

**Amendment - 2nd Reading/2nd House-tan - Requested by: Sue Vinton - (S) Committee of the Whole**

- 2025

69th Legislature 2025

Drafter: Julie Johnson,

HB0013.002.005

HOUSE BILL NO. 13

INTRODUCED BY J. FITZPATRICK

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS GOVERNING STATE EMPLOYEE COMPENSATION; REVISING STATE EMPLOYEE PER DIEM RATES; INCREASING THE EMPLOYER CONTRIBUTION FOR GROUP BENEFITS; SETTING THE HOURLY PAY RATE FOR LEGISLATORS IN FUTURE BIENNIA; APPROPRIATING FUNDS TO IMPLEMENT PAY AND BENEFIT REVISIONS AND PER DIEM ADJUSTMENTS; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 2-18-303, 2-18-501, AND 2-18-703, AND 5-2-301, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

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

**"2-18-303. Procedures for administering broadband pay plan.** (1) On the first day of the first complete pay period in fiscal year ~~2024~~ 2026, each employee is entitled to the amount of the employee's base salary as it was on June 30, ~~2023~~ 2025.

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

(3) Effective on the first day of the first complete pay period that includes July 1, ~~2023~~ 2025, the base salary of each employee must be increased by ~~\$1.50~~ \$1.00 an hour or by ~~4%~~ 2.5%, whichever is greater. Effective on the first day of the first complete pay period that includes July 1, ~~2024~~ 2026, the base salary of each employee must be increased by ~~\$1.50~~ \$1.00 an hour or by ~~4%~~ 2.5%, whichever is greater. ~~All full-time employees must receive a one-time, lump-sum payment of \$1,040 in the first full pay period after April 11, 2023. All employees who are regularly scheduled to work 20 hours or more a week but less than 40 hours a week must receive a one-time, lump-sum payment of \$780 in the first full pay period after April 11, 2023. All employees who are regularly scheduled to work less than 20 hours a week must receive a one-time, lump-sum~~

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employees with dependents than to employees without dependents or with fewer dependents."

**Section 4.** Section 5-2-301, MCA, is amended to read:

**~~"5-2-301. Compensation and expenses for members while in session.~~** (1) ~~Legislators are entitled to a salary commensurate to that of the daily rate for an employee earning \$10.33 an hour when the regular session of the legislature in which they serve is convened under 5-2-103 for those days during which the legislature is in session. The hourly rate must be adjusted by any statutorily required pay increase. For the legislators serving in the legislative session beginning in January 2027, the salary of each legislator must be determined by multiplying 80% times the average hourly wage for the state of Montana, all industry types, posted by the United States bureau of labor statistics from the most recently published quarter of employment and wages data. For the legislators serving in the legislative session beginning in January 2029 and any subsequent biennium, the salary of each legislator must be determined to be equal to the average hourly wage for the state of Montana, all industry types, posted by the United States bureau of labor statistics from the most recently published quarter of employment and wages data. The average hourly rate must be calculated by dividing the average weekly wage by 40 hours. The president of the senate and the speaker of the house must receive an additional \$5 a day in salary for those days during which the legislature is in session.~~

~~(2) Legislators may serve for no salary.~~

~~(3) Legislators are entitled to a daily allowance, 7 days a week, during a legislative session, as reimbursement for lodging, breakfast, lunch, dinner, and incidental expenses incurred in attending a session. The amount of the daily allowance is equal to the amount an employee of the executive branch of the federal government is generally entitled to receive as per diem for lodging, breakfast, lunch, dinner, and incidental expenses while away from home in the city of Helena but serving in the United States. Expense payments must stop when the legislature recesses for more than 3 days and resume when the legislature reconvenes.~~

~~(4) Legislators are entitled to a mileage allowance as provided in 2-18-503 for each mile of travel to the place of the holding of the session and to return to their place of residence at the conclusion of the session.~~

~~(5) In addition to the mileage allowance provided for in subsection (4), legislators, on submittal of~~

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~~an appropriate claim for mileage reimbursement to the legislative services division, are entitled to:~~

~~(a) three additional round trips to their place of residence during each regular session; and~~

~~(b) additional round trips as authorized by the legislature during special session.~~

~~(6) Legislators are not entitled to any additional mileage allowance under subsection (4) for a special session if it is convened within 7 days of a regular session.~~

~~(7) The department of administration shall work with the legislative services division to offer options to legislators to receive their session salary provided for in subsection (1) over the 2-year legislative term or a portion of the term. The options must be offered to all legislators in order to assist legislators to manage their income over the term. The per diem allowance and mileage as provided in this section, salary during a special session as provided in 5-3-101, and the salary during the interim as provided for in 5-2-302 may not be affected."~~

**NEW SECTION. Section 4. Appropriations.** (1) The following money for the indicated fiscal years is appropriated to the listed agencies to implement the adjustments provided in 2-18-303:

Fiscal Year 2026

	General Fund	State Special	Federal Special	Proprietary
Legislative Branch				
441,185		66,291		
Consumer Counsel				
18,266				
Judicial Branch				
1,012,535		48,454	812	
Executive Branch				
12,940,632		10,811,397	6,347,166	237,519
Montana University System				
9,489,860		1,569	56,860	
Total				