

1 SENATE BILL NO. 402

2 INTRODUCED BY W. CURDY

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING WILDLAND FIREFIGHTER COMPENSATION;
5 ALLOWING FOR HAZARD PAY FOR ~~WILDLAND~~ FIREFIGHTERS ENGAGED ON AN UNCONTROLLED
6 FIRE INCIDENT OR WORKING AT A FIRE INCIDENT HELIBASE; AMENDING SECTION 2-18-303, MCA;
7 AND PROVIDING AN EFFECTIVE DATE."

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

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

12 **"2-18-303. Procedures for administering broadband pay plan.** (1) On the first day of the first
13 complete pay period in fiscal year 2022, each employee is entitled to the amount of the employee's base salary
14 as it was on June 30, 2021.

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

17 (3) Effective on the first day of the first complete pay period that includes November 15, 2022, the
18 base salary of each employee must be increased by 55 cents an hour.

19 (4) (a) (i) A member of a bargaining unit may not receive the pay adjustment provided for in
20 subsection (3) until the employer's collective bargaining representative receives written notice that the
21 employee's collective bargaining unit has ratified a collective bargaining agreement.

22 (ii) If ratification of a collective bargaining agreement, as required by subsection (4)(a)(i), is not
23 completed by the date on which a legislatively authorized pay increase is implemented, members of the
24 bargaining unit must continue to receive the compensation that they were receiving until an agreement is
25 ratified.

26 (b) Methods of administration consistent with the purpose of this part and necessary to properly
27 implement the pay adjustments provided for in this section may be provided for in collective bargaining
28 agreements.

1 (5) (a) Montana highway patrol officer base salaries must be established through the
2 broadband pay plan. Before January 1 of each odd-numbered year, the department shall, after seeking the
3 advice of the Montana highway patrol, conduct a salary survey to be used in establishing the base salary for
4 existing and entry-level highway patrol officer positions. The county sheriff's offices and the city police
5 departments located within the county seats of the following consolidated governments and counties are the
6 labor market for purposes of the survey: Butte-Silver Bow, Cascade, Yellowstone, Missoula, Lewis and Clark,
7 Gallatin, Flathead, and Dawson. The base salary for existing and entry-level highway patrol officer positions
8 must then be determined by the department of justice, using the results of the salary survey and the department
9 of justice pay plan guidelines. Base or biennial salary increases under this subsection are exclusive of and not
10 in addition to any increases otherwise awarded to other state employees after July 1, 2006.

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

13 (c) The department of justice shall submit the salary survey to the office of budget and program
14 planning as a part of the information required by 17-7-111.

15 (d) The salary survey and plan must be completed at least 6 months before the start of each
16 regular legislative session.

17 (6) (a) The salary of a wildland firefighter, AS DEFINED IN 2-18-501, who holds a current incident
18 qualification card and is engaged on a wildland fire-WILDFIRE as defined in 76-13-102 must be supplemented
19 with an amount equal to 25% of the wildland firefighter's base salary for the time the wildland firefighter is
20 working on the fire line of an uncontrolled fire incident or is working at a fire incident helibase that is servicing
21 active helicopter flights.

22 (b) The wildland firefighter salary supplemental adjustments allowed in subsection (6)(a) must be
23 funded pursuant to 76-13-150."

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25 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2023.

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