

1 HOUSE BILL NO. 72

2 INTRODUCED BY B. BARKER

3 BY REQUEST OF THE DEPARTMENT OF MILITARY AFFAIRS

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ENLISTED MILITIA COMPENSATION FOR STATE
6 ACTIVE DUTY; REMOVING THE 15-DAY LIMITATION ON COMPENSATION; AMENDING SECTION 10-1-
7 502, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 **Section 1.** Section 10-1-502, MCA, is amended to read:

12 **"10-1-502. Pay and allowances.** (1) An officer ordered into active duty as provided for in Article VI,
13 section 13, of the constitution of this state must receive pay and allowances as prescribed for an officer of
14 corresponding grade and length of service when on active duty in federal service.

15 (2) A rated aviation officer performing flying duties in support of a state declaration of emergency
16 or disaster may receive pay at a rate comparable to the pay for other state employees engaged in aerial wildfire
17 suppression efforts if the adjutant general determines that payment at that rate is appropriate.

18 (3) An enlisted member ordered into active duty as provided for in Article VI, section 13, of the
19 constitution of this state must receive pay at rates equivalent to twice those allowed for an enlisted member of
20 corresponding grade and length of time when on active duty in federal service. ~~This schedule of pay for enlisted~~
21 ~~members applies only to the first 15 days of service. After 15 days, an enlisted member must receive the pay~~
22 ~~and allowances as prescribed for an enlisted member of corresponding grade and length of service when on~~
23 ~~active duty in federal service.~~

24 (4) A national guard member placed on state duty for special work, as defined in 10-1-505, must
25 receive the pay and allowances as prescribed for an officer or enlisted member of corresponding grade and
26 length of service when on active duty in federal service.

27 (5) The pay and allowances provided for in subsections (1) and (2) may not be paid when pay and
28 allowances for the active duty are provided out of federal funds."

1

2 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

3

- END -