

FIRST REGULAR SESSION

# HOUSE BILL NO. 393

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BLACK.

1287H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal section 36.140, RSMo, and to enact in lieu thereof one new section relating to Missouri state highway patrol employee pay.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 36.140, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 36.140, to read as follows:

36.140. 1. After consultation with appointing authorities and the state fiscal officers, and after a public hearing following suitable notice, the director shall prepare and recommend to the board a pay plan for each class of positions subject to this chapter pursuant to subsection 1 of section 36.030 and each class of positions subject to this section pursuant to section 36.031. The pay plan shall include, for each class of positions, a minimum and a maximum rate, and such provision for intermediate rates as the director considers necessary or equitable. The pay plan may also provide for the use of open, or stepless, pay ranges. The pay plan may include provision for grouping of positions with similar levels of responsibility or expertise into broad classification bands for purposes of determining compensation and for such salary differentials and other pay structures as the director considers necessary or equitable. In establishing the rates, the director shall give consideration to the experience in recruiting for positions in the state service, the rates of pay prevailing in the state for the services performed, and for comparable services in public and private employment, living costs, maintenance, or other benefits received by employees, and the financial condition and policies of the state. These considerations shall be made on a statewide basis and shall not make any distinction based on geographical areas or urban and rural conditions. The pay plan shall take effect when approved by the board and the governor, and each employee appointed

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 to a position subject to this chapter pursuant to subsection 1 of section 36.030 and each class  
19 of positions subject to this section pursuant to section 36.031, after the adoption of the pay  
20 plan shall be paid according to the provisions of the pay plan for the position in which he or  
21 she is employed; provided, that the commissioner of administration certifies that there are  
22 funds appropriated and available to pay the adopted pay plan. The pay plan shall also be used  
23 as the basis for preparing budget estimates for submission to the legislature insofar as such  
24 budget estimates concern payment for services performed in positions subject to this chapter  
25 pursuant to subsection 1 of section 36.030 and positions subject to this section pursuant to  
26 section 36.031. Amendments to the pay plan may be recommended by the director from time  
27 to time as circumstances require and such amendments shall take effect when approved as  
28 provided by this section. The conditions under which employees may be appointed at a rate  
29 above the minimum provided for the class, or advance from one rate to another within the  
30 rates applicable to their positions, may be determined by the regulations.

31 2. Any change in the pay plan shall be made on a uniform statewide basis. No  
32 employee in a position subject to this chapter shall receive more or less compensation than  
33 another employee solely because of the geographical area in which the employee lives or  
34 works.

35 **3. The provisions of this section prohibiting consideration of geographical area**  
36 **in changes to the pay plan shall not apply to employees of the Missouri state highway**  
37 **patrol, except that employees of the Missouri state highway patrol shall never receive**  
38 **less compensation than another state employee solely because of the geographical area**  
39 **in which the employee lives or works.**

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