

February 1, 1979

Chairman Brand called the meeting to order at 9:00 a.m., all members answered roll call.

HB 442-Sponsored by Rep. Meyer -- This bill deals with court reporters and increasing their salary - the last increase they had was in 1975, and the inflation rate since then has been absurd. I have passed out a leaflet published by the court reporters (see Attachment #1), and there are reporters here to testify and answer questions.

LAURIE DIEMERT-Montana Shorthand Repairee's Association -- I work for Judge Bennett. She discussed the present statutory wage. If you don't support this, our present salary will be the same until 1981. She then described the duties of court reporters taking testimony verbatim and transcribing it. We have to build up our speed until we can take word for word. Continuing education comes out of our own pockets. Continuing education has to be done alot because of expert testimony, and if the court can't afford a secretary, then we also do that. Alot of overtime is involved, and our caseload has doubled, so the appeals cases have doubled. I would urge your support for a deserved salary increase.

ED WONTOR-Montana Court Reporters' Association -- The increase we are seeking doesn't come out of the General Fund. We are paid by the county in which the case originates. We don't get any benefits from the county and I do get sick leave, but if I get sick, there's no one to take my place. I urge your support.

NO OPPONENTS

MEYER-I think these people are deserving of some kind of increase and hope you support this.

KROPP-How many hours in an average work week? WONTOR-Court reporters are paid on the basis of cases in that district. Mineral county pays me 2.2%. It depends upon how long you spend in a county. We do get travel and mileage. SALES-I would like to know what salaries these people are paid in different districts and what other compensation they receive. DIEMERT-On page 2, line 3, "official business" - this has never included continuing education. One county judicial district would have \$19,500 as a basis, but there's only one district in the state like that. AZZARA-Would everyone start at \$19,000? WONTOR-Everyone starts at \$19,000, I would move right into \$22,500 with this bill. PORTER-Is there a minimum speed to qualify? WONTOR-Not officially, but if someone takes this job and can't write at least 225 words per minute, they won't stay long. Our vocabulary has to be the same as anyone testifying. KROPP-Is there quite a variance with different districts? WONTOR-Yes, we have large metro areas and small rural areas. A reporter in Conrad has a very different job than one in Billings. PORTER-If you use the Stenograph, I have been told there's an attachment you can use to get transcripts more rapidly. WONTOR-These aren't that good until you reach a certain volume. BRAND-The counties have always chastised us about mandating salary increases. WONTOR-It will be the same situation as I mentioned before as to small towns and large cities. This is an annual salary, so I'm paid regardless. BARNHOUVE-Isn't there some way you could tie your salaries into the counties so that you wouldn't have to come back to the Legislature every time? WONTOR-There is nothing existing to permit that. We would be more than pleased to do that. BRAND-If we draw up some new legislation

(BRAND continued)-to that effect, could you go along with that? WONTOR-We are hired and fired by the district judges. BRAND-Would you be opposed to leaving the minimum where it is and increasing the maximum so the judge would have some leeway? WONTOR-We could go along with that but I seriously doubt that taking the power away from the judge would be very good. MAGONE-What about a cost of living clause? BRAND-We couldn't do that, and that's why I suggested removing the bottom line. WONTOR-We would be dealing with 15 Commissioners in our district.

HB 421-Sponsored by Rep. Underdal -- This was requested by the Department of Revenue, and refers to Section 6, Chapter 246, to retire General Obligation Bonds issued in 1955 for the construction of the hospital. These bonds have all been paid off since 1973. This bill provides for the disposition of the monies and any further monies that come in. A similar bill was passed for the university system construction fund. So we want to put it in the General Fund.

VERA FRESEMAN-State Treasurer's Office -- These bonds are already paid and there's no need for this money to be sitting here.

MARY CRAIG-Acting Director, Department of Revenue -- There are additional accounting expenses involved in keeping this going.

NO OPPONENTS

BENNETT-Does this take care of any money received in the future? FRESEMAN-Yes, from now on these monies will go directly into the General Fund. JOHNSTON-Is there a revolving building fund that this could be put into? BARDANOUVE-Any surplus in the Long Range Building goes back to the General Fund.

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HB 421-FEDA moved DO PASS, which carried unanimously, SALES then moved that the bill be placed on the Consent Calendar, which also carried unanimously.

HB 442-JOHNSTON-I would like to amend \$19,000 and put it back to \$12,500 with the necessary title amendment. AZZARA-What about bringing that up just a little? BRAND-I would like to leave it up to the judges and I don't want to tell them what to do. SALES-As a substitute amendment, what about each reporter being entitled to receive an annual salary set by the judge in the district after approval of the county commissioners of the counties involved, (see HB 442, page 1, first sentence). McBRIDE-When you have multiple counties involved that could be a problem. MAGONE-That would be leaving it wide open. McBRIDE-You would be leaving the reporter out in the cold as far as how much they would be paid. JOHNSTON-I live in a four county district and I think this would open it up for a fight between the counties and the judiciary. BENNETT-Just cut out the salaries entirely, and let the judges give them what they want. AZZARA-If we don't give counties a way to set or generate revenue and do that, I think we should complete the circle.

SALES' substitute amendment failed by voice vote, so the committee reverted to Johnston's original motion to delete "minimum" in the title and the first section; the motion carried with Kropp and Sales opposing.

SALES-I would just like to see this handled at the local level.

BAETH moved HB 442 AS AMENDED DO PASS.

KROPP-I think it's too much of a raise.

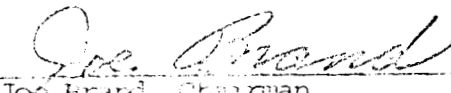
KROPP made a substitute motion to amend the maximum salary from \$25,000 down to \$22,000; and on a roll call vote the motion carried 16 - 3.

BAETH then moved that Kropp's amendment be included in his motion of AS AMENDED DO PASS, which the committee approved.


KANDUCH then moved to add another section to read that salaries be set at such a level to reflect a 5% increase without exceeding the maximum; but due to the evident disapproval of the committee, he withdrew his motion.

The vote on BAETH's motion of AS AMENDED DO PASS was 18 - 1, with Sales opposed.

Adjourned: 10:05 a.m.



Joe Brand, Chairman



Nita Sierke, Secretary