chapter by a member's written designation, witnessed and filed with the board.

~~{5}~~ "Board" means the public employees' retirement board.

~~{6}~~ "Contributor" means any person who has accumulated deductions in the account standing to his credit.

(1) "Compensation" means remuneration paid for services to a member out of funds controlled by an employer before any deductions are made and exclusive of maintenance, allowances, and expenses.

~~{7}~~(2) "Final average salary" means the average annual monthly compensation received by a contributor, before any deductions have been made and exclusive of maintenance, allowances, and expenses, member for any 3 years of continuous service upon which contributions have been were made or, in the event a member has not served 3 years, the total retirement compensation earned divided by the number of years months served. Lump-sum payments for severance pay, sick leave, and annual leave paid to an employee upon termination of employment may be used in the calculation of a retirement allowance benefit only to the extent that they are used to replace, on a month-for-month month-for-month basis, the normal compensation for a month or months included in the calculation of the final average salary. A lump-sum payment may not be added to a single month's compensation.

~~{8}~~ "Member's annuity" means payments for life derived from contributions made by the contributor.

~~{9}~~ "Retired state game warden" means any person in

1 ~~receipt-of-a-retirement-allowance-under-this-chapter.~~

2 ~~{10}-"Retirement-allowance"-means-the-state-annuity-plus~~
3 ~~the-member's-annuity.~~

4 ~~{11}-"State-annuity"--means--payments--for-life-derived~~
5 ~~from-contributions-made-by--the--state--from--department--of~~
6 ~~fish,wildlife,and-parks-moneys.~~

7 ~~{12}(3) "State game warden" means all a state fish and~~
8 ~~game wardens warden hired by the department of fish,~~
9 ~~wildlife, and parks and includes all warden supervisory~~
10 ~~personnel whose salaries or compensation is paid out of the~~
11 ~~department of fish, wildlife, and parks moneys money."~~

12 NEW SECTION. SECTION 14. EFFECTIVE DATES. (1) EXCEPT
13 AS PROVIDED IN SUBSECTION (2), [THIS ACT] IS EFFECTIVE JULY
14 1, 1993.

15 (2) [SECTION 3] IS EFFECTIVE JANUARY 1, 1995.

16 NEW SECTION. SECTION 15. TERMINATION. [SECTION _8_ 9]
17 TERMINATES JUNE 30, 1995.

-End-

1 HOUSE BILL NO. 198

2 INTRODUCED BY PETERSON
3 BY REQUEST OF THE GOVERNOR
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING STATE
6 EMPLOYEE COMPENSATION PLANS AND BENEFIT LEVELS; PROVIDING
7 LONGEVITY PAY FOR UNIVERSITY SYSTEM EMPLOYEES; PROVIDING PAY
8 SCHEDULES FOR FISCAL YEARS 1994 AND 1995; REVISING THE
9 LONGEVITY ALLOWANCE; APPROPRIATING MONEY TO IMPLEMENT THE
10 SCHEDULES; REMOVING RESTRICTIONS ON RECEIVING PAY DUE TO THE
11 LACK OF A COLLECTIVE BARGAINING AGREEMENT; PROVIDING LIMITED
12 SEVERANCE PAY TO STATE EMPLOYEES TERMINATED UNDER CERTAIN
13 CONDITIONS; AND AMENDING SECTIONS 2-6-110, 2-18-301,
14 2-18-303, 2-18-304, 2-18-305, 2-18-312, 2-18-313, 2-18-314,
15 2-18-315, 2-18-622, AND 2-18-703, MCA; AND PROVIDING
16 EFFECTIVE DATES AND A TERMINATION DATE."
17

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

19 **Section 1.** Section 2-18-301, MCA, is amended to read:

20 "2-18-301. Purpose and intent of part -- rules. (1) The
21 purpose of this part is to provide the market-based
22 compensation necessary to attract and retain competent and
23 qualified employees in order to perform the services the
24 state is required to provide to its citizens.

25 (2) It is the intent of the legislature that

1 compensation plans for state employees, excluding those
2 employees excepted under 2-18-103 or 2-18-104 and excluding
3 employees compensated under 2-18-313, 2-18-314, and
4 2-18-315, be based on an analysis of the labor market as
5 provided by the department in a salary survey report to the
6 legislature at the start of each legislative session.

7 (3) Except as provided in 2-18-110 and 2-18-305(4), pay
8 schedules provided for in 2-18-312 through 2-18-315
9 supersede any other plan or systems established through
10 collective bargaining after the adjournment of the 52nd 53rd
11 legislature.

12 (4) Pay levels provided for in 2-18-312 through
13 2-18-315 may not be increased through collective bargaining
14 after adjournment of the 52nd 53rd legislature.

15 (5) Total funds required to implement the pay schedules
16 provided for in 2-18-312 through 2-18-315 for any employee
17 group or bargaining unit may not be increased through
18 collective bargaining over the amount appropriated by the
19 52nd 53rd legislature.

20 (6) The department shall administer the pay program
21 established by the legislature on the basis of merit,
22 internal equity, and competitiveness to external labor
23 markets when fiscally able.

24 (7) The department may promulgate rules not
25 inconsistent with the provisions of this part, collective

bargaining statutes, or negotiated contracts to carry out the purposes of this part."

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 entry salary and market salary for the fiscal years ending June 30, 1992 1994, and June 30, 1993 1995, for each grade for positions classified under the provisions of part 2 of this chapter.

(b) Each employee newly hired by the state of Montana must be hired at the entry rate, except as provided in subsections (7) and (8) (6) AND (7).

(c) Except as provided in subsection (1)(e), on the first day of the first complete pay period in fiscal year 1992 1994, each employee hired before July 1, 1991 1993, is entitled to the amount of his the employee's base salary as it was on June 30, 1991 1993, plus the following increases:

(i) an increase of 60 cents an hour above the employee's base salary as it was on June 30, 1991, and

(ii) an additional increase of 1/8 of 1% of his base salary as it is after the 60-cent-an-hour-increase, for each full-percentage-point-that-the-employee's-base-salary, as it

is after the 60-cent-an-hour-increase, is below the market salary for the employee's assigned grade.

(d) Except as provided in subsection (1)(e), on the first day of the first COMPLETE pay period in fiscal year 1993 1995, each employee hired before July 1, 1992 1994, is entitled to the amount of the employee's base salary as it was on June 30, 1992 1994, plus an increase calculated as follows:

(i) add 45 cents an hour to the employee's base salary as it was on June 30, 1992, then

(ii) add an amount equal to 1/8 of 1% of the amount computed in subsection (i) for each full-percentage point that the employee's base salary, as it is after the 45-cent-an-hour-increase, is below the market salary for the employee's assigned grade, then

(iii) from the sum calculated in subsection (i) (d) (ii), subtract 20 cents an hour.

(e) Except as provided in subsection (1)(g), on the first day of the first pay period in January 1993, each employee hired before January 1, 1993, is entitled to the amount of the employee's base salary as it was on December 31, 1992, plus an increase of 20 cents an hour above the employee's base salary as it was on December 31, 1992.

(f) The department shall determine the number of full percentage points that an employee's base salary is below

1 ~~the market salary by dividing the employee's base salary by~~
2 ~~the market salary for his assigned grade, multiplying the~~
3 ~~result by 100, and subtracting that total from 100.~~

4 (g)(e) An employee's base salary may be no less than
5 the entry salary for his the employee's assigned grade.

6 (h)(f) ~~Except as provided in subsections (5) through~~
7 ~~(8), an An~~ employee's base salary may not exceed the market
8 maximum salary by a percentage greater than the percentage
9 that the market salary for the employee's grade exceeds the
10 entry salary for that grade. The salary of an employee may
11 not be reduced because of this provision.

12 (g) The maximum salary for each grade is determined by
13 subtracting the entry salary from the market salary and
14 adding that amount to the market salary.

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

20 (3) The pay schedules provided in 2-18-313 through
21 2-18-315 must be implemented as follows:

22 (a) (i) The pay schedules provided for in 2-18-313
23 indicate the annual compensation for the contracted school
24 term for teachers employed under the authority of the
25 department of corrections and human services or the

1 department of family services for fiscal years 1992 1994 and
2 1993 1995.

3 (ii) The compensation of each teacher on the first day
4 of the first pay period in July 1991 1993 is that amount
5 corresponding to determined by the teacher's level of
6 academic achievement and years of experience the step
7 occupied on June 30, 1993 YEARS OF EXPERIENCE.

8 (iii) ~~On The compensation of each teacher on~~ ON the
9 first day of the first pay period of each fiscal year, each
10 teacher shall advance one step on the appropriate pay
11 schedule adopted in 2-18-313 in July 1994 is determined by
12 the teacher's level of academic achievement and the step
13 occupied on June 30, 1994 OF EACH FISCAL YEAR, EACH TEACHER
14 SHALL ADVANCE ONE STEP ON THE APPROPRIATE PAY SCHEDULE
15 ADOPTED IN 2-18-313.

16 (IV) ON THE FIRST DAY OF THE FIRST PAY PERIOD OF EACH
17 FISCAL YEAR, EACH TEACHER EMPLOYED BY THE MONTANA SCHOOL FOR
18 THE DEAF AND BLIND SHALL ADVANCE ONE STEP ON THE TEACHER PAY
19 MATRIX USED BY THE SCHOOL.

20 (b) (i) The pay schedules provided in 2-18-314 indicate
21 the maximum hourly compensation for fiscal years ending June
22 30, 1992 1994, and June 30, 1993 1995, for those employees
23 in liquor store occupations who have collectively bargained
24 separate classification and pay plans.

25 (ii) The compensation of each employee on the first day

1 of the first pay period in fiscal year ~~1992~~ 1994 or ~~1993~~
 2 1995 is that amount corresponding to the grade occupied on
 3 the last day of the preceding fiscal year.

4 (c) (i) The pay schedules provided in 2-18-315 indicate
 5 the maximum hourly compensation for fiscal years ending June
 6 30, ~~1992~~ 1994, and June 30, ~~1993~~ 1995, for employees in
 7 apprentice trades and crafts and other blue-collar
 8 occupations recognized in the state blue-collar
 9 classification plan who are members of units that have
 10 collectively bargained separate classification and pay
 11 plans.

12 (ii) The compensation of each employee on the first day
 13 of the first pay period in fiscal year ~~1992~~ 1994 or ~~1993~~
 14 1995 is that amount corresponding to the grade occupied on
 15 the last day of the preceding fiscal year.

16 ~~(4)--(a)-(i)-A-member--of--a--bargaining--unit--may--not~~
 17 ~~receive---the---amounts---indicated---in---the---respective---pay~~
 18 ~~schedules-provided-in-2-18-312-through--2-18-315--until--the~~
 19 ~~bargaining--unit--of--which he the--employee is--a-member~~
 20 ~~ratifies--a--completely--integrated--collective---bargaining~~
 21 ~~agreement-covering-the-biennium-ending-June-30, 1993 1995.~~

22 ~~(ii)-If--negotiation--and--ratification--of--a--completely~~
 23 ~~integrated-collective-bargaining-agreement--as--required--by~~
 24 ~~subsection-(4)(a)(i)-are-not-completed-by-July-1, 1991 1993,~~
 25 ~~retroactivity-to-that-date-may-be-negotiated.~~

1 ~~(iii)-if--negotiation--and--ratification--of--a--completely~~
 2 ~~integrated-collective-bargaining-agreement--as--required--by~~
 3 ~~subsection-(4)(a)(i)-are-not-completed-by-July-1, 1991 1993,~~
 4 ~~members--of--the--bargaining--unit-involved-must-continue-to~~
 5 ~~receive-the-compensation-they-were-receiving-as-of-June--30,~~
 6 ~~1991 1993.~~

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

11 ~~(5)(4)~~ The current wage or salary of an employee may
 12 not be reduced by the implementation of the pay schedules
 13 provided for in 2-18-312 through 2-18-315.

14 ~~(6)(5)~~ The department may authorize a separate pay
 15 schedule for medical doctors if the rates provided in
 16 2-18-312 are not sufficient to attract and retain fully
 17 licensed and qualified physicians at the state institutions.

18 ~~(7)(6)~~ The department may develop programs that enable
 19 the department to mitigate problems associated with
 20 difficult recruitment, retention, transfer, or other
 21 exceptional circumstances. Insofar as the program may apply
 22 to employees within a collective bargaining unit, it is a
 23 negotiable subject under 39-31-305. ~~To-maintain-the-internal~~
 24 ~~equity-of-the-statewide-pay-plan-provided--for--in--2-18-312~~
 25 ~~and--subsection--(1)--of--this--section,--when-a-majority-of~~

1 registered-nurses-classified-under-the-provisions-of-part--2
 2 of--this--chapter--have--been--granted--a-pay-plan-exception
 3 through-a-collectively-bargained-agreement,-then--all--other
 4 classified--registered--nurses,-including-those-employed-in
 5 the-university-system,-must-be-paid-a-salary--equivalent--to
 6 the--salary--negotiated--in-the-negotiated-agreement,-except
 7 that-in-no-case-may-the-salary-of--a--classified--registered
 8 nurse-be-reduced-by-this-provision-

9 (8)(7) The department shall review the competitiveness
 10 of the compensation provided to all occupations under this
 11 part. If the department finds that substantial problems
 12 exist with recruitment and retention because of inadequate
 13 salaries when compared to competing employers, the
 14 department may establish criteria allowing an adjustment in
 15 pay or classification to mitigate the problems. Insofar as
 16 these adjustments may apply to employees within a collective
 17 bargaining unit, the implementation of these adjustments is
 18 a negotiable subject under 39-31-305."

19 **SECTION 3. SECTION 2-18-304, MCA, IS AMENDED TO READ:**

20 *2-18-304. Longevity allowance. (1) (a) In addition to
 21 the compensation provided for in 2-18-312, 2-18-313,
 22 2-18-314, or 2-18-315, each employee who has completed 5 at
 23 least 3 years of uninterrupted state service shall must
 24 receive, beginning the first full pay period in January
 25 1995, the greater of:

1 (i)--\$10-a-month,-or
 2 (ii)--9/10-of-10-of-the-employee's-base-salary 25 cents
 3 an hour multiplied by the number of completed, contiguous
 4 5-year 3-year periods of uninterrupted state service. For
 5 fiscal year 1995 only, an employee may not receive more than
 6 \$1 per hour in longevity pay.

7 (b) Service to the state is not interrupted by
 8 authorized leaves of absence.

9 (c) Longevity is part of the base for calculating
 10 market progression.

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

14 (i) 2,080 hours of service following his the employee's
 15 date of employment; an employee must be credited with 80
 16 hours of service for each biweekly pay period in which he
 17 the employee is in a pay status or on an authorized leave of
 18 absence without pay, regardless of the number of hours of
 19 service in the pay period; or

20 (ii) 12 uninterrupted calendar months following his the
 21 employee's date of employment in which he the employee was
 22 in a pay status or on an authorized leave of absence without
 23 pay, regardless of the number of hours of service in any one
 24 month. An employee of a school at a state institution or-the
 25 university-system must be credited with 1 year of service if

1 he the employee is employed for an entire academic year.

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

6 **Section 4.** Section 2-18-305, MCA, is amended to read:

7 **"2-18-305. Allocation between wages and group benefits.**

8 (1) The dollar amounts shown in the respective pay schedules
9 provided in 2-18-313, 2-18-314, and 2-18-315 represent the
10 maximum amount allocated by the state for wages and group
11 benefits, exclusive of longevity as defined in 2-18-304 for
12 an employee covered by a pay schedule provided in 2-18-313,
13 2-18-314, or 2-18-315.

14 (2) Except as provided in subsection (4), the amount
15 specifically allocated for group benefits must be determined
16 by 2-18-703.

17 (3) (a) An employee covered under the pay schedules
18 provided in 2-18-312 who elects not to be covered by a state
19 employee group benefit plan under the provisions of 2-18-703
20 must receive as wages his the employee's base salary,
21 including adjustments provided in 2-18-303(1)(c) through
22 ~~(1)(e)~~ (1)(d) and 2-18-304.

23 (b) An employee covered under the pay schedules
24 provided in 2-18-313, 2-18-314, or 2-18-315 who elects not
25 to be covered by a state employee group benefit plan shall,

1 under the provisions of 2-18-703, receive as wages the
2 amount shown in the appropriate pay schedule less the state
3 contribution for group benefits as determined by 2-18-703.

4 (4) Employees may, through collective bargaining,
5 determine the allocation between wages and group benefits,
6 except that in no case may the group benefits allocation be
7 less than the amounts provided in 2-18-703."

8 **Section 5.** Section 2-18-312, MCA, is amended to read:

9 **"2-18-312. Statewide pay schedules for fiscal years**
10 **1992 1994 and 1993 1995.** (1) The statewide classification
11 pay schedule for fiscal year 1992 1994 is as follows:

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

14 Pay Range: Entry Salary to Market Salary

15 GRADE	ENTRY SALARY	MARKET SALARY
16 -1	-07426	-97913
17 -2	-97077	107704
18 -3	-97777	117557
19 -4	107536	127404
20 -5	117305	137222
21 -6	127303	147647
22 -7	137209	157850
23 -8	147404	177230
24 -9	157596	187701
25 10	167916	207332

1	<u>11</u>	<u>10,353</u>	<u>22,112</u>
2	<u>12</u>	<u>19,946</u>	<u>24,090</u>
3	<u>13</u>	<u>21,674</u>	<u>26,240</u>
4	<u>14</u>	<u>23,580</u>	<u>28,626</u>
5	<u>15</u>	<u>25,694</u>	<u>31,250</u>
6	<u>16</u>	<u>28,044</u>	<u>34,200</u>
7	<u>17</u>	<u>30,665</u>	<u>37,400</u>
8	<u>18</u>	<u>33,555</u>	<u>41,122</u>
9	<u>19</u>	<u>36,793</u>	<u>45,201</u>
10	<u>20</u>	<u>40,406</u>	<u>49,761</u>
11	<u>21</u>	<u>44,421</u>	<u>54,841</u>
12	<u>22</u>	<u>48,986</u>	<u>60,527</u>
13	<u>23</u>	<u>53,965</u>	<u>66,954</u>
14	<u>24</u>	<u>59,645</u>	<u>74,105</u>
15	<u>25</u>	<u>65,930</u>	<u>82,206</u>
16	<u>1</u>	<u>8,679</u>	<u>10,210</u>
17	<u>2</u>	<u>9,349</u>	<u>11,025</u>
18	<u>3</u>	<u>10,070</u>	<u>11,903</u>
19	<u>4</u>	<u>10,852</u>	<u>12,858</u>
20	<u>5</u>	<u>11,727</u>	<u>13,927</u>
21	<u>6</u>	<u>12,672</u>	<u>15,086</u>
22	<u>7</u>	<u>13,688</u>	<u>16,334</u>
23	<u>8</u>	<u>14,836</u>	<u>17,747</u>
24	<u>9</u>	<u>16,064</u>	<u>19,262</u>
25	<u>10</u>	<u>17,424</u>	<u>20,942</u>

1	<u>11</u>	<u>18,904</u>	<u>22,775</u>
2	<u>12</u>	<u>20,545</u>	<u>24,812</u>
3	<u>13</u>	<u>22,325</u>	<u>27,027</u>
4	<u>14</u>	<u>24,295</u>	<u>29,485</u>
5	<u>15</u>	<u>26,465</u>	<u>32,196</u>
6	<u>16</u>	<u>28,885</u>	<u>35,226</u>
7	<u>17</u>	<u>31,585</u>	<u>38,613</u>
8	<u>18</u>	<u>34,562</u>	<u>42,355</u>
9	<u>19</u>	<u>37,897</u>	<u>46,557</u>
10	<u>20</u>	<u>41,618</u>	<u>51,254</u>
11	<u>21</u>	<u>45,754</u>	<u>56,487</u>
12	<u>22</u>	<u>50,373</u>	<u>62,343</u>
13	<u>23</u>	<u>55,584</u>	<u>68,963</u>
14	<u>24</u>	<u>61,434</u>	<u>76,410</u>
15	<u>25</u>	<u>67,907</u>	<u>84,673</u>
16	(2) The statewide classification pay schedule for		
17	fiscal year 1993 1995 is as follows:		
18	Annual Hours -- 2080	Note: Does Not Include Insurance	
19	Pay Matrix -- State	Matrix Type -- Annual	
20	Pay Range: Entry Salary to Market Salary		
21	GRADE	ENTRY SALARY	MARKET SALARY
22	1	8,679	10,210
23	2	9,349	11,025
24	3	10,070	11,903
25	4	10,852	12,858

1	5	11,727	13,927
2	6	12,672	15,086
3	7	13,688	16,334
4	8	14,836	17,747
5	9	16,064	19,262
6	10	17,424	20,942
7	11	18,904	22,775
8	12	20,545	24,812
9	13	22,325	27,027
10	14	24,295	29,485
11	15	26,465	32,196
12	16	28,885	35,226
13	17	31,585	38,613
14	18	34,562	42,355
15	19	37,897	46,557
16	20	41,618	51,254
17	21	45,754	56,487
18	22	50,373	62,343
19	23	55,584	68,963
20	24	61,434	76,410
21	25	67,907	84,673"

22 **Section 6.** Section 2-18-313, MCA, is amended to read:

23 "2-18-313. Teachers' pay schedules. (1) (a) The
24 12-month pay schedule for teachers for fiscal year ~~1992~~ 1994
25 is as follows:

1	Annual Hours -- 2080						Note: Includes Insurance
2	Term -- Twelve Months						Matrix Type -- Annual
3	Education Level						
4	STEP	BA	BA+1	BA+2	BA+3	MA MA+1	
5	-1	237516	247175	247817	257138	257461 267128	
6	-2	247271	247987	257704	267063	267426 277169	
7	-3	257026	257817	267599	277013	277427 287242	
8	-4	257782	267668	277525	277982	287438 297312	
9	-5	267542	277525	287457	287952	297458 307384	
10	-6	277338	287401	297392	297926	307462 317456	
11	-7	287128	297278	307321	307897	317471 327524	
12	-8	287914	307143	317257	317871	327485 337594	
13	-9	297787	317814	327189	327841	337498 347665	
14	10	307588	317898	337128	337813	347587 357737	
15	11	317295	327732	347849	347784	357519 367886	
16	12	317295	327732	347849	347784	357519 367886	
17	13	317295	327732	347849	347784	357519 367886	
18	1	24,932	25,591	26,233	26,554	26,877 27,536	
19	2	25,687	26,403	27,120	27,479	27,842 28,585	
20	3	26,442	27,233	28,015	28,429	28,843 29,658	
21	4	27,198	28,076	28,941	29,398	29,854 30,728	
22	5	27,958	28,941	29,873	30,368	30,866 31,800	
23	6	28,746	29,817	30,808	31,342	31,878 32,872	
24	7	29,536	30,686	31,737	32,313	32,887 33,940	
25	8	30,330	31,559	32,673	33,287	33,901 35,010	

1	<u>9</u>	<u>31,123</u>	<u>32,430</u>	<u>33,605</u>	<u>34,257</u>	<u>34,914</u>	<u>36,081</u>
2	<u>10</u>	<u>31,916</u>	<u>33,306</u>	<u>34,536</u>	<u>35,229</u>	<u>35,923</u>	<u>37,153</u>
3	<u>11</u>	<u>32,711</u>	<u>34,148</u>	<u>35,465</u>	<u>36,200</u>	<u>36,935</u>	<u>38,222</u>
4	<u>12</u>	<u>32,711</u>	<u>34,148</u>	<u>35,465</u>	<u>36,200</u>	<u>36,935</u>	<u>38,222</u>
5	<u>13</u>	<u>32,711</u>	<u>34,148</u>	<u>35,465</u>	<u>36,200</u>	<u>36,935</u>	<u>38,222</u>

1	<u>2</u>	<u>20,981</u>	<u>21,547</u>	<u>22,114</u>	<u>22,397</u>	<u>22,682</u>	<u>23,248</u>
2	<u>3</u>	<u>21,577</u>	<u>22,202</u>	<u>22,815</u>	<u>23,310</u>	<u>23,442</u>	<u>24,054</u>
3	<u>4</u>	<u>22,176</u>	<u>22,861</u>	<u>23,516</u>	<u>23,860</u>	<u>24,203</u>	<u>24,860</u>
4	<u>5</u>	<u>22,771</u>	<u>23,516</u>	<u>24,217</u>	<u>24,590</u>	<u>24,964</u>	<u>25,667</u>
5	<u>6</u>	<u>23,369</u>	<u>24,175</u>	<u>24,921</u>	<u>25,322</u>	<u>25,725</u>	<u>26,473</u>
6	<u>7</u>	<u>23,963</u>	<u>24,828</u>	<u>25,620</u>	<u>26,053</u>	<u>26,485</u>	<u>27,277</u>
7	<u>8</u>	<u>24,561</u>	<u>25,486</u>	<u>26,294</u>	<u>26,785</u>	<u>27,248</u>	<u>28,082</u>
8	<u>9</u>	<u>25,158</u>	<u>26,141</u>	<u>27,025</u>	<u>27,516</u>	<u>28,009</u>	<u>28,903</u>
9	<u>10</u>	<u>25,755</u>	<u>26,799</u>	<u>27,726</u>	<u>28,246</u>	<u>28,781</u>	<u>29,752</u>
10	<u>11</u>	<u>26,352</u>	<u>27,434</u>	<u>28,428</u>	<u>28,997</u>	<u>29,579</u>	<u>30,595</u>
11	<u>12</u>	<u>26,352</u>	<u>27,434</u>	<u>28,428</u>	<u>28,997</u>	<u>29,579</u>	<u>30,595</u>
12	<u>13</u>	<u>26,352</u>	<u>27,434</u>	<u>28,428</u>	<u>28,997</u>	<u>29,579</u>	<u>30,595</u>

(b) The 9-month pay schedule for teachers for fiscal year 1992 1994 is as follows:

Annual Hours -- 1560 Note: Includes Insurance
Term -- Nine Months Matrix Type -- Annual

Education Level							
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1	
12	-1	19,262	19,770	20,291	20,545	20,800	21,321
13	-2	19,859	20,425	20,992	21,275	21,560	22,126
14	-3	20,455	21,080	21,693	22,008	22,320	22,932
15	-4	21,054	21,739	22,394	22,738	23,081	23,738
16	-5	21,649	22,394	23,095	23,468	23,842	24,545
17	-6	22,247	23,053	23,799	24,280	24,683	25,351
18	-7	22,841	23,786	24,498	24,931	25,363	26,155
19	-8	23,439	24,364	25,282	25,663	26,126	26,960
20	-9	24,036	25,019	25,983	26,394	26,887	27,781
21	10	24,633	25,677	26,684	27,124	27,659	28,638
22	11	25,230	26,312	27,386	27,875	28,457	29,473
23	12	25,230	26,312	27,386	27,875	28,457	29,473
24	13	25,230	26,312	27,386	27,875	28,457	29,473
25	1	20,384	20,892	21,413	21,667	21,922	22,443

(2) -- (a) -- The 12-month pay schedule for teachers for the first 6 months of fiscal year 1993 is as follows:

Annual Hours --- 2080 Note: includes insurance
Term --- Twelve Months Matrix Type --- Annual

Education Level							
STEP	BA	BA+1	BA+2	BA+3	MA	MA+1	
18	-1	24,276	24,935	25,577	25,898	26,221	26,880
19	-2	25,031	25,747	26,464	26,823	27,186	27,929
20	-3	25,786	26,577	27,359	27,773	28,187	29,082
21	-4	26,542	27,420	28,285	28,742	29,198	30,172
22	-5	27,302	28,285	29,217	29,712	30,218	31,244
23	-6	28,098	29,161	30,152	30,686	31,222	32,218
24	-7	28,888	30,038	31,081	31,657	32,211	33,284

1	-8	297674	307983	327017	327631	337245	347354
2	-9	307467	317774	327949	337601	347258	357425
3	10	317260	327650	337880	347573	357267	367497
4	11	327055	337492	347809	357544	367279	377566
5	12	327055	337492	347809	357544	367279	377566
6	13	327055	337492	347809	357544	367279	377566
7	(b)--The 9-month pay schedule for teachers for the first						
8	6-months of fiscal year 1993 is as follows:						
9	Annual Hours	----1560		Note:	--Includes Insurance		
10	Term	----Nine Months		Matrix Type	----Annual		
11	Education Level						
12	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
13	-1	197892	207408	207921	217175	217438	217951
14	-2	207489	217055	217622	217905	227190	227756
15	-3	217085	217710	227323	227638	227950	237562
16	-4	217684	227369	237024	237368	237711	247368
17	-5	227279	237024	237725	247098	247472	257175
18	-6	227877	237683	247429	247830	257233	257981
19	-7	237471	247336	257128	257561	257993	267785
20	-8	247069	247994	257832	267293	267756	277590
21	-9	247666	257649	267533	277024	277517	287411
22	10	257263	267307	277234	277754	287289	297260
23	11	257860	267942	277936	287505	297087	307103
24	12	257860	267942	277936	287505	297087	307103
25	13	257860	267942	277936	287505	297087	307103

1	(3)(2)	(a) The 12-month pay schedule for teachers for					
2	the last 6 months of fiscal year 1993 1995 is as follows:						
3	Annual Hours	-- 2080		Note:	Includes Insurance		
4	Term	-- Twelve Months		Matrix Type	-- Annual		
5	Education Level						
6	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
7	-1	247692	257351	257993	267314	267637	277296
8	-2	257447	267163	267880	277239	277602	287345
9	-3	267282	267993	277775	287109	287683	297418
10	-4	267958	277836	287781	297158	297614	307488
11	-5	277718	287701	297633	307128	307626	317560
12	-6	287586	297577	307568	317102	317638	327632
13	-7	297296	307446	317497	327073	327647	337700
14	-8	307098	317319	327433	337047	337661	347770
15	-9	307883	327198	337365	347017	347674	357841
16	10	317676	337866	347296	347989	357683	367913
17	11	327471	337988	357225	357968	367695	377982
18	12	327471	337988	357225	357968	367695	377982
19	13	327471	337988	357225	357968	367695	377982
20	<u>1</u>	<u>25,172</u>	<u>25,831</u>	<u>26,473</u>	<u>26,794</u>	<u>27,117</u>	<u>27,776</u>
21	<u>2</u>	<u>25,927</u>	<u>26,643</u>	<u>27,360</u>	<u>27,719</u>	<u>28,082</u>	<u>28,825</u>
22	<u>3</u>	<u>26,682</u>	<u>27,473</u>	<u>28,255</u>	<u>28,669</u>	<u>29,083</u>	<u>29,898</u>
23	<u>4</u>	<u>27,438</u>	<u>28,316</u>	<u>29,181</u>	<u>29,638</u>	<u>30,094</u>	<u>30,968</u>
24	<u>5</u>	<u>28,198</u>	<u>29,181</u>	<u>30,113</u>	<u>30,608</u>	<u>31,106</u>	<u>32,040</u>
25	<u>6</u>	<u>28,986</u>	<u>30,057</u>	<u>31,048</u>	<u>31,582</u>	<u>32,118</u>	<u>33,112</u>

1	7	29,776	30,926	31,977	32,553	33,127	34,180
2	8	30,570	31,799	32,913	33,527	34,141	35,250
3	9	31,363	32,670	33,845	34,497	35,154	36,321
4	10	32,156	33,546	34,776	35,469	36,163	37,393
5	11	32,951	34,388	35,705	36,440	37,175	38,462
6	12	32,951	34,388	35,705	36,440	37,175	38,462
7	13	32,951	34,388	35,705	36,440	37,175	38,462

1	13	26,172	27,254	28,248	28,817	29,399	30,415
2	1	20,564	21,072	21,593	21,847	22,102	22,623
3	2	21,161	21,727	22,294	22,577	22,862	23,428
4	3	21,757	22,382	22,995	23,310	23,622	24,234
5	4	22,356	23,041	23,696	24,040	24,383	25,040
6	5	22,951	23,696	24,397	24,770	25,144	25,847
7	6	23,549	24,355	25,101	25,502	25,905	26,653
8	7	24,143	25,008	25,800	26,233	26,665	27,457
9	8	24,741	25,666	26,474	26,965	27,428	28,262
10	9	25,338	26,321	27,205	27,696	28,189	29,083
11	10	25,935	26,979	27,906	28,426	28,961	29,932
12	11	26,532	27,614	28,608	29,177	29,759	30,775
13	12	26,532	27,614	28,608	29,177	29,759	30,775
14	13	26,532	27,614	28,608	29,177	29,759	30,775"

8 (b) The 9-month pay schedule for teachers for the last
 9 6-months-of fiscal year 1993 1995 is as follows:

10 Annual Hours -- 1560 Note: Includes Insurance
 11 Term -- Nine Months Matrix Type -- Annual
 12 Education Level

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1	
13							
14	-1	20,7204	20,7712	21,7233	21,7487	21,7742	22,2263
15	-2	20,7801	21,7367	21,7934	22,7217	22,7502	23,0660
16	-3	21,7397	22,7022	22,7635	22,7950	23,7262	23,874
17	-4	21,7996	22,7681	23,7336	23,7600	24,7023	24,7600
18	-5	22,7591	23,7336	24,7037	24,7410	24,7704	25,7487
19	-6	23,7189	23,7995	24,7741	25,7142	25,7545	26,7293
20	-7	23,7783	24,7648	25,7440	25,7873	26,7305	27,7097
21	-8	24,7381	25,7306	26,7144	26,7605	27,7060	27,7902
22	-9	24,7978	25,7961	26,7845	27,7336	27,7829	28,7723
23	10	25,7575	26,7619	27,7546	28,7066	28,7601	29,7572
24	11	26,7172	27,7254	28,7248	28,7817	29,7399	30,7415
25	12	26,7172	27,7254	28,7248	28,7817	29,7399	30,7415

15 **Section 7.** Section 2-18-314, MCA, is amended to read:
 16 *2-18-314. Liquor store occupations pay schedules. (1)
 17 The pay schedule for liquor store occupations for fiscal
 18 year 1992 1994 is as follows:

Annual Hours -- 2080	Note: With Insurance
Pay Matrix -- Retail Clerk	Matrix Type -- Hourly
Grade	\$/Hour
19	
20	
21	
22	W/Ins.
23	b1 -0-000
24	b2 -9-140
25	b3 -9-640

1	b4	-9,920
2	b5	10,210
3	b6	10,820
4	b7	11,480
5	b8	12,230

(2) -- (a) The pay schedule for liquor store occupations for the first 6 months of fiscal year 1993 is as follows:

8	Annual Hours --- 2080	Note: With Insurance
9	Pay Matrix --- Retail Clerk	Matrix Type --- Hourly
10	Grade	\$/Hour
11		W/Ins.
12	b1	-0.000
13	b2	-9,505
14	b3	10,005
15	b4	10,205
16	b5	10,575
17	b6	11,105
18	b7	11,845
19	b8	12,595
20	L1	0.000
21	L2	9.820
22	L3	10.320
23	L4	10.600
24	L5	10.890
25	L6	11.500

1	L7	12.160
2	L8	12.910

(b)(2) The pay schedule for liquor store occupations for the last 6 months of fiscal year 1993 1995 is as follows:

6	Annual Hours -- 2080	Note: With Insurance
7	Pay Matrix -- Retail Clerk	Matrix Type -- Hourly
8	Grade	\$/Hour
9		W/Ins.
10	b1	-0.000
11	b2	-9,705
12	b3	10,205
13	b4	10,405
14	b5	10,775
15	b6	11,305
16	b7	12,045
17	b8	12,795
18	L1	0.000
19	L2	9.935
20	L3	10.435
21	L4	10.715
22	L5	11.005
23	L6	11.615
24	L7	12.275
25	L8	13.025"

Section 8. 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 1992 1994 is as follows:

Annual Hours -- 2080	Note: With Insurance
Pay Matrix -- Blue-Collar	Matrix Type -- Hourly
Grade	\$/Hour
	W/Ins.
B1	9.615
B2	10.015
B3	10.415
B4	10.815
B5	11.215
B6	11.615
B7	12.015
B8	12.415
B9	12.815
B10	13.215
B11	13.615
B12	14.015
B00	14.415
<u>B1</u>	<u>10.295</u>
<u>B2</u>	<u>10.695</u>
<u>B3</u>	<u>11.095</u>
<u>B4</u>	<u>11.495</u>

1	<u>B5</u>	<u>11.895</u>
2	<u>B6</u>	<u>12.295</u>
3	<u>B7</u>	<u>12.695</u>
4	<u>B8</u>	<u>13.095</u>
5	<u>B9</u>	<u>13.495</u>
6	<u>B10</u>	<u>13.895</u>
7	<u>B11</u>	<u>14.295</u>
8	<u>B12</u>	<u>14.695</u>
9	<u>B00</u>	<u>15.095</u>

(2) The pay schedule for blue-collar workers for the first 6 months of fiscal year 1993 is as follows:

Annual Hours --- 2080	Note: With Insurance
Pay Matrix --- Blue-Collar	Matrix Type --- Hourly
Grade	\$/Hour
	W/Ins.
B1	9.900
B2	10.300
B3	10.700
B4	11.100
B5	11.500
B6	11.900
B7	12.300
B8	12.700
B9	13.100
B10	13.500

1	B11	13-900
2	B12	14-300
3	B00	14-700
4	†3†(2) The pay schedule for blue-collar workers for the	
5	last-6-months-of fiscal year 1993 1995 is as follows:	
6	Annual Hours -- 2080	Note: With Insurance
7	Pay Matrix -- Blue-Collar	Matrix Type -- Hourly
8	Grade	\$/Hour
9		W/Ins.
10	B1	10-100
11	B2	10-500
12	B3	10-900
13	B4	11-300
14	B5	11-700
15	B6	12-100
16	B7	12-500
17	B8	12-900
18	B9	13-300
19	B10	13-700
20	B11	14-100
21	B12	14-500
22	B00	14-900
23	B1	10.410
24	B2	10.810
25	B3	11.210

1	B4	11.610
2	B5	12.010
3	B6	12.410
4	B7	12.810
5	B8	13.210
6	B9	13.610
7	B10	14.010
8	B11	14.410
9	B12	14.810
10	B00	15.210"

SECTION 9. SECTION 2-18-622, MCA, IS AMENDED TO READ:

"2-18-622. Reduction in force -- severance pay and retraining allowance required. (1) If a reduction in force is necessary, the state may shall provide severance pay, as provided in subsection (2), and may provide a retraining allowance. Within a collective bargaining unit, severance pay and the retraining allowance are negotiable subjects under 39-31-305.

(2) A state employee whose employment is terminated because of a reduction in force is entitled to 1 week of severance pay for each year the employee has been employed by the state, not to exceed a total of 2 weeks of severance pay. Payment of the severance pay is to be made in a lump sum to the employee on the employee's termination date."

Section 10. Section 2-18-703, MCA, is amended to read:

1 ***2-18-703. Contributions.** (1) Each agency, as defined
2 in 2-18-601, shall contribute the amount specified in this
3 section towards the group benefits cost.

4 (2) For employees defined in 2-18-701, other than
5 members of collective bargaining units, and for members of
6 the legislature, the employer contribution for group
7 benefits shall be ~~\$170~~ \$210 per month for the fiscal year
8 ending June 30, ~~1992~~ 1994, and ~~\$190~~ \$230 per month for the
9 fiscal year ending June 30, ~~1993~~ 1995, and for each fiscal
10 year thereafter. When a state employee is terminated to
11 achieve a reduction in force, the continuation of
12 contributions for group benefits beyond the termination date
13 is subject to negotiation under 39-31-305. Permanent
14 part-time, seasonal part-time, and temporary part-time
15 employees who are regularly scheduled to work less than 20
16 hours a week are not eligible for the group benefit
17 contribution. An employee who elects not to be covered by a
18 state-sponsored group benefit plan may not receive the state
19 contribution as wages. A portion of the employer
20 contribution for group benefits may be applied to an
21 employee's costs for participation in Part B of medicare
22 under Title XVIII of the Social Security Act of 1965, as
23 amended, if the state group benefit plan is the secondary
24 payer and medicare the primary payer.

25 (3) For employees of elementary and high school

1 districts and of local government units, the employer's
2 premium contributions may exceed but may not be less than
3 \$10 per month.

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

9 (5) Unused employer contributions for any government
10 employee may be transferred to an account established for
11 this purpose by a self-insured government and upon transfer
12 may be used to offset losses occurring to the group of which
13 the employee is eligible to be a member or to increase the
14 reserves of the group."

15 **Section 11.** Section 2-6-110, MCA, is amended to read:

16 ***2-6-110. Electronic information -- public access.** (1)
17 Except as provided by law, each person is entitled to a copy
18 of information compiled, created, or otherwise in the
19 custody of public agencies that is in electronic format,
20 subject to the same restrictions applicable to the
21 information in printed form. All restrictions relating to
22 confidentiality, privacy, business secrets, and copyright
23 are applicable to the electronic information.

24 (2) Except as provided by law, an agency may charge a
25 fee, not to exceed:

1 (a) the agency's actual cost of purchasing the
2 electronic media used for transferring data, if the person
3 requesting the information does not provide the media; or

4 (b) expenses incurred by the agency as a result of
5 mainframe processing charges or other out-of-pocket expenses
6 directly associated with the request for information.

7 (3) An agency may also charge an hourly fee for each
8 hour, or fraction of an hour, after one-half hour of copying
9 service has been provided. The hourly fee may not exceed the
10 hourly rate for the current fiscal year for a state employee
11 classified as grade 10, step--2 market salary, under
12 2-18-312.

13 (4) For the purposes of this section, the term "agency"
14 has the meaning provided in 2-3-102 but includes
15 legislative, judicial, and state military agencies.

16 (5) This section does not authorize the release of
17 electronic security codes giving access to private
18 information."

19 NEW SECTION. Section 12. Appropriation. (1) The
20 following money for the indicated fiscal years is
21 appropriated to the listed agencies to implement [this act]:

	FISCAL 1994		FISCAL 1995	
	General Fund	Other Funds	General Fund	Other Funds
22				
23	Legislative Auditor			
24				
25				
	77315	77925	147630	157050

1		<u>7,096</u>	<u>7,268</u>	<u>147361</u>	<u>147367</u>
2				<u>29,810</u>	<u>20,440</u>
3	Legislative Fiscal Analyst				
4		<u>47000</u>	-0-	<u>07160</u>	-0-
5		<u>3,602</u>		<u>77205</u>	
6				<u>14,956</u>	
7	Legislative Council				
8		<u>77379</u>	<u>27934</u>	<u>197627</u>	<u>37400</u>
9		<u>6,240</u>	<u>3,108</u>	<u>157499</u>	<u>37197</u>
10				<u>32,173</u>	<u>4,548</u>
11	Environmental Quality Council				
12		<u>17620</u>	60	<u>37240</u>	<u>120</u>
13		<u>1,466</u>	0	<u>27932</u>	0
14				<u>6,068</u>	
15	Consumer Counsel				
16		-0-	<u>17260</u>	-0-	<u>27520</u>
17			<u>1,140</u>		<u>27200</u>
18					<u>3,244</u>
19	Judiciary				
20		<u>197560</u>	<u>27640</u>	<u>397120</u>	<u>57200</u>
21		<u>18,240</u>	<u>2,508</u>	<u>367400</u>	<u>57016</u>
22				<u>75,725</u>	<u>7,136</u>
23	<u>MONTANA UNIVERSITY SYSTEM</u>				
24		<u>605,746</u>	<u>293,708</u>	<u>172117491</u>	<u>5007705</u>
25				<u>2,514,796</u>	<u>837,649</u>

1 Office of Budget and Program Planning for Distribution to
2 All Other Agencies

3	<u>170797781</u>	<u>175737171</u>	<u>272067710</u>	<u>371617769</u>
4	<u>9857094</u>	<u>1,538,072</u>	<u>177947223</u>	<u>370967075</u>
5	<u>963,220</u>		<u>179107475</u>	<u>4,404,704</u>
6			<u>3,830,979</u>	

7 (2) THE APPROPRIATION TO THE MONTANA UNIVERSITY SYSTEM
8 INCLUDES FUNDING FOR UNIVERSITY SYSTEM UNITS AS DEFINED IN
9 17-7-102(16).

10 NEW SECTION. SECTION 13. COORDINATION INSTRUCTION. IF
11 [THIS ACT] IS PASSED AND APPROVED AND IF IT INCLUDES A
12 SECTION THAT AMENDS 2-18-622 TO PROVIDE FOR LUMP-SUM
13 SEVERANCE PAY FOR STATE EMPLOYEES, THEN SECTIONS 44, 112,
14 AND 158 OF SENATE BILL NO. 385 [CHAPTER 265, LAWS OF 1993]
15 ARE AMENDED AS FOLLOWS:

16 Section 44. Definitions. Unless the context requires
17 otherwise, as used in this chapter, the following
18 definitions apply:

19 (1) "Compensation" means remuneration paid out of funds
20 controlled by an employer. Compensation does not include the
21 payments or contributions made in lieu of wages for an
22 individual subject to 19-3-403(4)(a).

23 (2) "Contracting employer" means any political
24 subdivision or governmental entity that has contracted to
25 come into the system under this chapter.

1 (3) "Employer" means the state of Montana, its
2 university system or any of the colleges, schools,
3 components, or units of the university system for the
4 purposes of this chapter, or any contracting employer.

5 (4) "Employer contributions" means payments to the
6 pension trust fund pursuant to 19-3-801 from appropriations
7 of the state of Montana and from contracting employers.

8 (5) "Final average salary", except as provided in
9 19-3-907, means a member's highest average monthly
10 compensation during any 36 consecutive months of membership
11 service. Lump-sum payments for severance pay, sick leave,
12 and annual leave paid to the member upon termination of
13 employment may be used in the calculation of a retirement
14 benefit only to the extent that they are used to replace, on
15 a month-for-month basis, the regular compensation for a
16 month or months included in the calculation of the final
17 average salary. A lump-sum payment may not be added to a
18 single month's compensation.

19 Section 112. Section 19-6-101, MCA, is amended to read:

20 "19-6-101. Definitions. Unless the context requires
21 otherwise, the following definitions apply in this chapter:

22 (1) ~~"Account" means the Montana highway patrol~~
23 ~~officers' retirement pension trust fund.~~

24 (2) ~~"Accumulated deductions" means the total of the~~
25 ~~amounts deducted from the salary of a member, paid into the~~

1 ~~account, and standing to his credit in the account, together~~
2 ~~with the regular interest thereon.~~

3 ~~{3}--"Actuarial equivalent" means a benefit of equal~~
4 ~~value when computed on the basis of the 1971 Group Annuity~~
5 ~~Mortality Table, with ages set back 4 years and an interest~~
6 ~~rate of 8% compounded annually.~~

7 ~~{4}--"Beneficiary" means a surviving spouse or dependent~~
8 ~~child or, if there is no surviving spouse or dependent~~
9 ~~child, a person nominated to receive benefits under~~
10 ~~19-6-602.~~

11 ~~{5}--"Board" means the public employees' retirement~~
12 ~~board provided for in 2-15-1009.~~

13 ~~{6}--"Department" means the public employees' retirement~~
14 ~~division of the department of administration.~~

15 ~~(1) "Compensation" means remuneration paid for services~~
16 ~~to a member out of funds controlled by an employer before~~
17 ~~any deductions have been made and exclusive of maintenance,~~
18 ~~allowances, and expenses.~~

19 ~~{7}{2} "Dependent child" means an unmarried child of a~~
20 ~~deceased retired patrol officer member, who is:~~

21 ~~(a) under 18 years of age; or~~

22 ~~(b) under 24 years of age and attending an accredited~~
23 ~~postsecondary educational institution as a full-time student~~
24 ~~in anticipation of receiving a certificate or degree.~~

25 ~~{8}{3} "Final average salary" means the average annual~~

1 ~~monthly compensation received by a member, before any~~
2 ~~deductions have been made and exclusive of maintenance,~~
3 ~~allowances, and expenses, for any 3 years of continuous~~
4 ~~service upon which contributions have been made or, in the~~
5 ~~event a member has not served 3 years, the total~~
6 ~~compensation earned divided by the number of years months~~
7 ~~served. Lump-sum payments for severance pay, sick leave, and~~
8 ~~annual leave paid to an employee upon termination of~~
9 ~~employment service may be used in the calculation of a~~
10 ~~retirement allowance benefit only to the extent that they~~
11 ~~are used to replace, on a month-for-month month-for-month~~
12 ~~basis, the normal compensation for a month or months~~
13 ~~included in the calculation of the final average salary. A~~
14 ~~lump-sum payment may not be added to a single month's~~
15 ~~compensation.~~

16 ~~{9}--"Member" means a person who has accumulated~~
17 ~~deductions in the account standing to his credit.~~

18 ~~{10}--"Member's annuity" means payments for life derived~~
19 ~~from contributions made by the member.~~

20 ~~{11}--"Retired patrol officer" means a person in receipt~~
21 ~~of a retirement allowance under this chapter.~~

22 ~~{12}--"Retirement age" means the age at which a member~~
23 ~~retires after 25 years of creditable service with the~~
24 ~~Montana highway patrol.~~

25 ~~{13}--"Retirement allowance" means the state annuity plus~~

1 the-member's-annuity;

2 {14}-"State-annuity"--means--payments--for-life-derived
3 from-contributions-made-by-the-state-of-Montana;

4 {15}(4) "Surviving spouse" means the spouse married to
5 a retired patrol-officer member at the time of the retired
6 patrol-officer's member's death.

7 {5} "Survivor" means a surviving spouse or dependent
8 child of a member."

9 Section 158. Section 19-8-101, MCA, is amended to read:
10 "19-8-101. Definitions. Unless the context requires
11 otherwise, the following definitions apply in this chapter:

12 {1}-"Account"--means--the--Montana--state-game-wardens'
13 retirement-pension-trust-fund;

14 {2}-"Accumulated----deductions"-----or-----"accumulated
15 contributions"--means--the-sum-of-all-contributions-standing
16 to-the-credit-of-a-member's-individual-account-together-with
17 the-regular-interest-thereon;

18 {3}-"Actuarial-equivalent"--means--a--benefit--of--equal
19 value-when-computed-upon-the-basis-of-the-1971-Group-Annuity
20 Mortality--Table--with-ages-set-back-4-years-and-an-interest
21 rate-of-8%--compounded-annually;

22 {4}-"Beneficiary"--means-a-person-nominated--to--receive
23 benefits---under---this---chapter---by---a--member's--written
24 designation--witnessed-and-filed-with-the-board;

25 {5}-"Board"--means--the--public--employees'--retirement

1 board;

2 {6}-"Contributor"--means-any-person-who-has--accumulated
3 deductions-in-the-account-standing-to-his-credit;

4 {1} "Compensation" means remuneration paid for services
5 to a member out of funds controlled by an employer before
6 any deductions are made and exclusive of maintenance,
7 allowances, and expenses.

8 {7}(2) "Final average salary" means the average annual
9 monthly compensation received by a contributor, before any
10 deductions have been made and exclusive of maintenance,
11 allowances, and expenses, member for any 3 years of
12 continuous service upon which contributions have been were
13 made or, in the event a member has not served 3 years, the
14 total retirement compensation earned divided by the number
15 of years months served. Lump-sum payments for severance pay,
16 sick leave, and annual leave paid to an employee upon
17 termination of employment may be used in the calculation of
18 a retirement allowance benefit only to the extent that they
19 are used to replace, on a month-for-month month-for-month
20 basis, the normal compensation for a month or months
21 included in the calculation of the final average salary. A
22 lump-sum payment may not be added to a single month's
23 compensation.

24 {8}-"Member's-annuity"--means-payments-for-life-derived
25 from-contributions-made-by-the-contributor;

1 {9}--"Retired-state-game-warden"--means--any--person--in
2 receipt-of-a-retirement-allowance-under-this-chapter;

3 {10}--"Retirement-allowance"--means-the-state-annuity-plus
4 the-member's-annuity;

5 {11}--"State--annuity"--means--payments--for-life-derived
6 from-contributions-made-by--the--state--from--department--of
7 fish,wildlife-and-parks-moneys;

8 {12}{3} "State game warden" means all a state fish and
9 game wardens warden hired by the department of fish,
10 wildlife, and parks and includes all warden supervisory
11 personnel whose salaries or compensation is paid out of the
12 department of fish, wildlife, and parks moneys money."

13 NEW SECTION. SECTION 14. EFFECTIVE DATES. (1) EXCEPT
14 AS PROVIDED IN SUBSECTION (2), [THIS ACT] IS EFFECTIVE JULY
15 1, 1993.

16 {2} [SECTION 3] IS EFFECTIVE JANUARY 1, 1995.

17 NEW SECTION. SECTION 15. TERMINATION. [SECTION 8 9]
18 TERMINATES JUNE 30, 1995.

-End-

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 198 and recommend as follows:

1. Title, lines 6 and 7.

Following: "LEVELS;"

Strike: "PROVIDING LONGEVITY PAY FOR UNIVERSITY SYSTEM EMPLOYEES;"

2. Title, lines 8 and 9.

Following: "1995;"

Strike: "REVISING THE LONGEVITY ALLOWANCE;"

3. Title, line 13.

Following: "CONDITIONS;"

Insert: "PROVIDING A LIMITATION ON THE CHOICE OF BENEFITS;"

4. Title, line 14.

Following: "2-18-303,"

Strike: "2-18-304,"

5. Page 4, lines 4 through 7.

Following: "in" on line 4

Strike: Remainder of line 4 through "1994" on line 7.

Insert: "January 1995, each employee hired before January 1, 1995, is entitled to the amount of the employee's base salary as it was on December 31, 1994, plus 1.5%"

6. Page 6, line 9.

Following: "the first"

Insert: "complete"

7. Page 6, line 16.

Following: "OF THE FIRST"

Insert: "complete"

8. Page 9, line 19 through page 11, line 5.

Strike: Section 3 in its entirety.

Re-number: subsequent sections.

9. Page 11, line 2.

Strike: "through"

Insert: "and"

10. Page 15, line 24.

Following: "1994"

Insert: "and for the first 6 months of fiscal year 1995"

11. Page 16, line 1.

Following: "Note:"

Strike: "Includes"

Insert: "Does Not Include"

12. Page 16, line 18 through page 17, line 5.

Strike: lines in their entirety

Insert:

"STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	22,412	23,071	23,713	24,034	24,357	
25,016						
2	23,167	23,883	24,600	24,959	25,322	
26,065						
3	23,922	24,713	25,495	25,909	26,323	
27,138						
4	24,678	25,556	26,421	26,878	27,334	
28,208						
5	25,438	26,421	27,353	27,848	28,346	
29,280						
6	26,226	27,297	28,288	28,822	29,358	
30,352						
7	27,016	28,166	29,217	29,793	30,367	
31,420						
8	27,810	29,039	30,153	30,767	31,381	
32,490						
9	28,603	29,910	31,085	31,737	32,394	
33,561						
10	29,396	30,786	32,016	32,709	33,403	
34,633						
11	30,191	31,628	32,945	33,680	34,415	
35,702						
12	30,191	31,628	32,945	33,680	34,415	
35,702						
13	30,191	31,628	32,945	33,680	34,415	
35,702"						

13. Page 17, line 7.

Following: "1994"

Insert: "and for the first 6 months of fiscal year 1995"

14. Page 17, line 8.

Following: "Note:"

Strike: "Includes"

ADOPT

REJECT

900659CC.Hss

900659CC.Hss

Insert: "Does Not Include"

15. Page 17, line 25 through page 18, line 12.
Strike: lines in their entirety.
Insert:

"STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	17,924	18,432	18,953	19,207	19,462	
19,983						
2	18,521	19,087	19,654	19,937	20,222	
20,788						
3	19,117	19,742	20,355	20,670	20,982	
21,594						
4	19,716	20,401	21,056	21,400	21,743	
22,400						
5	20,311	21,056	21,757	22,130	22,504	
23,207						
6	20,909	21,715	22,461	22,862	23,265	
24,013						
7	21,503	22,368	23,160	23,593	24,025	
24,817						
8	22,101	23,026	23,864	24,325	24,788	
25,622						
9	22,698	23,681	24,565	25,056	25,549	
26,443						
10	23,295	24,339	25,266	25,786	26,321	
27,292						
11	23,892	24,974	25,968	26,537	27,119	
28,135						
12	23,892	24,974	25,968	26,537	27,119	
28,135						
13	23,892	24,974	25,968	26,537	27,119	
28,135"						

16. Page 20, line 1.
Following: "teachers for"
Insert: "the last 6 months of"

17. Page 20, line 3.
Following: "Note:"
Strike: "Includes"
Insert: "Does Not Include"

18. Page 20, line 20 through page 21, line 7.
Strike: lines in their entirety
Insert:

"STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
-------	----	------	------	------	----	------

1	22,748	23,417	24,069	24,395	24,722	
25,391						
2	23,515	24,241	24,969	25,333	25,702	
26,456						
3	24,281	25,084	25,877	26,298	26,718	
27,545						
4	25,048	25,939	26,817	27,281	27,744	
28,631						
5	25,820	26,817	27,763	28,266	28,771	
29,719						
6	26,619	27,706	28,712	29,254	29,798	
30,807						
7	27,421	28,588	29,655	30,240	30,823	
31,891						
8	28,227	29,475	30,605	31,229	31,852	
32,977						
9	29,032	30,359	31,551	32,213	32,880	
34,064						
10	29,837	31,248	32,496	33,200	33,904	
35,152						
11	30,644	32,102	33,439	34,185	34,931	
36,238						
12	30,644	32,102	33,439	34,185	34,931	
36,238						
13	30,644	32,102	33,439	34,185	34,931	
36,238"						

19. Page 21, line 8.
Following: "teachers for"
Insert: "the last 6 months of"

20. Page 21, line 10.
Following: "Note:"
Strike: "Includes"
Insert: "Does Not Include"

21. Page 22, lines 2 through 14.
Strike: lines in their entirety.
Insert:

"STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	17,924	18,432	18,953	19,207	19,462	
19,983						
2	18,521	19,087	19,654	19,937	20,222	
20,788						
3	19,117	19,742	20,355	20,670	20,982	
21,594						

4	19,716	20,401	21,056	21,400	21,743
22,400					
5	20,311	21,056	21,757	22,130	22,504
23,207					
6	20,909	21,715	22,461	22,862	23,265
24,013					
7	21,503	22,368	23,160	23,593	24,025
24,817					
8	22,101	23,026	23,864	24,325	24,788
25,622					
9	22,698	23,681	24,565	25,056	25,549
26,443					
10	23,295	24,339	25,266	25,786	26,321
27,292					
11	23,892	24,974	25,968	26,537	27,119
28,135					
12	23,892	24,974	25,968	26,537	27,119
28,135					
13	23,892	24,974	25,968	26,537	27,119
28,135"					

22. Page 22, line 18.
Following: "1994"
Insert: "and for the first 6 months of fiscal year 1995"

23. Page 22, line 19.
Following: "Note:"
Strike: "With"
Insert: "Does Not Include"

24. Page 23, line 20 through page 24, line 2.
Strike: lines in their entirety
Insert:

"	L1	0.000
	L2	8.609
	L3	9.109
	L4	9.389
	L5	9.679
	L6	10.289
	L7	10.949
	L8	11.699"

25. Page 24, line 4.
Following: "for"
Insert: "the last 6 months of"

26. Page 24, line 6.
Following: "Note:"
Strike: "With"

Insert: "Does Not Include"

27. Page 24, lines 18 through 25.
Strike: lines in their entirety
Insert:

"L1	0.000
L2	8.754
L3	9.254
L4	9.534
L5	9.824
L6	10.434
L7	11.094
L8	11.844"

28. Page 25, line 3.
Following: "1994"
Insert: "and for the first 6 months of fiscal year 1995"

29. Page 25, line 5.
Following: "Note:"
Strike: "With"
Insert: "Does Not Include"

30. Page 25, line 22 through page 26, line 9.
Strike: lines in their entirety
Insert:

"B1	9.084
B2	9.484
B3	9.884
B4	10.284
B5	10.684
B6	11.084
B7	11.484
B8	11.884
B9	12.284
B10	12.684
B11	13.084
B12	13.484
B00	13.884"

31. Page 27, line 4.
Following: "workers for"
Insert: "the last 6 months of"

32. Page 27, line 6.
Following: "Note:"
Strike: "With"

Insert: "Does Not Include"

33. Page 27, line 23 through page 28, line 10.
Strike: lines in their entirety
Insert:

B1	9.266
B2	9.666
B3	10.066
B4	10.466
B5	10.866
B6	11.266
B7	11.666
B8	12.066
B9	12.466
B10	12.866
B11	13.266
B12	13.666
B00	14.066"

34. Page 32, line 1.

Strike: "7,096" (FY 94 general fund)
Insert: "7,113" (FY 94 general fund)
Strike: "7,268" (FY 94 other funds)
Insert: "7,705" (FY 94 other funds)

35. Page 32, line 2.

Strike: "29,810" (FY 95 general fund)
Insert: "22,301" (FY 95 general fund)
Strike: "20,440" (FY 95 other funds)
Insert: "24,200" (FY 95 other funds)

36. Page 32, line 5.

Strike: "3,602" (FY 94 general fund)
Insert: "3,792" (FY 94 general fund)

37. Page 32, line 6.

Strike: "14,956" (FY 95 general fund)
Insert: "12,751" (FY 95 general fund)

38. Page 32, line 9.

Strike: "6,240" (FY 94 general fund)
Insert: "8,593" (FY 94 general fund)
Strike: "3,108" (FY 94 other funds)
Insert: "3,247" (FY 94 other funds)

39. Page 32, line 10.

Strike: "32,173" (FY 95 general fund)
Insert: "26,374" (FY 95 general fund)
Strike: "4,548" (FY 95 other funds)

Insert: "5,631" (FY 95 other funds)

40. Page 32, line 13.

Strike: "1,466" (FY 94 general fund)
Insert: "1,543" (FY 94 general fund)
Strike: "0" (FY 95 other funds)
Insert: "30" (FY 95 other funds)

41. Page 32, line 14.

Strike: "6,068" (FY 95 general fund)
Insert: "4,682" (FY 95 general fund)

42. Page 32, line 17.

Strike: "1,140" (FY 94 other funds)
Insert: "1,200" (FY 94 other funds)

43. Page 32, line 18.

Strike: "3,244" (FY 95 other funds)
Insert: "4,400" (FY 95 other funds)

44. Page 32, line 21.

Strike: "18,240" (FY 94 general fund)
Insert: "19,286" (FY 94 general fund)
Strike: "2,508" (FY 94 other funds)
Insert: "2,587" (FY 94 other funds)

45. Page 32, line 22.

Strike: "75,725" (FY 95 general fund)
Insert: "70,178" (FY 95 general fund)
Strike: "7,136" (FY 95 other funds)
Insert: "7,174" (FY 95 other funds)

46. Page 32, line 25.

Strike: "2,514,796" (FY 95 general fund)
Insert: "1,926,552" (FY 95 general fund)
Strike: "837,649" (FY 95 other funds)
Insert: "865,268" (FY 95 other funds)

47. Page 33, line 4.

Strike: "1,538,072" (FY 94 other funds)
Insert: "1,581,230" (FY 94 other funds)

48. Page 33, line 5.

Strike: "963,220" (FY 94 general fund)
Insert: "975,226" (FY 94 general fund)
Strike: "4,404,704" (FY 95 other funds)
Insert: "4,755,679" (FY 95 other funds)

49. Page 33, line 6.

Strike: "3,830,979" (FY 95 general fund)
Insert: "2,811,663" (FY 95 general fund)

50. Page 33, line 9.
Following: "17-7-102(16)."

Insert: "The legislature recognizes that the Montana university system will need to increase tuition and fees to fund the increases authorized by [this act]."

51. Page 39, following line 12.

Insert: "NEW SECTION. Section 13. Limitation on choice of benefits. A state employee who chooses to accept severance pay as provided under 2-18-622(2) is not eligible for any of the benefits provided for in House Bill No. 522 except those provided in [section 3(1)(b)] of that bill."

Renumber: subsequent sections

52. Page 39, line 16.

Following: "(2)"

Strike: remainder of line 16

Insert: "[Sections 8, 12, and 13 and this section] are effective on passage and approval."

53. Page 39, line 17.

Strike: "SECTION"

Insert: "Sections"

Strike: "9"

Insert: "8, 12, and 13"

54. Page 39, line 18.

Strike: "TERMINATES"

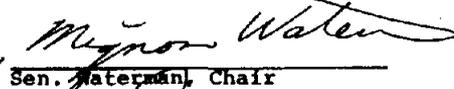
Insert: "terminate"

And this Free Conference Committee report be adopted.

For the House:

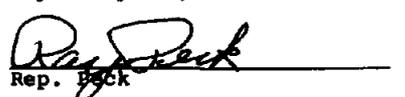
For the Senate:

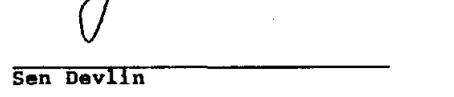

Rep. Peterson, Chair


Sen. Waterman, Chair


Rep. Simpkins


Sen. Forrester


Rep. Beck


Sen. Devlin

1 HOUSE BILL NO. 198
 2 INTRODUCED BY PETERSON
 3 BY REQUEST OF THE GOVERNOR
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING STATE
 6 EMPLOYEE COMPENSATION PLANS AND BENEFIT LEVELS; PROVIDING
 7 LONGEVITY-PAY-FOR-UNIVERSITY-SYSTEM-EMPLOYEES; PROVIDING PAY
 8 SCHEDULES FOR FISCAL YEARS 1994 AND 1995; REVISING--THE
 9 LONGEVITY--ALLOWANCES; APPROPRIATING MONEY TO IMPLEMENT THE
 10 SCHEDULES; REMOVING RESTRICTIONS ON RECEIVING PAY DUE TO THE
 11 LACK OF A COLLECTIVE BARGAINING AGREEMENT; PROVIDING LIMITED
 12 SEVERANCE PAY TO STATE EMPLOYEES TERMINATED UNDER CERTAIN
 13 CONDITIONS; PROVIDING A LIMITATION ON THE CHOICE OF
 14 BENEFITS; AND AMENDING SECTIONS 2-6-110, 2-18-301, 2-18-303,
 15 2-18-304, 2-18-305, 2-18-312, 2-18-313, 2-18-314, 2-18-315,
 16 2-18-622, AND 2-18-703, MCA; AND PROVIDING EFFECTIVE DATES
 17 AND A TERMINATION DATE."
 18

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

20 **Section 1.** Section 2-18-301, MCA, is amended to read:

21 "2-18-301. Purpose and intent of part -- rules. (1) The
 22 purpose of this part is to provide the market-based
 23 compensation necessary to attract and retain competent and
 24 qualified employees in order to perform the services the
 25 state is required to provide to its citizens.

1 (2) It is the intent of the legislature that
 2 compensation plans for state employees, excluding those
 3 employees excepted under 2-18-103 or 2-18-104 and excluding
 4 employees compensated under 2-18-313, 2-18-314, and
 5 2-18-315, be based on an analysis of the labor market as
 6 provided by the department in a salary survey report to the
 7 legislature at the start of each legislative session.

8 (3) Except as provided in 2-18-110 and 2-18-305(4), pay
 9 schedules provided for in 2-18-312 through 2-18-315
 10 supersede any other plan or systems established through
 11 collective bargaining after the adjournment of the 52nd 53rd
 12 legislature.

13 (4) Pay levels provided for in 2-18-312 through
 14 2-18-315 may not be increased through collective bargaining
 15 after adjournment of the 52nd 53rd legislature.

16 (5) Total funds required to implement the pay schedules
 17 provided for in 2-18-312 through 2-18-315 for any employee
 18 group or bargaining unit may not be increased through
 19 collective bargaining over the amount appropriated by the
 20 52nd 53rd legislature.

21 (6) The department shall administer the pay program
 22 established by the legislature on the basis of merit,
 23 internal equity, and competitiveness to external labor
 24 markets when fiscally able.

25 (7) The department may promulgate rules not

1 inconsistent with the provisions of this part, collective
 2 bargaining statutes, or negotiated contracts to carry out
 3 the purposes of this part."

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

5 "2-18-303. Procedures for utilizing pay schedules. (1)
 6 The pay schedules provided in 2-18-312 must be implemented
 7 as follows:

8 (a) The pay schedules provided in 2-18-312 indicate the
 9 entry salary and market salary for the fiscal years ending
 10 June 30, 1992 1994, and June 30, 1993 1995, for each grade
 11 for positions classified under the provisions of part 2 of
 12 this chapter.

13 (b) Each employee newly hired by the state of Montana
 14 must be hired at the entry rate, except as provided in
 15 subsections (7) and (8) (6) AND (7).

16 (c) Except as provided in subsection (1)(g) (1)(e), on
 17 the first day of the first complete pay period in fiscal
 18 year 1992 1994, each employee hired before July 1, 1991
 19 1993, is entitled to the amount of his the employee's base
 20 salary as it was on June 30, 1991 1993, plus the following
 21 increases:

22 (i) an increase of 60 cents an hour above the
 23 employee's base salary as it was on June 30, 1991; and

24 (ii) an additional increase of 1/8 of 1% of his base
 25 salary as it is after the 60-cent-an-hour-increase, for each

1 full-percentage-point-that-the-employee's-base-salary, as it
 2 is after the 60-cent-an-hour-increase, is below the market
 3 salary for the employee's assigned grade.

4 (d) Except as provided in subsection (1)(g) (1)(e), on
 5 the first day of the first COMPLETE pay period in fiscal
 6 year 1993 1995, each employee hired before July 1, 1992
 7 1994, is entitled to the amount of the employee's base
 8 salary as it was on June 30, 1992 1994 JANUARY 1995, EACH
 9 EMPLOYEE HIRED BEFORE JANUARY 1, 1995, IS ENTITLED TO THE
 10 AMOUNT OF THE EMPLOYEE'S BASE SALARY AS IT WAS ON DECEMBER
 11 31, 1994, PLUS 1.5%. plus an increase calculated as
 12 follows:

13 (i) add 45 cents an hour to the employee's base salary
 14 as it was on June 30, 1992; then

15 (ii) add an amount equal to 1/8 of 1% of the amount
 16 computed in subsection (i)(d) for each full-percentage
 17 point that the employee's base salary, as it is after the
 18 45-cent-an-hour-increase, is below the market salary for the
 19 employee's assigned grade; then

20 (iii) from the sum calculated in subsection (i)(d)(ii),
 21 subtract 20 cents an hour.

22 (e) Except as provided in subsection (1)(g), on the
 23 first day of the first pay period in January 1993, each
 24 employee hired before January 1, 1993, is entitled to the
 25 amount of the employee's base salary as it was on December

1 317-19927-plus-an-increase-of-20-cents--an--hour--above--the
 2 employee's-base-salary-as-it-was-on-December-317-19927-

3 (f)--The--department--shall-determine-the-number-of-full
 4 percentage-points-that-an-employee's-base--salary--is--below
 5 the--market-salary-by-dividing-the-employee's-base-salary-by
 6 the-market-salary-for-his-assigned--grade7--multiplying--the
 7 result-by-1007-and-subtracting-that-total-from-1007-

8 (g)(e) An employee's base salary may be no less than
 9 the entry salary for his the employee's assigned grade.

10 (h)(f) Except-as-provided-in--subsections--(5)--through
 11 (8)7--an An employee's base salary may not exceed the market
 12 maximum salary by a percentage greater than--the--percentage
 13 that--the-market-salary for the employee's grade-exceeds-the
 14 entry-salary-for-that grade. The salary of an employee may
 15 not be reduced because of this provision.

16 (g) The maximum salary for each grade is determined by
 17 subtracting the entry salary from the market salary and
 18 adding that amount to the market salary.

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

24 (3) The pay schedules provided in 2-18-313 through
 25 2-18-315 must be implemented as follows:

1 (a) (i) The pay schedules provided for in 2-18-313
 2 indicate the annual compensation for the contracted school
 3 term for teachers employed under the authority of the
 4 department of corrections and human services or the
 5 department of family services for fiscal years 1992 1994 and
 6 1993 1995.

7 (ii) The compensation of each teacher on the first day
 8 of the first pay period in July 1991 1993 is that--amount
 9 corresponding--to determined by the teacher's level of
 10 academic achievement and years--of--experience the--step
 11 occupied-on-June-307-1993 YEARS OF EXPERIENCE.

12 (iii) On The--compensation--of--each--teacher--on ON the
 13 first day of the first COMPLETE pay period of--each--fiscal
 14 year7--each-teacher-shall-advance-one-step-on-the-appropriate
 15 pay--schedule-adopted-in-2-18-313 in-July-1994-is-determined
 16 by-the-teacher's-level-of-academic-achievement-and-the--step
 17 occupied--on-June-307-1994 OF EACH FISCAL YEAR, EACH TEACHER
 18 SHALL ADVANCE ONE STEP ON THE APPROPRIATE PAY SCHEDULE
 19 ADOPTED IN 2-18-313.

20 (IV) ON THE FIRST DAY OF THE FIRST COMPLETE PAY PERIOD
 21 OF EACH FISCAL YEAR, EACH TEACHER EMPLOYED BY THE MONTANA
 22 SCHOOL FOR THE DEAF AND BLIND SHALL ADVANCE ONE STEP ON THE
 23 TEACHER PAY MATRIX USED BY THE SCHOOL.

24 (b) (i) The pay schedules provided in 2-18-314 indicate
 25 the maximum hourly compensation for fiscal years ending June

1 30, ~~1992~~ 1994, and June 30, ~~1993~~ 1995, for those employees
2 in liquor store occupations who have collectively bargained
3 separate classification and pay plans.

4 (ii) The compensation of each employee on the first day
5 of the first pay period in fiscal year ~~1992~~ 1994 or ~~1993~~
6 1995 is that amount corresponding to the grade occupied on
7 the last day of the preceding fiscal year.

8 (c) (i) The pay schedules provided in 2-18-315 indicate
9 the maximum hourly compensation for fiscal years ending June
10 30, ~~1992~~ 1994, and June 30, ~~1993~~ 1995, for employees in
11 apprentice trades and crafts and other blue-collar
12 occupations recognized in the state blue-collar
13 classification plan who are members of units that have
14 collectively bargained separate classification and pay
15 plans.

16 (ii) The compensation of each employee on the first day
17 of the first pay period in fiscal year ~~1992~~ 1994 or ~~1993~~
18 1995 is that amount corresponding to the grade occupied on
19 the last day of the preceding fiscal year.

20 ~~{4}{a}{i} A member of a bargaining unit may not
21 receive the amounts indicated in the respective pay
22 schedules provided in 2-18-312 through 2-18-315 until the
23 bargaining unit of which he the employee is a member
24 ratifies a completely integrated collective bargaining
25 agreement covering the biennium ending June 30, ~~1993~~ 1995.~~

1 ~~{ii} If negotiation and ratification of a completely
2 integrated collective bargaining agreement as required by
3 subsection {4}{a}{i} are not completed by July 1, ~~1991~~ 1993,
4 retroactivity to that date may be negotiated.~~

5 ~~{iii} If negotiation and ratification of a completely
6 integrated collective bargaining agreement as required by
7 subsection {4}{a}{i} are not completed by July 1, ~~1991~~ 1993,
8 members of the bargaining unit involved must continue to
9 receive the compensation they were receiving as of June 30,
10 ~~1991~~ 1993.~~

11 ~~{b} Methods of administration not inconsistent with the
12 purpose of this part and necessary to properly implement the
13 pay schedules provided in 2-18-312 through 2-18-315 may be
14 provided for in collective bargaining agreements.~~

15 ~~{5}{4} The current wage or salary of an employee may
16 not be reduced by the implementation of the pay schedules
17 provided for in 2-18-312 through 2-18-315.~~

18 ~~{6}{5} The department may authorize a separate pay
19 schedule for medical doctors if the rates provided in
20 2-18-312 are not sufficient to attract and retain fully
21 licensed and qualified physicians at the state institutions.~~

22 ~~{7}{6} The department may develop programs that enable
23 the department to mitigate problems associated with
24 difficult recruitment, retention, transfer, or other
25 exceptional circumstances. Insofar as the program may apply~~

1 to employees within a collective bargaining unit, it is a
 2 negotiable subject under 39-31-305. ~~To maintain the internal~~
 3 ~~equity of the statewide pay plan provided for in 2-18-312~~
 4 ~~and subsection (i) of this section, when a majority of~~
 5 ~~registered nurses classified under the provisions of part 2~~
 6 ~~of this chapter have been granted a pay plan exception~~
 7 ~~through a collectively bargained agreement, then all other~~
 8 ~~classified registered nurses, including those employed in~~
 9 ~~the university system, must be paid a salary equivalent to~~
 10 ~~the salary negotiated in the negotiated agreement, except~~
 11 ~~that in no case may the salary of a classified registered~~
 12 ~~nurse be reduced by this provision.~~

13 (b)(7) The department shall review the competitiveness
 14 of the compensation provided to all occupations under this
 15 part. If the department finds that substantial problems
 16 exist with recruitment and retention because of inadequate
 17 salaries when compared to competing employers, the
 18 department may establish criteria allowing an adjustment in
 19 pay or classification to mitigate the problems. Insofar as
 20 these adjustments may apply to employees within a collective
 21 bargaining unit, the implementation of these adjustments is
 22 a negotiable subject under 39-31-305."

23 ~~SECTION 3. SECTION 2-18-304, MCA, IS AMENDED TO READ:~~

24 ~~"2-18-304. Longevity allowance. (i) (a) In addition to~~
 25 ~~the compensation provided for in 2-18-312, 2-18-313,~~

1 ~~2-18-314, or 2-18-315, each employee who has completed 5 at~~
 2 ~~least 3 years of uninterrupted state service shall must~~
 3 ~~receive, beginning the first full pay period in January~~
 4 ~~1995, the greater of:~~

- 5 (i) ~~\$10 a month, or~~
- 6 (ii) ~~9/10 of 1% of the employee's base salary 25 cents~~
 7 ~~an hour multiplied by the number of completed, contiguous~~
 8 ~~5-year 3-year periods of uninterrupted state service. For~~
 9 ~~fiscal year 1995 only, an employee may not receive more than~~
 10 ~~\$1 per hour in longevity pay.~~

11 (b) ~~Service to the state is not interrupted by~~
 12 ~~authorized leaves of absence.~~

13 (c) ~~Longevity is part of the base for calculating~~
 14 ~~market progression.~~

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

- 18 (i) ~~2,080 hours of service following his the employee's~~
 19 ~~date of employment, an employee must be credited with 80~~
 20 ~~hours of service for each biweekly pay period in which he~~
 21 ~~the employee is in a pay status or on an authorized leave of~~
 22 ~~absence without pay, regardless of the number of hours of~~
 23 ~~service in the pay period, or~~

24 (ii) ~~12 uninterrupted calendar months following his the~~
 25 ~~employee's date of employment in which he the employee 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 1 year of service if he the employee 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)(i) to calculate years of service under this section.~~

Section 3. Section 2-18-305, MCA, is amended to read:

"2-18-305. Allocation between wages and group benefits.

(1) The dollar amounts shown in the respective pay schedules provided in 2-18-313, 2-18-314, and 2-18-315 represent the maximum amount allocated by the state for wages and group benefits, exclusive of longevity as defined in 2-18-304 for an employee covered by a pay schedule provided in 2-18-313, 2-18-314, or 2-18-315.

(2) Except as provided in subsection (4), the amount specifically allocated for group benefits must be determined by 2-18-703.

(3) (a) An employee covered under the pay schedules provided in 2-18-312 who elects not to be covered by a state employee group benefit plan under the provisions of 2-18-703 must receive as wages his the employee's base salary, including adjustments provided in 2-18-303(1)(c) through AND

~~(1)(d)~~ (1)(d) and 2-18-304.

(b) An employee covered under the pay schedules provided in 2-18-313, 2-18-314, or 2-18-315 who elects not to be covered by a state employee group benefit plan shall, under the provisions of 2-18-703, receive as wages the amount shown in the appropriate pay schedule less the state contribution for group benefits as determined by 2-18-703.

(4) Employees may, through collective bargaining, determine the allocation between wages and group benefits, except that in no case may the group benefits allocation be less than the amounts provided in 2-18-703."

Section 4. Section 2-18-312, MCA, is amended to read:

"2-18-312. Statewide pay schedules for fiscal years 1992 1994 and 1993 1995. (1) The statewide classification pay schedule for fiscal year 1992 1994 is as follows:

Annual Hours -- 2080 Note: Does Not Include Insurance

Pay Matrix -- State Matrix Type -- Annual

Pay Range: Entry Salary to Market Salary

GRADE	ENTRY SALARY	MARKET SALARY
-1	-87426	-97913
-2	-97077	107704
-3	-97777	117557
-4	107536	127404
-5	117305	137522
-6	127303	147647

1	-7	137289	157858
2	-8	147484	177230
3	-9	157596	187701
4	10	167916	207332
5	11	187353	227112
6	12	197946	247090
7	13	217674	267240
8	14	237588	287626
9	15	257694	317258
10	16	287044	347288
11	17	307665	377488
12	18	337555	417122
13	19	367793	457201
14	20	407486	497761
15	21	447421	547841
16	22	487986	607527
17	23	537965	667954
18	24	597645	747185
19	25	657938	827286
20	<u>1</u>	<u>8,679</u>	<u>10,210</u>
21	<u>2</u>	<u>9,349</u>	<u>11,025</u>
22	<u>3</u>	<u>10,070</u>	<u>11,903</u>
23	<u>4</u>	<u>10,852</u>	<u>12,858</u>
24	<u>5</u>	<u>11,727</u>	<u>13,927</u>
25	<u>6</u>	<u>12,672</u>	<u>15,086</u>

1	<u>7</u>	<u>13,688</u>	<u>16,334</u>
2	<u>8</u>	<u>14,836</u>	<u>17,747</u>
3	<u>9</u>	<u>16,064</u>	<u>19,262</u>
4	<u>10</u>	<u>17,424</u>	<u>20,942</u>
5	<u>11</u>	<u>18,904</u>	<u>22,775</u>
6	<u>12</u>	<u>20,545</u>	<u>24,812</u>
7	<u>13</u>	<u>22,325</u>	<u>27,027</u>
8	<u>14</u>	<u>24,295</u>	<u>29,485</u>
9	<u>15</u>	<u>26,465</u>	<u>32,196</u>
10	<u>16</u>	<u>28,885</u>	<u>35,226</u>
11	<u>17</u>	<u>31,585</u>	<u>38,613</u>
12	<u>18</u>	<u>34,562</u>	<u>42,355</u>
13	<u>19</u>	<u>37,897</u>	<u>46,557</u>
14	<u>20</u>	<u>41,618</u>	<u>51,254</u>
15	<u>21</u>	<u>45,754</u>	<u>56,487</u>
16	<u>22</u>	<u>50,373</u>	<u>62,343</u>
17	<u>23</u>	<u>55,584</u>	<u>68,963</u>
18	<u>24</u>	<u>61,434</u>	<u>76,410</u>
19	<u>25</u>	<u>67,907</u>	<u>84,673</u>

(2) The statewide classification pay schedule for fiscal year 1993 1995 is as follows:

22	Annual Hours -- 2080	Note: Does Not Include Insurance
23	Pay Matrix -- State	Matrix Type -- Annual
24	Pay Range: Entry Salary to Market Salary	
25	GRADE	ENTRY SALARY MARKET SALARY

1	1	8,679	10,210
2	2	9,349	11,025
3	3	10,070	11,903
4	4	10,852	12,858
5	5	11,727	13,927
6	6	12,672	15,086
7	7	13,688	16,334
8	8	14,836	17,747
9	9	16,064	19,262
10	10	17,424	20,942
11	11	18,904	22,775
12	12	20,545	24,812
13	13	22,325	27,027
14	14	24,295	29,485
15	15	26,465	32,196
16	16	28,885	35,226
17	17	31,585	38,613
18	18	34,562	42,355
19	19	37,897	46,557
20	20	41,618	51,254
21	21	45,754	56,487
22	22	50,373	62,343
23	23	55,584	68,963
24	24	61,434	76,410
25	25	67,907	84,673*

Section 5. 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 ~~1992~~ 1994 AND FOR THE FIRST 6 MONTHS OF FISCAL YEAR 1995 is as follows:

6	Annual Hours -- 2080	Note: Includes <u>DOES NOT</u>
7		<u>INCLUDE</u> Insurance
8	Term -- Twelve Months	Matrix Type -- Annual
9	Education Level	
10	STEP	BA BA+1 BA+2 BA+3 MA MA+1
11	-1	237516 247175 247017 257138 257461 267120
12	-2	247271 247987 257704 267063 267426 277169
13	-3	257026 257017 267599 277013 277427 287242
14	-4	257782 267668 277525 277902 287438 297312
15	-5	267542 277525 287457 287952 297450 307384
16	-6	277338 287401 297392 297926 307462 317456
17	-7	287120 297278 307321 307897 317471 327524
18	-8	287914 307143 317257 317871 327405 337594
19	-9	297707 317014 327189 327841 337498 347665
20	10	307500 317898 337128 337813 347507 357737
21	11	317295 327732 347049 347784 357519 367806
22	12	317295 327732 347049 347784 357519 367806
23	13	317295 327732 347049 347784 357519 367806
24	1	247932 257591 267233 267554 267877 277536
25	2	257687 267403 277120 277479 277842 287505

1	<u>3</u>	<u>26,442</u>	<u>27,233</u>	<u>28,015</u>	<u>28,429</u>	<u>28,843</u>	<u>29,658</u>
2	<u>4</u>	<u>27,198</u>	<u>28,076</u>	<u>28,941</u>	<u>29,398</u>	<u>29,854</u>	<u>30,728</u>
3	<u>5</u>	<u>27,958</u>	<u>28,941</u>	<u>29,873</u>	<u>30,368</u>	<u>30,866</u>	<u>31,780</u>
4	<u>6</u>	<u>28,746</u>	<u>29,817</u>	<u>30,808</u>	<u>31,342</u>	<u>31,878</u>	<u>32,872</u>
5	<u>7</u>	<u>29,536</u>	<u>30,686</u>	<u>31,737</u>	<u>32,313</u>	<u>32,887</u>	<u>33,940</u>
6	<u>8</u>	<u>30,330</u>	<u>31,559</u>	<u>32,673</u>	<u>33,287</u>	<u>33,901</u>	<u>35,010</u>
7	<u>9</u>	<u>31,123</u>	<u>32,430</u>	<u>33,605</u>	<u>34,257</u>	<u>34,914</u>	<u>36,081</u>
8	<u>10</u>	<u>31,916</u>	<u>33,306</u>	<u>34,536</u>	<u>35,229</u>	<u>35,923</u>	<u>37,153</u>
9	<u>11</u>	<u>32,711</u>	<u>34,140</u>	<u>35,465</u>	<u>36,200</u>	<u>36,935</u>	<u>38,222</u>
10	<u>12</u>	<u>32,711</u>	<u>34,140</u>	<u>35,465</u>	<u>36,200</u>	<u>36,935</u>	<u>38,222</u>
11	<u>13</u>	<u>32,711</u>	<u>34,140</u>	<u>35,465</u>	<u>36,200</u>	<u>36,935</u>	<u>38,222</u>
12	<u>1</u>	<u>22,412</u>	<u>23,071</u>	<u>23,713</u>	<u>24,034</u>	<u>24,357</u>	<u>25,016</u>
13	<u>2</u>	<u>23,167</u>	<u>23,883</u>	<u>24,600</u>	<u>24,959</u>	<u>25,322</u>	<u>26,065</u>
14	<u>3</u>	<u>23,922</u>	<u>24,713</u>	<u>25,495</u>	<u>25,909</u>	<u>26,323</u>	<u>27,138</u>
15	<u>4</u>	<u>24,678</u>	<u>25,556</u>	<u>26,421</u>	<u>26,878</u>	<u>27,334</u>	<u>28,208</u>
16	<u>5</u>	<u>25,438</u>	<u>26,421</u>	<u>27,353</u>	<u>27,848</u>	<u>28,346</u>	<u>29,280</u>
17	<u>6</u>	<u>26,226</u>	<u>27,297</u>	<u>28,288</u>	<u>28,822</u>	<u>29,358</u>	<u>30,352</u>
18	<u>7</u>	<u>27,016</u>	<u>28,166</u>	<u>29,217</u>	<u>29,793</u>	<u>30,367</u>	<u>31,420</u>
19	<u>8</u>	<u>27,810</u>	<u>29,039</u>	<u>30,153</u>	<u>30,767</u>	<u>31,381</u>	<u>32,490</u>
20	<u>9</u>	<u>28,603</u>	<u>29,910</u>	<u>31,085</u>	<u>31,737</u>	<u>32,394</u>	<u>33,561</u>
21	<u>10</u>	<u>29,396</u>	<u>30,786</u>	<u>32,016</u>	<u>32,709</u>	<u>33,403</u>	<u>34,633</u>
22	<u>11</u>	<u>30,191</u>	<u>31,628</u>	<u>32,945</u>	<u>33,680</u>	<u>34,415</u>	<u>35,702</u>
23	<u>12</u>	<u>30,191</u>	<u>31,628</u>	<u>32,945</u>	<u>33,680</u>	<u>34,415</u>	<u>35,702</u>
24	<u>13</u>	<u>30,191</u>	<u>31,628</u>	<u>32,945</u>	<u>33,680</u>	<u>34,415</u>	<u>35,702</u>
25	(b) The 9-month pay schedule for teachers for fiscal						

1	year 1992 <u>1994</u> AND FOR THE FIRST 6 MONTHS OF FISCAL YEAR						
2	<u>1995</u> is as follows:						
3	Annual Hours -- 1560						Note: Includes <u>DOES NOT</u>
4							<u>INCLUDE</u> Insurance
5	Term -- Nine Months						Matrix Type -- Annual
6							Education Level
7	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
8	-1	19,262	19,770	20,291	20,545	20,800	21,321
9	-2	19,859	20,425	20,992	21,275	21,560	22,126
10	-3	20,455	21,000	21,693	22,000	22,320	22,932
11	-4	21,054	21,739	22,394	22,730	23,081	23,730
12	-5	21,649	22,394	23,095	23,460	23,842	24,545
13	-6	22,247	23,053	23,799	24,200	24,603	25,351
14	-7	22,841	23,706	24,498	24,931	25,363	26,155
15	-8	23,439	24,364	25,202	25,663	26,126	26,968
16	-9	24,036	25,019	25,903	26,394	26,887	27,781
17	10	24,633	25,677	26,604	27,124	27,659	28,630
18	11	25,230	26,312	27,306	27,875	28,457	29,473
19	12	25,830	26,912	27,906	27,875	28,457	29,473
20	13	25,830	26,912	27,906	27,875	28,457	29,473
21	1	26,384	27,092	27,413	27,667	27,922	28,443
22	2	26,981	27,547	27,714	27,997	28,260	28,740
23	3	27,577	28,202	28,315	28,610	28,842	29,354
24	4	28,176	28,861	29,016	29,360	29,603	30,160
25	5	28,771	29,516	29,717	29,990	30,264	30,867

1	6	<u>23,369</u>	<u>24,175</u>	<u>24,921</u>	<u>25,322</u>	<u>25,725</u>	<u>26,473</u>	
2	7	<u>23,963</u>	<u>24,820</u>	<u>25,620</u>	<u>26,053</u>	<u>26,485</u>	<u>27,277</u>	
3	8	<u>24,561</u>	<u>25,486</u>	<u>26,294</u>	<u>26,785</u>	<u>27,240</u>	<u>28,082</u>	
4	9	<u>25,158</u>	<u>26,141</u>	<u>27,025</u>	<u>27,516</u>	<u>28,009</u>	<u>28,903</u>	
5	10	<u>25,755</u>	<u>26,799</u>	<u>27,726</u>	<u>28,246</u>	<u>28,781</u>	<u>29,752</u>	
6	11	<u>26,352</u>	<u>27,434</u>	<u>28,428</u>	<u>28,997</u>	<u>29,579</u>	<u>30,595</u>	
7	12	<u>26,352</u>	<u>27,434</u>	<u>28,428</u>	<u>28,997</u>	<u>29,579</u>	<u>30,595</u>	
8	13	<u>26,352</u>	<u>27,434</u>	<u>28,428</u>	<u>28,997</u>	<u>29,579</u>	<u>30,595</u>	
9	1	<u>17,924</u>	<u>18,432</u>	<u>18,953</u>	<u>19,207</u>	<u>19,462</u>	<u>19,983</u>	
10	2	<u>18,521</u>	<u>19,087</u>	<u>19,654</u>	<u>19,937</u>	<u>20,222</u>	<u>20,788</u>	
11	3	<u>19,117</u>	<u>19,742</u>	<u>20,355</u>	<u>20,670</u>	<u>20,982</u>	<u>21,594</u>	
12	4	<u>19,716</u>	<u>20,401</u>	<u>21,056</u>	<u>21,400</u>	<u>21,743</u>	<u>22,400</u>	
13	5	<u>20,311</u>	<u>21,056</u>	<u>21,757</u>	<u>22,130</u>	<u>22,504</u>	<u>23,207</u>	
14	6	<u>20,909</u>	<u>21,715</u>	<u>22,461</u>	<u>22,862</u>	<u>23,265</u>	<u>24,013</u>	
15	7	<u>21,503</u>	<u>22,368</u>	<u>23,160</u>	<u>23,593</u>	<u>24,025</u>	<u>24,817</u>	
16	8	<u>22,101</u>	<u>23,026</u>	<u>23,864</u>	<u>24,325</u>	<u>24,788</u>	<u>25,622</u>	
17	9	<u>22,698</u>	<u>23,681</u>	<u>24,565</u>	<u>25,056</u>	<u>25,549</u>	<u>26,443</u>	
18	10	<u>23,295</u>	<u>24,339</u>	<u>25,266</u>	<u>25,786</u>	<u>26,321</u>	<u>27,292</u>	
19	11	<u>23,892</u>	<u>24,974</u>	<u>25,968</u>	<u>26,537</u>	<u>27,119</u>	<u>28,135</u>	
20	12	<u>23,892</u>	<u>24,974</u>	<u>25,968</u>	<u>26,537</u>	<u>27,119</u>	<u>28,135</u>	
21	13	<u>23,892</u>	<u>24,974</u>	<u>25,968</u>	<u>26,537</u>	<u>27,119</u>	<u>28,135</u>	
22	(2) -- (a) The 12-month pay schedule for teachers for the							
23	first 6 months of fiscal year 1993 is as follows:							
24	Annual Hours ---- 2000		Note: Includes Insurance					
25	Term ---- Twelve Months		Matrix Type ---- Annual					

1	Education-level						
2	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
3	-1	24,276	24,935	25,577	25,898	26,221	26,880
4	-2	25,831	25,747	26,464	26,823	27,186	27,929
5	-3	25,786	26,577	27,359	27,773	28,187	29,002
6	-4	26,542	27,420	28,285	28,742	29,198	30,072
7	-5	27,382	28,285	29,217	29,712	30,210	31,144
8	-6	28,098	29,161	30,152	30,686	31,222	32,216
9	-7	28,800	30,038	31,001	31,657	32,231	33,284
10	-8	29,674	30,983	32,017	32,731	33,245	34,354
11	-9	30,467	31,774	32,949	33,681	34,258	35,425
12	10	31,260	32,650	33,880	34,573	35,267	36,497
13	11	32,055	33,492	34,809	35,544	36,279	37,566
14	12	32,055	33,492	34,809	35,544	36,279	37,566
15	13	32,055	33,492	34,809	35,544	36,279	37,566
16	(b) -- The 9-month pay schedule for teachers for the first						
17	6 months of fiscal year 1993 is as follows:						
18	Annual Hours ---- 1560			Note: Includes Insurance			
19	Term ---- Nine Months			Matrix Type ---- Annual			
20	Education-level						
21	STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
22	-1	19,892	20,400	20,921	21,175	21,430	21,951
23	-2	20,409	21,055	21,622	21,985	22,190	22,756
24	-3	21,005	21,710	22,323	22,630	22,950	23,562
25	-4	21,684	22,369	23,024	23,368	23,711	24,368

1	-5	227279	237024	237725	247090	247472	257175
2	-6	227077	237683	247429	247830	257233	257981
3	-7	237471	247336	257120	257561	257993	267785
4	-8	247069	247994	257832	267293	267756	277590
5	-9	247666	257649	267533	277024	277517	287411
6	10	257263	267307	277234	277754	287209	297260
7	11	257860	267942	277936	287505	297087	307103
8	12	257860	267942	277936	287505	297087	307103
9	13	257860	267942	277936	287505	297087	307103

1	-9	307883	327190	337365	347017	347674	357841
2	10	317676	337066	347296	347909	357683	367913
3	11	327471	337900	357225	357960	367695	377982
4	12	327471	337900	357225	357960	367695	377982
5	13	327471	337900	357225	357960	367695	377982
6	1	257172	257831	267473	267794	277117	277776
7	2	257927	267643	277360	277719	287002	287825
8	3	267682	277473	287255	287669	297083	297890
9	4	277438	287316	297181	297630	307094	307960

10 (3)(2) (a) The 12-month pay schedule for teachers for
 11 the--last--6-months-of THE LAST 6 MONTHS OF fiscal year 1993
 12 1995 is as follows:

13 Annual Hours -- 2080 Note: includes DOES NOT
 14 INCLUDE Insurance
 15 Term -- Twelve Months Matrix Type -- Annual
 16 Education Level

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1	
17	-1	247692	257351	257993	267314	267637	277296
18	-2	257447	267163	267880	277239	277602	287345
19	-3	267202	267993	277775	287109	287603	297418
20	-4	267950	277836	287701	297150	297614	307480
21	-5	277710	287701	297633	307120	307626	317560
22	-6	287506	297577	307568	317102	317638	327632
23	-7	297296	307446	317497	327073	327647	337700
24	-8	307090	317319	327433	337047	337661	347770

10	5	287198	297101	307113	307600	317106	327040
11	6	287986	307857	317848	317582	327110	337112
12	7	297776	307926	317977	327553	337127	347180
13	8	307570	317799	327913	337527	347141	357250
14	9	317363	327670	337845	347497	357154	367321
15	10	327156	337546	347776	357469	367163	377393
16	11	327951	347300	357705	367440	377175	387462
17	12	327951	347300	357705	367440	377175	387462
18	13	327951	347300	357705	367440	377175	387462
19	1	22,748	23,417	24,069	24,395	24,722	25,391
20	2	23,515	24,241	24,969	25,333	25,702	26,456
21	3	24,281	25,084	25,877	26,298	26,718	27,545
22	4	25,048	25,939	26,817	27,281	27,744	28,631
23	5	25,820	26,817	27,763	28,266	28,771	29,719
24	6	26,619	27,706	28,712	29,254	29,798	30,807
25	7	27,421	28,588	29,655	30,240	30,823	31,891

1	<u>8</u>	<u>28,227</u>	<u>29,475</u>	<u>30,605</u>	<u>31,229</u>	<u>31,852</u>	<u>32,977</u>
2	<u>9</u>	<u>29,032</u>	<u>30,359</u>	<u>31,551</u>	<u>32,213</u>	<u>32,880</u>	<u>34,064</u>
3	<u>10</u>	<u>29,837</u>	<u>31,248</u>	<u>32,496</u>	<u>33,200</u>	<u>33,904</u>	<u>35,152</u>
4	<u>11</u>	<u>30,644</u>	<u>32,102</u>	<u>33,439</u>	<u>34,185</u>	<u>34,931</u>	<u>36,238</u>
5	<u>12</u>	<u>30,644</u>	<u>32,102</u>	<u>33,439</u>	<u>34,185</u>	<u>34,931</u>	<u>36,238</u>
6	<u>13</u>	<u>30,644</u>	<u>32,102</u>	<u>33,439</u>	<u>34,185</u>	<u>34,931</u>	<u>36,238</u>

1	<u>12</u>	<u>26,172</u>	<u>27,254</u>	<u>28,240</u>	<u>28,817</u>	<u>29,399</u>	<u>30,415</u>
2	<u>13</u>	<u>26,172</u>	<u>27,254</u>	<u>28,240</u>	<u>28,817</u>	<u>29,399</u>	<u>30,415</u>
3	<u>1</u>	<u>28,564</u>	<u>21,072</u>	<u>21,593</u>	<u>21,847</u>	<u>22,102</u>	<u>22,623</u>
4	<u>2</u>	<u>21,161</u>	<u>21,727</u>	<u>22,294</u>	<u>22,577</u>	<u>22,862</u>	<u>23,428</u>
5	<u>3</u>	<u>21,757</u>	<u>22,302</u>	<u>22,995</u>	<u>23,310</u>	<u>23,622</u>	<u>24,234</u>
6	<u>4</u>	<u>22,356</u>	<u>23,041</u>	<u>23,696</u>	<u>24,040</u>	<u>24,383</u>	<u>25,040</u>
7	<u>5</u>	<u>22,951</u>	<u>23,696</u>	<u>24,397</u>	<u>24,778</u>	<u>25,144</u>	<u>25,847</u>
8	<u>6</u>	<u>23,549</u>	<u>24,355</u>	<u>25,101</u>	<u>25,502</u>	<u>25,905</u>	<u>26,653</u>
9	<u>7</u>	<u>24,143</u>	<u>25,008</u>	<u>25,800</u>	<u>26,233</u>	<u>26,665</u>	<u>27,457</u>
10	<u>8</u>	<u>24,741</u>	<u>25,666</u>	<u>26,474</u>	<u>26,965</u>	<u>27,428</u>	<u>28,262</u>
11	<u>9</u>	<u>25,338</u>	<u>26,321</u>	<u>27,205</u>	<u>27,696</u>	<u>28,189</u>	<u>29,003</u>
12	<u>10</u>	<u>25,935</u>	<u>26,979</u>	<u>27,906</u>	<u>28,426</u>	<u>28,961</u>	<u>29,932</u>
13	<u>11</u>	<u>26,532</u>	<u>27,614</u>	<u>28,600</u>	<u>29,177</u>	<u>29,759</u>	<u>30,775</u>
14	<u>12</u>	<u>26,532</u>	<u>27,614</u>	<u>28,600</u>	<u>29,177</u>	<u>29,759</u>	<u>30,775</u>
15	<u>13</u>	<u>26,532</u>	<u>27,614</u>	<u>28,600</u>	<u>29,177</u>	<u>29,759</u>	<u>30,775</u>
16	<u>1</u>	<u>18,193</u>	<u>18,708</u>	<u>19,237</u>	<u>19,495</u>	<u>19,754</u>	<u>20,283</u>
17	<u>2</u>	<u>18,799</u>	<u>19,373</u>	<u>19,949</u>	<u>20,236</u>	<u>20,525</u>	<u>21,100</u>
18	<u>3</u>	<u>19,404</u>	<u>20,038</u>	<u>20,660</u>	<u>20,980</u>	<u>21,297</u>	<u>21,918</u>
19	<u>4</u>	<u>20,012</u>	<u>20,707</u>	<u>21,372</u>	<u>21,721</u>	<u>22,069</u>	<u>22,736</u>
20	<u>5</u>	<u>20,616</u>	<u>21,372</u>	<u>22,083</u>	<u>22,462</u>	<u>22,842</u>	<u>23,555</u>
21	<u>6</u>	<u>21,223</u>	<u>22,041</u>	<u>22,798</u>	<u>23,205</u>	<u>23,614</u>	<u>24,373</u>
22	<u>7</u>	<u>21,826</u>	<u>22,704</u>	<u>23,507</u>	<u>23,947</u>	<u>24,385</u>	<u>25,189</u>
23	<u>8</u>	<u>22,433</u>	<u>23,371</u>	<u>24,192</u>	<u>24,690</u>	<u>25,160</u>	<u>26,006</u>
24	<u>9</u>	<u>23,038</u>	<u>24,036</u>	<u>24,933</u>	<u>25,432</u>	<u>25,932</u>	<u>26,840</u>
25	<u>10</u>	<u>23,644</u>	<u>24,704</u>	<u>25,645</u>	<u>26,173</u>	<u>26,716</u>	<u>27,701</u>

7 (b) The 9-month pay schedule for teachers for the--last
 8 6-months-of THE LAST 6 MONTHS OF fiscal year 1993 1995 is as
 9 follows:

10 Annual Hours -- 1560 Note: includes DOES NOT
 11 INCLUDE Insurance
 12 Term -- Nine Months Matrix Type -- Annual
 13 Education Level

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
14	-1	<u>20,204</u>	<u>20,712</u>	<u>21,233</u>	<u>21,407</u>	<u>22,263</u>
15	-2	<u>20,801</u>	<u>21,367</u>	<u>21,934</u>	<u>22,217</u>	<u>22,502</u>
16	-3	<u>21,397</u>	<u>22,022</u>	<u>22,635</u>	<u>22,950</u>	<u>23,262</u>
17	-4	<u>21,996</u>	<u>22,681</u>	<u>23,336</u>	<u>23,688</u>	<u>24,023</u>
18	-5	<u>22,591</u>	<u>23,336</u>	<u>24,037</u>	<u>24,410</u>	<u>24,784</u>
19	-6	<u>23,189</u>	<u>23,995</u>	<u>24,741</u>	<u>25,142</u>	<u>25,545</u>
20	-7	<u>23,783</u>	<u>24,640</u>	<u>25,440</u>	<u>25,873</u>	<u>26,305</u>
21	-8	<u>24,381</u>	<u>25,306</u>	<u>26,144</u>	<u>26,605</u>	<u>27,060</u>
22	-9	<u>24,978</u>	<u>25,961</u>	<u>26,845</u>	<u>27,336</u>	<u>27,829</u>
23	-10	<u>25,575</u>	<u>26,619</u>	<u>27,546</u>	<u>28,066</u>	<u>28,581</u>
24	-11	<u>26,172</u>	<u>27,254</u>	<u>28,240</u>	<u>28,817</u>	<u>29,399</u>
25	-12	<u>26,172</u>	<u>27,254</u>	<u>28,240</u>	<u>28,817</u>	<u>29,399</u>

1	<u>11</u>	<u>24,250</u>	<u>25,349</u>	<u>26,358</u>	<u>26,935</u>	<u>27,526</u>	<u>28,557</u>
2	<u>12</u>	<u>24,250</u>	<u>25,349</u>	<u>26,358</u>	<u>26,935</u>	<u>27,526</u>	<u>28,557</u>
3	<u>13</u>	<u>24,250</u>	<u>25,349</u>	<u>26,358</u>	<u>26,935</u>	<u>27,526</u>	<u>28,557</u>

Section 6. 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 1992 1994 AND FOR THE FIRST 6 MONTHS OF FISCAL YEAR 1995 is as follows:

Annual Hours -- 2080 Note: With DOES NOT
INCLUDE Insurance

Pay Matrix -- Retail Clerk Matrix Type -- Hourly

Grade	\$/Hour
	W/Inst
b1	-0-000
b2	-9-140
b3	-9-640
b4	-9-920
b5	10-210
b6	10-820
b7	11-400
b8	12-230

(2)--(a) The pay schedule for liquor store occupations for the first 6 months of fiscal year 1993 is as follows:

Annual Hours ---- 2080 Note: With Insurance

Pay Matrix ---- Retail Clerk Matrix Type ---- Hourly

Grade	\$/Hour
	W/Inst
b1	-0-000
b2	-9-505
b3	10-005
b4	10-205
b5	10-575
b6	11-105
b7	11-045
b8	12-595
b1	-0-000
b2	-9-020
b3	10-320
b4	10-600
b5	10-090
b6	11-500
b7	12-160
b8	12-910
L1	0.000
L2	8.609
L3	9.109
L4	9.389
L5	9.679
L6	10.289
L7	10.949

1	<u>B0</u>	<u>12,415</u>
2	<u>B9</u>	<u>12,015</u>
3	<u>B10</u>	<u>13,215</u>
4	<u>B11</u>	<u>13,615</u>
5	<u>B12</u>	<u>14,015</u>
6	<u>B00</u>	<u>14,415</u>
7	<u>B1</u>	<u>10,295</u>
8	<u>B2</u>	<u>10,695</u>
9	<u>B3</u>	<u>11,095</u>
10	<u>B4</u>	<u>11,495</u>
11	<u>B5</u>	<u>11,895</u>
12	<u>B6</u>	<u>12,295</u>
13	<u>B7</u>	<u>12,695</u>
14	<u>B0</u>	<u>13,095</u>
15	<u>B9</u>	<u>13,495</u>
16	<u>B10</u>	<u>13,895</u>
17	<u>B11</u>	<u>14,295</u>
18	<u>B12</u>	<u>14,695</u>
19	<u>B00</u>	<u>15,095</u>
20	<u>B1</u>	<u>9.084</u>
21	<u>B2</u>	<u>9.484</u>
22	<u>B3</u>	<u>9.884</u>
23	<u>B4</u>	<u>10.284</u>
24	<u>B5</u>	<u>10.684</u>
25	<u>B6</u>	<u>11.084</u>

1	<u>B7</u>	<u>11.484</u>
2	<u>B8</u>	<u>11.884</u>
3	<u>B9</u>	<u>12.284</u>
4	<u>B10</u>	<u>12.684</u>
5	<u>B11</u>	<u>13.084</u>
6	<u>B12</u>	<u>13.484</u>
7	<u>B00</u>	<u>13.884</u>

(2) -- The pay schedule for blue-collar workers for the first 6 months of fiscal year 1993 is as follows:

Annual Hours --- 2000	Note: With Insurance	
Pay Matrix --- Blue Collar	Matrix Type --- Hourly	
Grade	\$/Hour	
14	B1	-9,980
15	B2	10,380
16	B3	10,780
17	B4	11,180
18	B5	11,580
19	B6	11,980
20	B7	12,380
21	B8	12,780
22	B9	13,180
23	B10	13,580
24	B11	13,980
25	B12	14,380

B00 14-780

(3)(2) The pay schedule for blue-collar workers for the last--6-months-of THE LAST 6 MONTHS OF fiscal year 1993 1995 is as follows:

Annual Hours -- 2080 Note: With DOES NOT
INCLUDE Insurance

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

Grade	\$/Hour
	W/ins-
B1	10-180
B2	10-580
B3	10-980
B4	11-380
B5	11-780
B6	12-180
B7	12-580
B8	12-980
B9	13-380
B10	13-780
B11	14-180
B12	14-580
B00	14-980
<u>B1</u>	<u>10-410</u>
<u>B2</u>	<u>10-810</u>
<u>B3</u>	<u>11-210</u>

1	<u>B4</u>	<u>11-610</u>
2	<u>B5</u>	<u>12-010</u>
3	<u>B6</u>	<u>12-410</u>
4	<u>B7</u>	<u>12-810</u>
5	<u>B8</u>	<u>13-210</u>
6	<u>B9</u>	<u>13-610</u>
7	<u>B10</u>	<u>14-010</u>
8	<u>B11</u>	<u>14-410</u>
9	<u>B12</u>	<u>14-810</u>
10	<u>B00</u>	<u>15-210</u>
11	<u>B1</u>	<u>9.266</u>
12	<u>B2</u>	<u>9.666</u>
13	<u>B3</u>	<u>10.066</u>
14	<u>B4</u>	<u>10.466</u>
15	<u>B5</u>	<u>10.866</u>
16	<u>B6</u>	<u>11.266</u>
17	<u>B7</u>	<u>11.666</u>
18	<u>B8</u>	<u>12.066</u>
19	<u>B9</u>	<u>12.466</u>
20	<u>B10</u>	<u>12.866</u>
21	<u>B11</u>	<u>13.266</u>
22	<u>B12</u>	<u>13.666</u>
23	<u>B00</u>	<u>14.066"</u>

SECTION 8. SECTION 2-18-622, MCA, IS AMENDED TO READ:

"2-18-622. Reduction in force -- severance pay and

1 retraining allowance required. (1) If a reduction in force
 2 is necessary, the state may shall provide severance pay, as
 3 provided in subsection (2), and may provide a retraining
 4 allowance. Within a collective bargaining unit, severance
 5 pay and the retraining allowance are negotiable subjects
 6 under 39-31-305.

7 (2) A state employee whose employment is terminated
 8 because of a reduction in force is entitled to 1 week of
 9 severance pay for each year the employee has been employed
 10 by the state, not to exceed a total of 2 weeks of severance
 11 pay. Payment of the severance pay is to be made in a lump
 12 sum to the employee on the employee's termination date."

13 **Section 9.** Section 2-18-703, MCA, is amended to read:

14 "2-18-703. Contributions. (1) Each agency, as defined
 15 in 2-18-601, shall contribute the amount specified in this
 16 section towards the group benefits cost.

17 (2) For employees defined in 2-18-701, other than
 18 members of collective bargaining units, and for members of
 19 the legislature, the employer contribution for group
 20 benefits shall be ~~\$170~~ \$210 per month for the fiscal year
 21 ending June 30, ~~1992~~ 1994, and ~~\$190~~ \$230 per month for the
 22 fiscal year ending June 30, ~~1993~~ 1995, and for each fiscal
 23 year thereafter. When a state employee is terminated to
 24 achieve a reduction in force, the continuation of
 25 contributions for group benefits beyond the termination date

1 is subject to negotiation under 39-31-305. Permanent
 2 part-time, seasonal part-time, and temporary part-time
 3 employees who are regularly scheduled to work less than 20
 4 hours a week are not eligible for the group benefit
 5 contribution. An employee who elects not to be covered by a
 6 state-sponsored group benefit plan may not receive the state
 7 contribution as wages. A portion of the employer
 8 contribution for group benefits may be applied to an
 9 employee's costs for participation in Part B of medicare
 10 under Title XVIII of the Social Security Act of 1965, as
 11 amended, if the state group benefit plan is the secondary
 12 payer and medicare the primary payer.

13 (3) For employees of elementary and high school
 14 districts and of local government units, the employer's
 15 premium contributions may exceed but may not be less than
 16 \$10 per month.

17 (4) Unused employer contributions for any state
 18 employee must be transferred to an account established for
 19 this purpose by the department of administration and upon
 20 transfer may be used to offset losses occurring to the group
 21 of which the employee is eligible to be a member.

22 (5) Unused employer contributions for any government
 23 employee may be transferred to an account established for
 24 this purpose by a self-insured government and upon transfer
 25 may be used to offset losses occurring to the group of which

1 the employee is eligible to be a member or to increase the
2 reserves of the group."

3 **Section 10.** Section 2-6-110, MCA, is amended to read:

4 "2-6-110. Electronic information -- public access. (1)
5 Except as provided by law, each person is entitled to a copy
6 of information compiled, created, or otherwise in the
7 custody of public agencies that is in electronic format,
8 subject to the same restrictions applicable to the
9 information in printed form. All restrictions relating to
10 confidentiality, privacy, business secrets, and copyright
11 are applicable to the electronic information.

12 (2) Except as provided by law, an agency may charge a
13 fee, not to exceed:

14 (a) the agency's actual cost of purchasing the
15 electronic media used for transferring data, if the person
16 requesting the information does not provide the media; or

17 (b) expenses incurred by the agency as a result of
18 mainframe processing charges or other out-of-pocket expenses
19 directly associated with the request for information.

20 (3) An agency may also charge an hourly fee for each
21 hour, or fraction of an hour, after one-half hour of copying
22 service has been provided. The hourly fee may not exceed the
23 hourly rate for the current fiscal year for a state employee
24 classified as grade 10, step--2 market salary, under
25 2-18-312.

1 (4) For the purposes of this section, the term "agency"
2 has the meaning provided in 2-3-102 but includes
3 legislative, judicial, and state military agencies.

4 (5) This section does not authorize the release of
5 electronic security codes giving access to private
6 information."

7 **NEW SECTION. Section 11. Appropriation.** (1) The
8 following money for the indicated fiscal years is
9 appropriated to the listed agencies to implement [this act]:

	FISCAL 1994		FISCAL 1995	
	General Fund	Other Funds	General Fund	Other Funds
Legislative Auditor				
	7,315	7,925	14,630	15,850
	<u>7,896</u>	<u>7,268</u>	<u>14,361</u>	<u>14,367</u>
	<u>7,113</u>	<u>7,705</u>	<u>29,810</u>	<u>20,440</u>
			<u>22,301</u>	<u>24,200</u>
Legislative Fiscal Analyst				
	4,880	-0-	8,160	-0-
	<u>3,602</u>		<u>7,285</u>	
	<u>3,792</u>		<u>14,956</u>	
			<u>12,751</u>	
Legislative Council				
	7,379	2,934	19,627	3,480
	<u>6,240</u>	<u>3,100</u>	<u>15,499</u>	<u>3,197</u>
	<u>6,593</u>	<u>3,247</u>	<u>32,173</u>	<u>4,548</u>

1			<u>26,374</u>	<u>5,631</u>
2	Environmental Quality Council			
3		<u>17620</u>	<u>60</u>	<u>37240</u>
4		<u>17466</u>	<u>0</u>	<u>27932</u>
5		<u>1,543</u>		<u>67060</u>
6				<u>4,682</u>
7	Consumer Counsel			
8		<u>-0-</u>	<u>17260</u>	<u>-0-</u>
9			<u>17140</u>	<u>27200</u>
10			<u>1,200</u>	<u>37244</u>
11				<u>4,400</u>
12	Judiciary			
13		<u>197560</u>	<u>27640</u>	<u>397120</u>
14		<u>107240</u>	<u>27500</u>	<u>367400</u>
15		<u>19,286</u>	<u>2,587</u>	<u>77136</u>
16				<u>70,178</u>
17	<u>MONTANA UNIVERSITY SYSTEM</u>			
18		<u>605,746</u>	<u>293,708</u>	<u>172117491</u>
19				<u>5007785</u>
20				<u>27514796</u>
21	Office of Budget and Program Planning for Distribution to			<u>8377649</u>
22	All Other Agencies			<u>1,926,552</u>
23		<u>170797701</u>	<u>175737171</u>	<u>272067710</u>
24		<u>9057094</u>	<u>175307072</u>	<u>371617769</u>
25		<u>9637220</u>	<u>1,581,230</u>	<u>177947223</u>
				<u>370967075</u>
				<u>474047704</u>

1 975,226 370307979 4,755,679

2 2,811,663

3 (2) THE APPROPRIATION TO THE MONTANA UNIVERSITY SYSTEM

4 INCLUDES FUNDING FOR UNIVERSITY SYSTEM UNITS AS DEFINED IN

5 17-7-102(16). THE LEGISLATURE RECOGNIZES THAT THE MONTANA

6 UNIVERSITY SYSTEM WILL NEED TO INCREASE TUITION AND FEES TO

7 FUND THE INCREASES AUTHORIZED BY [THIS ACT].

8 NEW SECTION. SECTION 12. COORDINATION INSTRUCTION. IF

9 [THIS ACT] IS PASSED AND APPROVED AND IF IT INCLUDES A

10 SECTION THAT AMENDS 2-18-622 TO PROVIDE FOR LUMP-SUM

11 SEVERANCE PAY FOR STATE EMPLOYEES, THEN SECTIONS 44, 112,

12 AND 158 OF SENATE BILL NO. 385 [CHAPTER 265, LAWS OF 1993]

13 ARE AMENDED AS FOLLOWS:

14 Section 44. Definitions. Unless the context requires

15 otherwise, as used in this chapter, the following

16 definitions apply:

17 (1) "Compensation" means remuneration paid out of funds

18 controlled by an employer. Compensation does not include the

19 payments or contributions made in lieu of wages for an

20 individual subject to 19-3-403(4)(a).

21 (2) "Contracting employer" means any political

22 subdivision or governmental entity that has contracted to

23 come into the system under this chapter.

24 (3) "Employer" means the state of Montana, its

25 university system or any of the colleges, schools,

1 components, or units of the university system for the
2 purposes of this chapter, or any contracting employer.

3 (4) "Employer contributions" means payments to the
4 pension trust fund pursuant to 19-3-801 from appropriations
5 of the state of Montana and from contracting employers.

6 (5) "Final average salary", except as provided in
7 19-3-907, means a member's highest average monthly
8 compensation during any 36 consecutive months of membership
9 service. Lump-sum payments for severance pay, sick leave,
10 and annual leave paid to the member upon termination of
11 employment may be used in the calculation of a retirement
12 benefit only to the extent that they are used to replace, on
13 a month-for-month basis, the regular compensation for a
14 month or months included in the calculation of the final
15 average salary. A lump-sum payment may not be added to a
16 single month's compensation.

17 Section 112. Section 19-6-101, MCA, is amended to read:

18 "19-6-101. Definitions. Unless the context requires
19 otherwise, the following definitions apply in this chapter:

20 (1) "Account" means the Montana highway patrol
21 officers' retirement pension trust fund.

22 (2) "Accumulated deductions" means the total of the
23 amounts deducted from the salary of a member, paid into the
24 account, and standing to his credit in the account, together
25 with the regular interest thereon.

1 (3) "Actuarial equivalent" means a benefit of equal
2 value when computed on the basis of the 1971 Group Annuity
3 Mortality Table, with ages set back 4 years and an interest
4 rate of 8% compounded annually.

5 (4) "Beneficiary" means a surviving spouse or dependent
6 child or, if there is no surviving spouse or dependent
7 child, a person nominated to receive benefits under
8 19-6-602.

9 (5) "Board" means the public employees' retirement
10 board provided for in 2-15-1009.

11 (6) "Department" means the public employees' retirement
12 division of the department of administration.

13 (1) "Compensation" means remuneration paid for services
14 to a member out of funds controlled by an employer before
15 any deductions have been made and exclusive of maintenance,
16 allowances, and expenses.

17 (7)(2) "Dependent child" means an unmarried child of a
18 deceased retired patrol officer member, who is:

19 (a) under 18 years of age; or

20 (b) under 24 years of age and attending an accredited
21 postsecondary educational institution as a full-time student
22 in anticipation of receiving a certificate or degree.

23 (8)(3) "Final average salary" means the average annual
24 monthly compensation received by a member, before any
25 deductions have been made and exclusive of maintenance,

1 allowances,--and--expenses, for any 3 years of continuous
 2 service upon which contributions have been made or, in the
 3 event a member has not served 3 years, the total
 4 compensation earned divided by the number of years months
 5 served. Lump-sum payments for severance pay, sick leave, and
 6 annual leave paid to an employee upon termination of
 7 employment service may be used in the calculation of a
 8 retirement allowance benefit only to the extent that they
 9 are used to replace, on a month-for-month month-for-month
 10 basis, the normal compensation for a month or months
 11 included in the calculation of the final average salary. A
 12 lump-sum payment may not be added to a single month's
 13 compensation.

14 {9}--"Member"--means--a--person--who--has--accumulated
 15 deductions-in-the-account-standing-to-his-credit.

16 {10}--"Member's--annuity"--means--payments--for--life--derived
 17 from--contributions--made--by--the--member.

18 {11}--"Retired-patrol-officer"--means--a--person--in--receipt
 19 of--a--retirement--allowance--under--this--chapter.

20 {12}--"Retirement--age"--means--the--age--at--which--a--member
 21 retires--after--25--years--of--creditable--service--with--the
 22 Montana-highway-patrol.

23 {13}--"Retirement-allowance"--means--the--state--annuity--plus
 24 the--member's--annuity.

25 {14}--"State--annuity"--means--payments--for--life--derived

1 from--contributions--made--by--the--state--of--Montana.

2 {15}(4) "Surviving spouse" means the spouse married to
 3 a retired patrol-officer member at the time of the retired
 4 patrol-officer's member's death.

5 {5) "Survivor" means a surviving spouse or dependent
 6 child of a member."

7 Section 158. Section 19-8-101, MCA, is amended to read:

8 "19-8-101. Definitions. Unless the context requires
 9 otherwise, the following definitions apply in this chapter:

10 {1}--"Account"--means--the--Montana--state--game--wardens'
 11 retirement-pension-trust-fund.

12 {2}--"Accumulated--deductions"--or--"accumulated
 13 contributions"--means--the--sum--of--all--contributions--standing
 14 to--the--credit--of--a--member's--individual--account--together--with
 15 the--regular--interest--thereon.

16 {3}--"Actuarial--equivalent"--means--a--benefit--of--equal
 17 value--when--computed--upon--the--basis--of--the--1971--Group--Annuity
 18 Mortality--Table,--with--ages--set--back--4--years--and--an--interest
 19 rate--of--8%--compounded--annually.

20 {4}--"Beneficiary"--means--a--person--nominated--to--receive
 21 benefits--under--this--chapter--by--a--member's--written
 22 designation,--witnessed--and--filed--with--the--board.

23 {5}--"Board"--means--the--public--employees'--retirement
 24 board.

25 {6}--"Contributor"--means--any--person--who--has--accumulated

deductions-in-the-account-standing-to-his-credit

(1) "Compensation" means remuneration paid for services to a member out of funds controlled by an employer before any deductions are made and exclusive of maintenance, allowances, and expenses.

(2) "Final average salary" means the average annual monthly compensation received by a contributor before any deductions have been made and exclusive of maintenance allowances, and expenses, member for any 3 years of continuous service upon which contributions have been were made or, in the event a member has not served 3 years, the total retirement compensation earned divided by the number of years months served. Lump-sum payments for severance pay, sick leave, and annual leave paid to an employee upon termination of employment may be used in the calculation of a retirement allowance benefit only to the extent that they are used to replace, on a month-for-month month-for-month basis, the normal compensation for a month or months included in the calculation of the final average salary. A lump-sum payment may not be added to a single month's compensation.

(8) "Member's annuity" means payments for life derived from contributions made by the contributor.

(9) "Retired state game warden" means any person in receipt of a retirement allowance under this chapter.

(10) "Retirement allowance" means the state annuity plus the member's annuity.

(11) "State annuity" means payments for life derived from contributions made by the state from department of fish, wildlife, and parks moneys.

(12) (3) "State game warden" means all a state fish and game wardens warden hired by the department of fish, wildlife, and parks and includes all warden supervisory personnel whose salaries or compensation is paid out of the department of fish, wildlife, and parks moneys money."

NEW SECTION. SECTION 13. LIMITATION ON CHOICE OF BENEFITS. A STATE EMPLOYEE WHO CHOOSES TO ACCEPT SEVERANCE PAY AS PROVIDED UNDER 2-18-622(2) IS NOT ELIGIBLE FOR ANY OF THE BENEFITS PROVIDED FOR IN HOUSE BILL NO. 522 EXCEPT THOSE PROVIDED IN [SECTION 3(1)(B)] OF THAT BILL.

NEW SECTION. SECTION 14. EFFECTIVE DATES. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), [THIS ACT] IS EFFECTIVE JULY 1, 1993.

(2) [SECTION 3] IS EFFECTIVE JANUARY 1, 1995. [SECTIONS 8, 12, AND 13 AND THIS SECTION] ARE EFFECTIVE ON PASSAGE AND APPROVAL.

NEW SECTION. SECTION 15. TERMINATION. [SECTION SECTIONS 8 9 8, 12, AND 13] TERMINATES TERMINATE JUNE 30, 1995.

-End-

1 House BILL NO. 199
 2 INTRODUCED BY A. Russell Whalen, Stella J. Sanchez
 3 James B. Rice, D. Swain

4 A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE
 5 REQUIREMENT THAT AN EMPLOYEE'S DISQUALIFICATION FROM
 6 RECEIVING UNEMPLOYMENT BENEFITS FOR LEAVING WORK WITHOUT
 7 GOOD CAUSE MUST BE ATTRIBUTABLE TO EMPLOYMENT; AND AMENDING
 8 SECTIONS 39-51-2302 AND 39-51-2508, MCA."

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

11 **Section 1.** Section 39-51-2302, MCA, is amended to read:

12 "39-51-2302. Disqualification for leaving work without
 13 good cause. (1) An individual ~~shall be~~ is disqualified for
 14 benefits if ~~he~~ the individual has left work without good
 15 cause ~~attributable to his employment.~~

16 ~~{2}--He--may--not--be--disqualified--if--the--department--finds~~
 17 ~~that--he--left--his--employment--because--of--personal--illness--or~~
 18 ~~injury--not--associated--with--misconduct--upon--the--advice--of--a~~
 19 ~~licensed--and--practicing--physician--and--after--recovering--from~~
 20 ~~his--illness--or--injury--when--recovery--is--certified--by--a~~
 21 ~~licensed--and--practicing--physician;--he--returned--to--his~~
 22 ~~employer--and--offered--his--service--and--his--regular--or~~
 23 ~~comparable--suitable--work--was--not--available;--if--so--found--by~~
 24 ~~the--department;--provided--he--is--otherwise--eligible~~

25 ~~{3}~~ (2) To requalify for benefits, an individual must

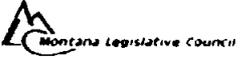
1 shall perform services other than self-employment for which
 2 remuneration is received equal to or in excess of six times
 3 his the individual's weekly benefit amount subsequent to the
 4 week in which the act causing the disqualification occurred
 5 unless ~~he~~ the individual has been in regular attendance at
 6 an educational institution accredited by the state of
 7 Montana for at least 3 consecutive months from the date of
 8 his enrollment."

9 **Section 2.** Section 39-51-2508, MCA, is amended to read:

10 "39-51-2508. Eligibility requirements for extended
 11 benefits -- disqualifications -- acceptance of suitable
 12 work. (1) An individual ~~shall be~~ is eligible to receive
 13 extended benefits with respect to any week of unemployment
 14 in this eligibility period only if the department finds that
 15 with respect to such a week, the individual:

- 16 (a) he is an exhaustee, as defined in 39-51-2501;
- 17 (b) he is not disqualified for the receipt of regular
- 18 benefits pursuant to part 23 of this chapter and, if ~~he is~~
- 19 disqualified, he the individual satisfies the requirements
- 20 for requalification in that part; and
- 21 (c) he has satisfied the other requirements of this
- 22 chapter for the receipt of regular benefits that are
- 23 applicable to individuals claiming extended benefits.

24 (2) In addition to the disqualifications provided for
 25 in subsection (1)(b), an individual is disqualified for



1 extended benefits if he the individual fails to seek work.
2 Such The disqualification continues for the week in which
3 such the failure occurs and until the individual has
4 performed services, other than self-employment, for which
5 remuneration is received equal to or in excess of his the
6 individual's weekly benefit amount in 4 separate weeks
7 subsequent to the date the act causing the disqualification
8 occurred.

9 (3) A regular benefit claimant who is disqualified for
10 gross misconduct under 39-51-2303(2) may not be paid
11 extended benefits unless he the claimant has earned at least
12 eight times the weekly benefit amount after the date of such
13 the disqualification.

14 (4) A regular benefit claimant who voluntarily leaves
15 work to attend school and, pursuant to 39-51-2302~~†3~~(2),
16 requalifies for regular benefits may not be paid extended
17 benefits unless he the claimant has earned at least six
18 times the weekly benefit amount.

19 (5) For the purposes of determining eligibility for
20 extended benefits, the department shall by rule define the
21 term "suitable work". Such The definition ~~shall~~ must be in
22 accordance with the definition required by the Omnibus
23 Reconciliation Act of 1980, P.L. 96-499, and as may be
24 amended after March 19, 1981."

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0199, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION: An act eliminating the requirement that an employee's disqualification from receiving unemployment benefits for leaving work without good cause must be attributable to employment.

ASSUMPTIONS:

1. The total number of individuals considered for disqualification under voluntary quit provisions are estimated to be 4,900 in FY94 and 4,800 in FY95.
2. a. Under current law that has been in place for the past five years (7/86 - 6/92), a review of claimants shows that an average of 29% of the voluntary quits qualified for benefits when the "Attributable to Employment" criteria was in effect.
b. Historically, when the proposed law was in effect during three years prior to the 1985 law change, 48% of the voluntary quits qualified for benefits when the "Good Cause" provision was in effect.
c. These records indicate there would be an estimated net increase of 19% of voluntary quits qualifying for benefits if the "Good Cause" is put back into the law. (4900 claimants x 19% = 931 new claimants in FY94)
3. A review of FY92 claimants indicates the potential average benefit amount for all claimants to be \$142.87 and the potential for claimants who were disqualified for voluntary quit reasons was \$120.87. (15.4% less)
4. The actual average benefit amount is projected to be \$133 in FY94 and \$134 in FY95. The actual average benefit amount is less than the potential due to claimants drawing partial benefits. The actual benefit amount for claimants disqualified for voluntary quit reasons is therefore expected to be 15.4% less. (\$112 in FY94 and \$113 in FY95)
5. The average actual weeks of duration for claimants is estimated to be 13.5 weeks in FY94 and 13 weeks in FY95. Claimants no longer disqualified for voluntary quit reasons are expected to draw benefits for the same average duration as other claimants. (931 x 112 benefits x 13.5 weeks = \$1,407,000 benefits in FY94)
6. Total benefit payments under current law are estimated to be \$49,900,000 in FY94 and \$50,600,000 in FY95.

FISCAL IMPACT:

Expenditures:

	FY 1994			FY 1995		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
UI Benefits	\$49,900,000	\$51,307,000	\$1,407,000	\$50,600,000	\$51,939,000	\$1,339,000

Revenues:

Employer Trust Fund Contributions	\$64,500,000	\$64,500,000	0	\$64,100,000	\$64,100,000	0
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Net Impact:

Expendable Trust Fund	\$14,600,000	\$13,193,000	(\$1,407,000)	\$13,500,000	\$12,161,000	(\$1,339,000)
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(Continued)

David Lewis 1-20-93

DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

ANGELA RUSSELL, PRIMARY SPONSOR DATE

Fiscal Note for HB0199, as introduced

HB 199

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES: A minimal increase in benefit payments is anticipated to be charged to local governments. This increase is not expected to change government tax rates.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION: The proposal generally will increase benefits payments and, therefore, reduce the expendable trust fund in the long term. This will result in higher tax rates to employers during some years to recover from the additional expenditure. However, higher tax rates are not anticipated during the 1995 biennium.