

MINUTES OF THE MEETING
LOCAL GOVERNMENT COMMITTEE
MONTANA STATE SENATE

January 17, 1981

The meeting of the Local Government Committee was called to order by Chairman George McCallum on January 17, 1981 at 1:10 in Room 104, State Capitol.

ROLL CALL: Roll was called with Senator Thomas coming in late due to a Finance and Claims Committee meeting and Senator Story being excused.

Several visitors were in attendance. (See Attachments.)

Senator McCallum set down the rules for the hearing. He asked everyone speaking to come forward and state their name and whom they were representing. The proponents would be called on first and then the opponents. The proponents would then be given the chance for questions and then the committee. Senator McCallum turned the hearing over to Vice Chairman O'Hara as Senator McCallum was the sponsor of Senate Bill No. 50.

CONSIDERATION OF SENATE BILL NO. 50: Senator McCallum, sponsor of the bill, stated the Local Government Committee, during the last legislative session, sponsored a bill asking for a county salary commission. It was to be represented by all elected county officials. The Governor was to appoint the members. Senator McCallum called on the chairman of the salary commission to present the salary board's case.

Sheriff Hammermeister of Pondera County, Conrad, spoke in favor of Senate Bill No. 50. A copy of his testimony is attached. (See Exhibit A.)

Mike Stephen, Executive Director of the Montana Association of Counties, strongly supports the bill. Many in the association have long awaited elected officials receiving better salaries and he feels unity on the bill is necessary for all local government officials. The commission was charged with trying to come up with a solution and his association appreciates their efforts and does not want to see their work fragmented. The association does have a problem with some of the increases in salaries of specific individuals as some of the smaller counties do not have the money to pay this increase. The benefits of the bill, however, far outweigh the problems.

John Scully, lobbyist for the sheriffs and proponent of the bill, thinks the Local Government Committee has a unique opportunity to consider paying these people the salaries they have earned. He said there is an ever-increasing demand on local

community and county officials. The salary commission was obliged to look into this. He thanked the people that served on the commission for their hard work. They deserve credit they should receive. Mr. Scully offered his assistance in tracking down any information the committee might need.

Sheriff O'Reilly of Lewis & Clark County, Helena, spoke in favor of Senate Bill No. 50. A copy of his testimony is attached. (See Exhibit B.)

Sheriff Onstad of Gallatin County, Bozeman, said he is in favor of Senate Bill No. 50 and urges support of this bill.

Sheriff Glenn Frame of Lake County, Polson, supports the bill and asked everyone's support of it.

Jim Burns, Under Sheriff of Cascade County in Great Falls, spoke for all under sheriffs in saying they totally support Senate Bill No. 50.

Sheriff Donald Carpenter of Roosevelt County, Wolf Point, was a proponent of the bill. He stated one problem they have in northeastern Montana is they lose employees due to poor wages. There are nearby oil fields that people would rather work at due to better wages.

There were no further proponents from the law enforcement field.

Joe Roberts of the Montana County Treasurers Association and proponent of the bill, stated the main reason for their support was due to the cost of living factor. They also believe the legislature should not have to deal with this issue every session. A very honest attempt has been made to come up with a formula so each session does not have to make adjustments to county officials' salaries. The commission has made an attempt to keep this within the bounds of fiscal reality. The salaries are comparable to those of counterparts.

Roberta Wolfe, Flathead County Treasurer and proponent of the bill feels the salary commission has done a great job of coming up with a compromise. They spent 1 1/2 years concentrating on this matter and she does not feel the legislature could do a better job in 3 months. She opposes county commissioners setting salaries; if that happened you would soon see administration crumble. The treasurers' responsibilities have grown tremendously. They need responsible officials handling all operations of the county treasurer and they must provide adequate salaries to keep these people employed.

Glen Drake of the Montana Association of County School Superintendents, proponent of the bill, said the salary schedule would make their salaries roughly comparable to a school principal position. The passage of this bill would resolve many problems. He distributed a list of the duties of county superintendents. (See attached Exhibit C.)

Ray White of the Montana County Assessors Association said the association agrees entirely with the bill. The bill would help to acquire and retain better officials. He then stated the different salaries of county officials in Gallatin County. Mr. White thanked the committee for appointing the commission and passing legislation that created the salary study bill and thinks they have done a tremendous job.

Barbara Evans, Missoula County Commissioner, supports the bill. She said tapes of the salary commission meetings are available for review. She supports the \$14,000 base with increments as stated in Senate Bill No. 50. She gave a generalization of salaries in Missoula County and added that appointed department heads often make more money than the elected officials. They have to pay more to keep them. Liability has also increased, especially jail liability. She asked the committee to please consider this increase.

Lorraine Molitor, president of the Montana Association of Clerk and Recorders, supports the bill with one amendment. (See attached Exhibit D.)

Tom Honzel, Deputy County Attorney of Lewis and Clark County, was also a proponent of the bill. He said you must keep in mind that county government is getting to be big business. He said county elected officials do need good qualified legal representation. The county attorney has to be professional and meet high qualifications. The criminal case load has increased as well as the civil activities. The county attorney is the chief legal advisor to all county officials. An attorney with a private practice averages \$45,000 per year. Salaries for county attorneys have to look attractive to attorneys. Mr. Honzel said he would be available throughout the session if anyone had any questions.

Mickey Nelson of the Montana Elected County Officials and the Montana Coroners Association stated both associations fully support this bill. He will be available for any questions.

Sarah Rowe, Clerks of District Courts and proponent of the bill gave her testimony and submitted a copy. (See attached Exhibit E.)

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Mary McKee, Association of Clerks of District Court, said she thought it was a good bill and county officials have a unique form of employment that is costly to maintain.

Ruthmary Tonn, Gallatin County Commissioner and proponent of the bill, said there is a great responsibility in the counties. She is for the salaries provided for in Senate Bill No.50

Jim Straw, Yellowstone County Commissioner, spoke in favor of Senate Bill No. 50. He said there is wide-based support in the county for an equitable wage increase. Commissioners do support the basic principle of the bill, however, they do have reservations on some aspects of the bill because there seems to be, among the different counties, quite a variation of responsibilities due to work load and populations. He wanted to speak for Yellowstone County in saying they do support the concept that county officials must have an increase in salary to be comparable to their city counterparts.

Kenneth Coulter, a Garfield County Commissioner, supports the bill. He said Garfield County has problems getting people to donate time and effort to be county commissioner. To get qualified people they need salaries increased in light of the duties and responsibilities they have. They need flexibility for smaller counties.

Rita Brown, Fergus County Assessor in Lewistown and proponent of the bill, believes the salaries the commission proposed can be lived with in all counties and feels it is a good bill.

Merrill Klundt, Yellowstone County Clerk and Recorder and proponent of the bill, said in some counties the deputy receives more than the elected official. He believes the 30% factor used in North Dakota would be worth looking into. He will supply copies to the committee if they would like.

Will Tiddy, Lake County Assessor, hopes the committee gives consideration to Senate Bill No. 50.

No further proponents appeared before the committee.

Chairman O'Hara then called for opponents to Senate Bill No. 50.

Ray Stimps, Toole County Taxpayers Association, spoke in opposition to Senate Bill No. 50. Mr. Stimps read from the agenda of his association's last meeting. The subject of the up-coming raise in pay for county commissioners was unanimously voted down by the association. He said there are quite a few poor people in the county and they think any increase in taxation, under present inflationary conditions, would affect poor people more than the rest.

Alvin Zinne, a Golden Valley County taxpayer and opponent to the bill, does not see how one bill can work for small counties as well as the large ones. He said if the legislature was trying to cut taxes, this is a poor way to do it. Golden Valley County cannot double their mill levy to meet these salary increases. He said the best time to set salaries would be when people go in to pay their personal property taxes.

Jim Straw, Yellowstone County Commissioner, also spoke against Senate Bill No. 50. He said if Yellowstone County had to make the coroner position full time, they would have to combine that position with the position of sheriff because the coroner position does not warrant full time help. He said perhaps conditions are different in other counties but in Yellowstone County it would create problems. He believes all county officials should receive the same pay to avoid problems between themselves.

No further opponents appeared before the committee.

Chairman O'Hara then asked for questions from the committee.

Senator Van Valkenburg asked Sheriff Hammermeister if there was a written report from the salary commission. Sheriff Hammermeister replied the bill is the report. They do have written minutes of their meetings if the Senator would like to see them.

Senator Conover asked, if in a case such as Golden Valley County, would this bill mean the salary increase is mandatory. Sheriff Hammermeister said they use the word "shall" in the bill instead of "may" so it would be mandatory. The sheriff added that most counties do not have the money available for these salary increases. They are in hopes of an additional mill levy being added to the General Fund to aid the counties in meeting this increase.

Senator Ochsner asked if someone would explain the 30% factor to him. He was wondering if that factor would help in the smaller counties. Sheriff Hammermeister replied the 30% factor would allow county commissioners or a county compensation board to raise the salaries by up to 30%.

Senator Van Valkenburg asked what formula they would use to determine the cost of living increase. Sheriff Hammermeister answered that the University of Montana would compile these statistics. Senator Van Valkenburg then asked why, if in the 1979 Legislature they determined the cost of living increase at 7%, this bill states 10%. Sheriff Hammermeister said the minimum of 10% is strictly a grandfather clause. He said in the cases of Rosebud and Powder River Counties where they have a high taxable valuation, they would take a cut in pay. The 10% would

be a grandfather clause to take care of such situations. The cost of living each year is based strictly upon \$14,000 per year. Fiscal year 81-82 would be strictly the salary set in Senate Bill No. 50. Fiscal year 82-83 would be the first year the cost of living would take effect. They would always figure the increase on the \$14,000 base figure, not upon the additions each year.

Senator Van Valkenburg asked if there was any discussion by the commission to use less than 100% of the cost of living figure. Sheriff Hammermeister said yes. They had discussed taking 100% of the base plus population. That would cut it to 50% of the cost of living.

Senator Van Valkenburg asked if any organization had charts of the effects on each county. An attachment to Sarah Rowe's testimony was then distributed to each committee member.

Bill Brinkle, a member of the salary commission, then offered to explain the 30% factor in more detail. Mr. Brinkle represented county commissioners on the salary board. The 30% factor was put in because the previous setting of the salaries had overlooked some counties' ability to pay the increase.

Senator Van Valkenburg asked Mr. Brinkle if county commissioners can increase every county official's salary by 30%. Mr. Brinkle replied the 30% factor could be controlled by the county commissioners or a salary board within the county.

Senator Van Valkenburg said the bill has a provision in it for the commissioners to raise their own salary. Did the salary commission adopt this or just the county commissioners. Mr. Brinkle said it was the consensus of the salary commission. The members of the commission then introduced themselves to the committee.

Senator Van Valkenburg then asked if the 30% increase is allowable to people who are presently in office to raise their own salary or does it also apply to future holders of the office. Mr. Brinkle said the officials' salaries would be set prior to their election.

Mary Svare, Toole County Treasurer and member of the salary commission, wanted to add they were given the job and some had to consolidate ideas in order to get this bill to us. They did not agree with everything. The majority ruled.

Glennadene Ferrell, Lake County Superintendent of Schools and member of the salary commission, said the 30% factor came up over and over. In the final vote the opposition to the 30% factor was defeated 6-2. Some of the commission members were very much against the 30% factor. This would create a lot of problems with office holders on an individual basis.

Sally Price, a member of the salary commission, said the salary board was also a board of compromise. It is a necessary factor when you work on such a thing. The 30% problem was a very definite problem.

Senator Conover asked how the 30% factor even got started. Mr. Brinkle thought it would be a good idea for the members of the committee to review the minutes of the commission's meetings to fully understand the situation.

There was no further discussion on Senate Bill No. 50. Senator McCallum thanked everyone for coming and thanked the salary commission for all their hard work.

ADJOURN: There being no further business before the committee, the meeting was adjourned at 3:05 p.m.


Chairman George McCallum

ROLL CALL

LOCAL GOVERNMENT COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 1/17/81

NAME	PRESENT	ABSENT	EXCUSED
Senator George McCallum	✓		
Senator Jesse O'Hara	✓		
Senator Pete Story		✓	✓
Senator J. Donald Ochsner	✓		
Senator Bill Thomas	✓		
Senator Max Conover	✓		
Senator Fred Van Valkenburg	✓		

Each day attach to minutes.

DATE

January 17, 1981

COMMITTEE ON LOCAL GOVERNMENT

BILL NO. SB50

VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppose
Mary E. Moore	County Agency comm. member Treasurer	✓	
Catherine A. Hammonday	Clerk of Court - Intergov. Comm.	✓	
Wanda H. [unclear]	Ch. of Court - District	✓	
Paul H. [unclear]	Intergov. Comm. Member	✓	
[unclear]	Co. Commissioner	✓	
[unclear]	Ch. of Court - District	✓	
Tom DeWitt	Ch. of Court - Bath	✓	
Walter Hammonday	County Compensation Board	✓	
Wesley [unclear]	Blaine Co.	✓	
Bill [unclear]	[unclear]		
Ed [unclear]	[unclear]		
Jim [unclear]	Yellowstone	✓	
[unclear]	Toxicology & [unclear]		✓
[unclear]	" " "		✓
[unclear]	" " "		✓
[unclear]	" " "		✓
Richard [unclear]	Mont. Assoc. of Co. Supt.	✓	
W. M. [unclear]	Mont. Assoc. of Co. Supt.	✓	
[unclear]	Mont. Assoc. of Co. Supt.	✓	
[unclear]	Intergov. Comm.		
[unclear]	Intergov. Comm.		
[unclear]	Intergov. Comm.	✓	
[unclear]	Blaine Co.	✓	
Jim [unclear]	Blaine Co. Sheriff	✓	
[unclear]	Assessor Assoc.	✓	
[unclear]	Intergov. Comm.		

(Please leave prepared statement with Secretary)

VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppos
Nancy K. Sabo	Mont. Magistrate Assoc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alvin Thayer	Mont. Magistrate Assoc	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Theresa Ann Hill	Co. Compensation Bd Lake Co. Supt of Schools	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maguire & Krauss	Lake Co. Treasurer (Mt. Lewis Assoc)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Debra Ann Lewis	Missa Co. Comm.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Allen Evans	Taxpayer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Bowman	Missa Co. Supt. of Schools	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kathy Bowman	Taxpayer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kimberly (Cutter)	MAEC - GANFIELD Co	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Susan Bush	Fallon Co	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bob Krauss	Fallon Co	<input type="checkbox"/>	<input type="checkbox"/>
William Etzinger	Broadwater Co	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Helen Young	Cascade Co. Supt of Schools & Falls	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ernest Carpenter	Russell Co Sheriff	<input checked="" type="checkbox"/>	<input type="checkbox"/>
R. Nathan Jensen	AFSCME - AFL-CIO	<input type="checkbox"/>	<input type="checkbox"/>
Carl Pitt	Law & Plead Co Sheriff-Dep't	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John F. Stone	Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Laudine McAlister	Madison County Recorder	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sharon Kainath	Loc Clerk & Rec	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Margaret H. Klundt	Yell Co Clerk & Rec	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ruth Linn	Lincoln Co. Treasurer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rita J. Brown	Fergus Co. Treasurer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Walter M. McKen	Phillips Co. Attorney	<input type="checkbox"/>	<input type="checkbox"/>
Tom Hony	County Attorneys	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John H. Frank	Top Co. County	<input type="checkbox"/>	<input type="checkbox"/>
Lois M. Lewis	Clerks of Court - Pondera Co	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppose
Joe Roberts	Montana County Treasurers Assoc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Roberta Welch	"	<input checked="" type="checkbox"/>	<input type="checkbox"/>
William Welch	Stillwater County Commissioners	<input checked="" type="checkbox"/>	<input type="checkbox"/>
W. Howard Christen	Stillwater County Sheriff	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J.C. W. W. Christen	Mt. Mansfield Assoc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Clayton G. Grant	629 ash - Shelby Co. tax	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Keith M. McBurnett	Shelby Co. Jail Co. Taxpayers	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Phyllis Heber	Teton County Comm.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Taddy	Teton County Assessor, Police	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Clayton A. Wynn	Golden Valley Co. Taxpayers	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Clara Thorne	" " " "	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tom Larson	Assessors Assoc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Clayton O'Connell	Treasurer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Clara Thorne	Cascade County	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Clara Thorne	L. C. Co. Pleth Dist Court	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jim Beames	Cascade Co. Sheriff	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jim Fry	Broadwater Co. Atty.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lyle J. M. Price	Emp. Bd. Assessor Assoc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Janice Huffman	DCA, Sec. to Board	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Sully	Sheriff of Ferns Ok.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Stepha	M.A.C.O.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(Please leave prepared statement with Secretary)

NAME: Walter L. Hammermeister DATE: Jan 17, 1981

ADDRESS: Conrad, Mont

PHONE: ^C 278-3923 H 278-3163

REPRESENTING WHOM? County Compensation Board

APPEARING ON WHICH PROPOSAL: SB 50

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: _____

NAME: W. R. R. R. R. DATE: 1-17-81

ADDRESS: 9530 N. Montana

PHONE: 458-9146 home 443-1011 ext 243 work

REPRESENTING WHOM? Montana Shell & Petroleum

APPEARING ON WHICH PROPOSAL: SB 50

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: L John Ousted DATE: 1-17-81

ADDRESS: 319 W. Main Bozeman

PHONE: 587-4809

REPRESENTING WHOM? Montana Sheriffs

APPEARING ON WHICH PROPOSAL: SB 50

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: _____

NAME: Henry Stone DATE: 1-17-81
ADDRESS: Lake County Courthouse, Polson Mont.
PHONE: 883-4321

REPRESENTING WHOM? Mont. Sheriff's Assoc.

APPEARING ON WHICH PROPOSAL: Senate Bill 50

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: _____

NAME: Roberta Wolfe DATE: 1-17-81

ADDRESS: Kalifornia

PHONE: 755-5300

REPRESENTING WHOM? C. [Signature]

APPEARING ON WHICH PROPOSAL: SB 50

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: _____

NAME: Ray White DATE: 1-17-81

ADDRESS: Bozeman Mt.

PHONE: 586-2323

REPRESENTING WHOM? County Assessors Assn.

APPEARING ON WHICH PROPOSAL: 5.13 50

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: _____

NAME: Lorraine P. Malton DATE: 1-17-81

ADDRESS: Box 366, Virginia City, 59705

PHONE: 743-5311

REPRESENTING WHOM? Master Association of Clerk & Records

APPEARING ON WHICH PROPOSAL: Senate Bill 152

DO YOU: SUPPORT? yes AMEND? _____ OPPOSE? _____

COMMENTS: Supporting Salary Commission Bill with amendments

NAME: Tom Hony DATE: 1-17-81

ADDRESS: HELENA

PHONE: 443-5554

REPRESENTING WHOM? County Attorneys

APPEARING ON WHICH PROPOSAL: SB 50

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: M.E. "Mickey" Nelson DATE: 17 Jan 81

ADDRESS: Lewis & Clark County Courthouse - Helena, MT

PHONE: 442-7398

REPRESENTING WHOM? MT Elected County Officials & MT Coroners Assn

APPEARING ON WHICH PROPOSAL: S.B. 50

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: Full support of both associations as
bill is written

NAME: Miss L. A. McPhee DATE: January 17, 1951

ADDRESS: 311 So. Program, Bozeman, Parkland County, Montana

PHONE: 402-278-3913

REPRESENTING WHOM? Wicks of District Court

APPEARING ON WHICH PROPOSAL: LD-50

DO YOU: SUPPORT? no AMEND? _____ OPPOSE? _____

COMMENTS: I will submit written testimony and hand-out sheet

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Mary Ann Mc Kee DATE: 1/17/81

ADDRESS: Helmville, W.V.

PHONE: 793-5736

REPRESENTING WHOM? Clerks of District Court

APPEARING ON WHICH PROPOSAL: Senate Bill 50

DO YOU: SUPPORT? Yes AMEND? _____ OPPOSE? _____

COMMENTS: This is a real bill that affects
the way we elected county officials.
It is a serious financial improvement
that is needed in West Virginia.

NAME: Jim Straw DATE: 1/17

ADDRESS: Billings

PHONE: 245-3703

REPRESENTING WHOM? Yellowstone Co.

APPEARING ON WHICH PROPOSAL: County officials Comp.

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: Supportive of bill as submitted but have
problems with portion dealing with coroner
and added compensation for sheriff & school
supt. in 1st class counties

NAME: Kenneth A. Coulter DATE: 1-17-81

ADDRESS: Box 36 BRUSETT, MONT 59318

PHONE: 557-2517 - 557-2760

REPRESENTING WHOM? MALCO - GARFIELD COUNT

APPEARING ON WHICH PROPOSAL: S. B. 50

DO YOU: SUPPORT? _____ AMEND? OPPOSE? _____

COMMENTS: I SUPPORT THE CONCEPT OF THE BILL

~~SMALLER~~ LOWER VALUATION COUNTIES DO
NOT HAVE THE ABILITY TO MEET THE SALARY
SCHEDULE IN THE BILL AS PROPOSED. THIS IS
ESPECIALLY TRUE OF THE SHERIFF AND COUNTY
ATTORNEY SALARIES.

OTHER COUNTY EMPLOYEES SALARIES ARE
BASED ON ELECTED OFFICIALS SALARIES, SUCH
AS DEPUTIES, SECRETARIES AND OTHERS,

THEREFORE RAISING ELECTED OFFICIALS ~~IS~~ HAS ~~THE~~ A
BROAD EFFECT ON THE COUNTY SALARIES AS A WHOLE

I RECOMMEND GREATER FLEXIBILITY IN SALARY
SCHEDULE FOR CLASS 5, 6+7 COUNTIES

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Merrill H. Kendall DATE: 1-17-86

ADDRESS: 1935 Logwood Dr. Bldg

PHONE: 245-0263 office 252-5181 ext 310

REPRESENTING WHOM? County Clerk & Records Assn

APPEARING ON WHICH PROPOSAL: SB 50

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: amend SB 50 to include 30% factor
as stated in Co Comm. file

NAME: Ray Stripes DATE: 1-17-81

ADDRESS: 620 Hill St Shelby Mt

PHONE: 434-2572

REPRESENTING WHOM? Shelby Twp County Newspaper Assn

APPEARING ON WHICH PROPOSAL: Bill #50

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE?

COMMENTS: We as a group, oppose any increase of
rates for the Twp County Commissioner.

NAME: Gwendolene Ferrell DATE: 1/17/81

ADDRESS: Box 8296 Palson

PHONE: 883-4419 - office 883-6211 ext. 276

REPRESENTING WHOM? Co. Compensation Bd Mt. Assoc.
Co. Supt of Schools

APPEARING ON WHICH PROPOSAL: SB 50

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: As a member of the Bd I know we
have worked diligently to present what
we believe to be our best effort to meet
the duties assigned to us by the 79 Leg.
We have tried to eliminate the
need for the Leg. to address County
salaries - at least for a session or two.

One thing I wish to stress - my assoc.
and the majority of the other assoc. do
not wish the Commissioners to
have anything to do with setting
salaries.

NAME: Sally J. McBride DATE: 1-17-81

ADDRESS: Meriden County Superior, Mt

PHONE: 822-4571

REPRESENTING WHOM? Comp Bd Assessor Assoc.

APPEARING ON WHICH PROPOSAL: SB 50

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: I support this. The Board has fulfilled all the duties required and have worked very hard to prepare this. The salary base & population increment are justifiable. I do strongly recommend a do pass vote.

NAME: Willis M. McKeon DATE: 1-17-81

ADDRESS: Walt. St

PHONE: 654-1131

REPRESENTING WHOM? Member of County Commission Council.
Phillips County, Okla.

APPEARING ON WHICH PROPOSAL: S.B # 50

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: _____

COUNTY COMPENSATION BOARD REPORT FOR SENATE BILL 50

The County Compensation Board was established by the 46th Legislature. It was a Senate

Local Government Committee Bill SB 352. The members of the County Compensation Board are:

- Kathryn Humphrey, Clerk of District Court in Judith Basin County, Stanford, Montana,
- Glennadene Fereell, County Superintendent of Schools in Lake County, Poison, Montana, Bonnie
- Miller, Clerk and Recorder of Powell County, Deer Lodge, Montana, Willis McKeon, County
- Attorney of Phillips County, Malta, Montana, Sally Jo Price, County Assessor of Mineral County,
- Superior, Montana, Mary Westermark-Svare, County Treasurer of Toole County, Shelby, Montana,
- William F. Brinkel, County Commissioner of Stillwater County, Columbus, Montana, and Walter
- L. Hammermeister, Sheriff of Pondera County, Conrad, Montana.

These board members were charged with 3 duties:

1. Review the compensation paid county elected officials in Montana; in reviewing compensation, the board shall consider the salaries paid in Montana, other states, and private enterprise and such other factors as may be pertinent to the board's duties;
2. Recommend to the 47th legislature, equitable statewide salaries for the various elected county officials, takeing into consideration the duties, responsibilities, personal inconveniences, and other such factors the board considers to be pertinent; and
3. Recommend to the 47th legislature at least one plan for compensating elected county officials that would provide continuing, proper salaries and that would take into consideration cost-of-living factors or other significant factors the board feels may reduce the need for regular legislation setting the salaries of locally elected county officials.

Our first meeting was on November 9, 1979. All meetings were held in Helena. Bonnie Miller was elected Vice Chairperson and myself, Walter Hammermeister, Chairman. DCA helped us by supplying Janice Hoffman as Secretary and later all around handy woman, and Dave Janzenried also assisted. He presented a proposed work schedule, and we determined how we were going to proceed.

On January 18, 1980, we had material on possible Montana State Government's comparable positions. It was generally agreed that positions in state government are more specialized and departmentalized.

Each association prepared it's own job description and it turned out if the job was comparable to a state government job that the state job paid much more than the county position. The state still pays 50% more to as much as 200% more than our new proposed county salary in Senate Bill 50.

We looked at per capita income and average employee income, but, they included part-time employees and the unemployed as well.

We looked at Sales Marketing Management Survey of Buying power for 1979 and Editor and Publisher Effective Buying Income for 1979, which is used by different Montana businesses that do survey feasibility study projects. Those 2 sources showed Montana average estimated disposable income per household and median household effective buying income all for 1979 to be \$15,305.00 and \$13,483.00 respectively. Since both figures represented take home pay, we felt they must be based on most households having 2 wage earners and therefore, was probably unrealistic.

So that each Compensation Board member would better understand the job and duties and responsibilities and personal inconvenience of the other county elected officials' jobs, and so we could try and establish proper salary, we allowed each association or different elected official to make a presentation of their job duties, responsibilities, and personal inconveniences or other factors their association felt may be interesting. They were allowed a maximum time of 1 hour for presentation with $\frac{1}{2}$ hour for questions and answers. The Clerk and Recorder County Attorneys, and County Superintendent of Schools were first, then, the Sheriffs, Clerks of Court, and County Assessors. We finished up by March 22nd, after a 2 day meeting with the Treasurers, County Commissioners, County Surveyors, Coroners, Auditors, and Justices of the Peace.

From these presentations and justifications that were presented later along with qualifications is why our Compensation Board later allowed additional compensation in Senate Bill 50 for the County Attorneys, Sheriffs, and Superintendents of Schools. All presentations

were typed out and all minutes of our meetings were typed and all meetings were tape-recorded and all recordings are still saved.

We compiled salaries of private enterprises and allowed testimony or input from private individuals. One in particular that comes to mind is a certified public accountant from Belgrade. He audits Gallatin, Madison, and Beaverhead Counties. He felt so strongly of his convictions that he came in to our meeting several times. He not only audits county government, but, private business and individual income tax. He felt that elected county officials were grossly underpaid when one considers their vast responsibilities and obligations.

It turned out that the responsibilities and obligations and duties of county elected officials far exceed the similar responsibilities and duties of state or private enterprise jobs of comparable salary.

In the meantime, we were trying to collect the salaries and how they were set for county elected officials of the 17 western states so that by our April 25th meeting we studied the salary of those states that replied. The ways other states set salary vary from state legislature doing it, as in Montana, to a formula taking into account the assessed valuation, the square miles and road miles in a county. Another state has a flat rate for various duties. If that county elected official does a specific job he gets paid a flat rate for that duty, and for each and every additional duty he performs he gets paid an additional rate for each and every duty.

One state has a county compensation board in each county and that board sets the elected officials' salary each year. Some states have the county commissioners set the salary in each county. The salary of county elected officials in other states vary from a few states that is comparable to Montana's present county elected officials salary to, I believe, a majority of states that are presently paying a salary that is similar to that salary our board is proposing for 1981 - 82 fiscal year in the Senate Bill 50.

It is interesting that in 1978 Idaho did an update on county salary. They compared salaries with counties of similar population of close states. They compared Utah, Oregon, Washington and Nevada. Even though Montana has the longest border with them, they uniquely did not use Montana salaries. We also asked John McEwen, the personnel classification

specialist for the Department of Administration, to explain his procedure of classifying state salaries.

At our May 20th meeting, we established a tentative proposal of a base plus population increments on the idea of Senate Bill 50 and then didn't have any more meetings until August 15th, so that each compensation board member could survey their counterparts over the state either by letter or at each association convention or conference to try and determine if we had the support of our fellow elected county officials.

A few reasons why we possibly went to this type of a salary schedule is through the associations' presentation of job duties, that we decided work for county elected officials was related to people and the amount of people in a county, and that the present statute schedule varies between increments of individual taxable valuation of \$325.00 to as low as \$91.00, and the population schedule varies between an individual population increment of from \$336.00 to as low as \$91.00.

We also felt that the taxable valuation of counties was starting to fluctuate because of changes in what is being taxed and how much certain items are being taxed. We felt that if those characteristics continued that in time county government may be funded by some form entirely different than what we presently have.

At our August 15th meeting, we arrived at the \$14,000.00 base and the \$20.00 per 100 population increment. We had 3 meetings after and we discussed different figures and different plans each time, including allowing the county commissioners or a compensation board to set the salaries 30% above the base and population increments. These other ideas were always voted down and we always voted to retain the idea that makes up Senate Bill 50. From the earliest meetings on, we considered the fact that a few counties are presently at their absolute top mill levy for funding county government. We realized that if there was not any money available for any pay raise in some counties, then we just might as well save our time and stay home. However, we were mandated by the 46th Legislature to review and recommend proper salaries.

During various meetings, we realized and discussed the fact that for all the various county elected officials that a noticeable amount of their duties and responsibilities are

performed by county officials, only for and so that state government can function. Many of us felt that state government should accept more obligation to help fund county government. However, we were cautious of that idea because of the fear there may be some strings attached to the state government funding.

We feel that the \$14,000.00 base can be conservatively justified from the Department of Labor and Industry records showing Montana private non-agriculture industries' average hourly earnings for over a year to be about \$6.42 per hour. (included in this average is motel maids \$6.42 per hour is what I understand the legislature is paying their clerks. The \$14,000.00 base in Senate Bill 50 is less than \$6.75 per hour. An elected county official with the duties and responsibilities they all have should certainly be worth more than 33¢ per hour or 5% more than the average private non-agricultural industries worker of Montana.

30 years ago many elected county offices were quite often held by nice people that needed the job. Today, county government is big business handling many, many thousands and millions of dollars. The duties and responsibilities have increased many times so that all county elected positions need people of above average capabilities.

At our September 15th meeting, due to most on our board wanting to keep the spread between the smallest counties and the largest counties salary closer together, we cut the population increments for counties over 30,000 population from \$20.00 per hundred to \$10.00 per hundred. That idea stood until our last meeting on November 17th when a county commissioner from the 2nd and 3rd largest counties and a person representing the largest county committed themselves to supporting all of Senate Bill 50 if we would increase the \$10.00 per 100 population up to \$15.00 per 100 population. For those commitments, our board raised the population increment for the counties with populations exceeding 30,000.

In Senate Bill 50, on page 7, line 21, is the recommended cost-of-living. When our board first approved the cost-of-living it was based on the regular elected officials' salary of base plus population.

At the next meeting, we cut the cost-of-living about in half. Then, after an October 22nd meeting of MACO with the representatives of some of the other elected officials' associations, we arrived at the cost-of-living as printed in Senate Bill 50. All 12 elected officials

are included for this cost-of-living. The J.P.s are tied in through the present law by the Clerk of Courts' salary, the full-time County Commissioners are tied in through the salary of the Clerk and Recorder, and the County Attorneys cost-of-living is the same, but, it is listed on Page 5, starting at line 16 of Senate Bill 50.

Our compensation board is conservative in that this cost-of-living is regressive. However, we do feel it complies with the mandate of the 46th Legislature that established this board, when it charged us to perform the 3 duties. This 3rd duty will reduce the need to regularly return to legislature to increase our county salaries.

This cost-of-living is regressive in that as long as inflation increases and the cost-of-living goes up, all county elected officials will slowly fall behind (some faster than others) because the cost-of-living percent increase or decrease is based each and every year thereafter on only the \$14,000.00 base even though the cost-of-living dollars do accumulate above the \$14,000.00 base. All county officials in all the counties will receive exactly the same number of dollars. Yellowstone County will get the same as Petroleum County and the county attorney and sheriff will receive the same increase as the assessor.

Yesterday our board met with the man that is instrumental in compiling the fiscal report attached to Senate Bill 50. He commented that for some officials (like sheriffs and county attorneys) and the larger counties, the projected cost-of-living is less money than taking a straight 7% pay increase as was done the last 2 years.

On Page 9, starting at line 5 of Senate Bill 50, is a grandfather clause for salaries. Since Senate Bill 50 does change the salary schedule and no longer uses a direct taxable formula, without this grandfather clause 2 counties would have taken a pay cut (due to presently a small population and large taxable valuation), The grandfather clause does affect 4 counties and it is in effect only for one fiscal year.

The most money and largest percent of money that is on the fiscal report is made up by the largest counties. So that you can see actual dollar increase, county by county, an officer of another association, I believe, will present to you a schedule that is similar to what our compensation board had to work from.

This fiscal report is not all an obligation upon the county because the state of Montana

pays the salary of the assessor, and that is listed on the fiscal report, but, the state also pays half the salary of the county attorney.

To assist this bill, the Sheriffs Association does have a salary bill for the deputy sheriffs that is a compliment to Senate Bill 50. Presently, only first, second and third class counties can vary the salary of their deputy sheriffs from 75% to 90%. All the other class counties must pay 90% of the sheriff's salary. Pending the appearance that Senate Bill may be passed, the sheriffs will present a deputy sheriffs bill that will allow the counties of from 0 - 15,000 population to pay the deputies 75% to 90% of the sheriff's salary, and counties with populations from 15,000 to 30,000 population pay 70% to 90%, counties from 30,000 to 66,000 population pay from 65% to 90%, and counties from 66,000 to 100,000 population to pay 60% to 90%, and counties over 100,000 population to pay from 55% to 90% of the sheriff's salary. We cannot let the deputy sheriff receive a smaller percent of pay unless we know we are getting a reasonable pay raise.

In closing, I wish to say county elected officials need Senate Bill 50 passed. My present average monthly take home pay is only \$134.00 more than my mother and father-in-laws' Social Security check.

I believe Senate Bill 50 is very conservative because in the majority of counties, the average elected official will still receive less salary (\$16,270.00) than the retirement pay of a Montana district court judge that was in the news yester, the 16th day of January, 1981.

Thank You.

Walter L. Hammermeister

Chairman of the County Compensation Board

Representation on the board for,

Montana Sheriffs & Peace Officers Assn.

Past President & current Member Board of

Wondera County Sheriff.

Commod. Mont. 59435

MONTANA SHERIFFS AND PEACE OFFICERS ASSOCIATION

PRESENTATION TO ELECTED OFFICIALS

SALARY COMMISSION

FEBRUARY 15, 1980

Written by Chuck O'Reilly, Sheriff
Lewis and Clark County Sheriff's Dept.
Helena, MT 59601

THE JOB OF SHERIFF EMBODIES ALL THE DUTIES OF A PROFESSIONAL ADMINISTRATOR IN ANY PUBLIC PROFESSION OR PRIVATE BUSINESS WITH THE ADDITION OF THE ELEMENTS OF DANGER AND INHERENT LIABILITIES NOT FOUND IN THE SAME DEGREE IN MOST PROFESSIONS. IN ADDITION THE SHERIFF, BY VIRTURE OF HIS WIDELY VARIED DUTIES, COMMONLY ACTS AS "GATEKEEPER" TO THE CRIMINAL JUSTICE SYSTEM AND AS A BRIDGE CONNECTING ITS VARIOUS ELEMENTS. HE IS A UNIQUE MEMBER OF COUNTY GOVERNMENT. THE DEMANDS OF THE SHERIFF IN MODERN MONTANA ARE CREATED BY THE DIVERSITY OF HATS HE WEARS IN RESPONSE TO THE IMPERATIVES OF COMMON LAWS, THE STATE CONSTITUTION, STATUTORY REQUIREMENTS, SUPREME COURT DECISIONS ON A STATE AND NATIONAL LEVEL, AND LOCAL VALUES AND NORMS WHICH ALSO IS UNIQUE IN COUNTY GOVERNMENT. THE SHERIFF IS THE CHIEF LAW ENFORCEMENT OFFICER IN THE COUNTY AND HIS AUTHORITY SUPERCEDES ALL OTHER LAW ENFORCEMENT AGENCIES AUTHORITY EXCEPT IN CASES OF MARTIAL LAW.

THE LAW ENFORCEMENT RESPONSIBILITIES OF THE SHERIFF ARE TYPICALLY DIVERSIFIED AND THE SHERIFF AND HIS MEN ARE MORE OF A GENERALIST THAN A SPECIALIST IN PROVIDING LAW ENFORCEMENT SERVICES. IN ADDITION TO DUTIES IN THE AREAS OF PATROL, CRIMINAL INVESTIGATIONS AND TRAFFIC, THEY ENFORCE LAWS IN STATE PARKS AND GAME PRESERVES, THEY SERVE CIVIL PROCESSES, HANDLE FISH AND GAME LAW AND ENVIRONMENTAL LAWS AND MANY SHERIFFS IN MONTANA HANDLE CORONERS DUTIES. ALSO THE SHERIFF ACTS AS A CORRECTIONAL OFFICER IN REGARDS TO HIS RESPONSIBILITIES CONCERNING THE COUNTY JAIL. BECAUSE OF HIS VARIED ROLES AND RESPONSIBILITIES, HE IS THOROUGHLY ENGROSSED IN INTERAGENCY RELATIONSHIPS AT ALL LEVELS OF GOVERNMENT.

IT IS NOT UNCOMMON TO FIND A LONE SHERIFF IN MONTANA WORKING 75 TO 80 HOURS A WEEK OR MORE, AND COVERING AN AREA NUMBERING IN THE THOUSANDS OF SQUARE MILES. DEPARTMENT SIZES IN MONTANA RUN THE GAMUT FROM ONE MAN DEPARTMENTS TO A HIGH OF 78 PERSONS. THE PERSONAL INCONVENIENCE TO LAW ENFORCEMENT OFFICERS IN OUR STATE IS OF PARAMOUNT IMPORTANCE. MANY DEPARTMENTS ARE STILL WORKING 6 AND 7 DAY WORK WEEKS BECAUSE THEY SIMPLY DON'T HAVE THE TIME TO TAKE OFF. THE WORKLOADS PER MAN DO NOT PROPORTIONATELY DECREASE AS THE AMOUNT OF PERSONNEL INCREASES DUE TO THE INCREASED WORK LOAD CAUSED BY HIGHER POPULATIONS AND LARGER NUMBERS OF BUSINESSES AND INDUSTRIES. EVEN IN THE LARGE AGENCIES 75 HOUR WORK WEEKS ARE NOT UNCOMMON. ONE PROBLEM WITH THIS IS THE FACT THAT WHEN AN OFFICER REACHES 90% OF THE SHERIFF'S SALARY HE CAN NO LONGER BE PAID OVERTIME. NOR CAN HE BE GIVEN COMPENSATORY TIME BECAUSE THAT CREATES GREATER WORKLOADS FOR OTHER PERSONNEL WHO THEN MUST WORK OVERTIME UNTIL IT BECOMES A VICIOUS CIRCLE WITH THE END RESULT BEING THE SHERIFF AND HIS MEN WORK OVERTIME FOR FREE. JOB MOBILITY IS ALSO A FACTOR IN SHERIFF'S DUTIES. OUR JOBS ARE NOT PERFORMED PRIMARILY BEHIND A DESK ON A DAY TO DAY BASIS, BUT ARE STRUCTURED BY NECESSITY AS BEING EXTREMELY MOBILE AND RESPONSIVE TO WHERE THE PROBLEMS OCCUR. THE SHERIFF AND/OR HIS MEN MUST WORK ALL HOLIDAYS, WEEKENDS AND NIGHT SHIFTS. OFTENTIMES WHEN THEY DO FIND TIME TO SPEND WITH THEIR FAMILIES THEY ARE CALLED BACK TO TESTIFY IN COURT OR SPEND TIME ON EMERGENCY CASE INVESTIGATIONS. THEY CAN BE CALLED OUT AT ALL HOURS OF THE DAY OR NIGHT IF THE ONE OR TWO MAN SHIFT NEEDS ASSISTANCE OR BACKUP.

IN A SMALL DEPARTMENT THIS COULD AFFECT MORE THAN HALF OR EVEN ALL OF THE TOTAL FORCE. IN ADDITION IT IS NOT INFREQUENT TO FIND A LONE SHERIFF OR DEPUTY IN A REMOTE OUTPOST TO BE MILES FROM THE NEAREST OTHER LAW ENFORCEMENT OFFICER. WEATHER IS NOT A FACTOR THAT DICTATES OUR DUTY TIME. WE MUST BE OUT THERE, SOMETIMES MORE SO, DURING PERIODS OF INCLEMENT WEATHER SUCH AS BLIZZARDS, ICY ROADS, RAIN, FOG OR ON EXTREMELY HOT DAYS. HAZARDOUS DUTY IS A CONSTANT JOB FACTOR AS YOU WILL SEE WHEN I RELATE SPECIFIC JOB FUNCTIONS.

THE LAW ENFORCEMENT ADMINISTRATOR OF TODAY MUST BE A PLANNER. PLANS ARE SPECIFICALLY REQUIRED RELATIVE TO HOW TASKS WILL BE ACCOMPLISHED FOR WHICH HIS AGENCY IS RESPONSIBLE, BOTH ON AN IMMEDIATE AND LONG TERM BASIS. TO ACCOMPLISH ANY DEGREE OF SUCCESSFUL PLANNING THE AGENCY MUST HAVE USABLE INFORMATION CONCERNING ITS CURRENT STATUS AS TO CRIME INCIDENCE, ARRESTS, CLEARANCES, PERSONNEL ACTIVITIES, EQUIPMENT AND FACILITIES STATUS, AS WELL AS BUDGETARY AVAILABILITIES. ADDITIONALLY AN IMPORTANT CONSIDERATION IN RELATION TO DATA COLLECTION AND UTILIZATION INVOLVES THE GENERATION AND USE OF COURT DISPOSITIONS. TREND DATA AND SUMMARY STATISTICS MUST ALSO BE COMPILED AND ANALYZED THROUGH WHICH TO IDENTIFY THE AGENCY'S SUCCESSES AND WEAKNESSES.

RESPONSIBILITIES OF THE JOB OF SHERIFF ARE TREMENDOUS. WE HAVE DEMANDS FOR PERFECTION FROM THE PUBLIC AND COURTS: DEMANDS FROM THE COMMUNITY FOR HIGH MORALS AND PERSONAL ESTEEM: DEMANDS FOR QUICK AND PRECISE RESPONSE TO EMERGENCY SITUATIONS: DEMANDS OF HIGH PERSONAL RISK: DEMANDS FOR PERSONAL INCONVENIENCE: AND

DEMANDS OF CONTINUALLY HAVING TO STAY ABREAST OF THE TECHNOLOGICAL CHANGES IN LAW ENFORCEMENT THAT ARE CREATED BY OTHER GOVERNMENTAL AGENCIES, THE LEGISLATURE AND COURTS DECISIONS. ADDITIONALLY WE FACE THE RESPONSIBILITIES OF PROTECTING OUR FAMILIES. RARE IT IS NOT, THAT WE RECEIVE THREATS NOT ONLY ON OUR LIVES, BUT THE LIVES OF OUR FAMILIES CONCERNING ASSAULTS, FIREBOMBINGS, EXPLOSIVES, SHOOTINGS AND JUST ABOUT ANY OTHER ACT A DEMENTED MIND CAN CONJURE UP. DIVORCE RATES, SUICIDE RATES AND ALCOHOLISM RATES ARE AMONG THE HIGHEST NATIONWIDE OF ALL PROFESSIONS DUE TO THE MENTAL PRESSURES PLACED ON OUR LAW ENFORCEMENT PEOPLE.

THE DUTIES OF THE SHERIFF AS OUTLINED IN 7-32-2121 MCA ARE AS FOLLOWS:

- 1) PRESERVE THE PEACE
- 2) ARREST AND TAKE BEFORE THE NEAREST MAGISTRATE FOR EXAMINATION ALL PERSONS WHO ATTEMPT TO COMMIT OR HAVE COMMITTED A PUBLIC OFFENSE
- 3) PREVENT AND SUPPRESS ALL AFFRAYS, BREACHES OF THE PEACE, RIOTS AND INSURRECTIONS WHICH MAY COME TO HIS KNOWLEDGE
- 4) PERFORM THE DUTIES OF A HUMANE OFFICER WITHIN THE COUNTY WITH REFERENCE TO THE PROTECTION OF DUMB ANIMALS
- 5) ATTEND ALL COURTS, EXCEPT MUNICIPAL, JUSTICE AND CITY COURTS, AT THEIR RESPECTIVE TERMS OR SESSIONS HELD WITHIN THE COUNTY AND OBEY THEIR LAWFUL ORDERS AND DIRECTIONS

- 6) COMMAND THE AID OF AS MANY INHABITANTS OF THE COUNTY AS ARE NECESSARY IN THE EXECUTION OF THE SHERIFF'S DUTIES
- 7) TAKE CHARGE OF AND KEEP THE COUNTY JAIL AND PRISONERS THEREIN
- 8) ENDORSE UPON ALL NOTICES AND PROCESS THE YEAR, MONTH, DAY, HOUR AND MINUTE OF RECEPTION AND ISSUE THEREFORE TO THE PERSON DELIVERING THEM, ON PAYMENT OF FEES, A CERTIFICATE SHOWING THE NAMES OF THE PARTIES, THE TITLE OF THE PAPER AND THE TIME OF RECEPTION
- 9) SERVE ALL PROCESS OR NOTICES IN THE MANNER PRESCRIBED BY LAW
- 10) CERTIFY IN WRITING UPON THE PROCESS OR NOTICES THE MANNER AND TIME OF SERVICE OR IF HE FAILS TO MAKE SERVICE, THE REASONS OF THIS FAILURE, AND RETURN THE PAPERS WITHOUT DELAY; AND
- 11) PERFORM SUCH OTHER DUTIES AS ARE REQUIRED BY LAW.

THIS LAST POINT LEADS ME TO THE FACT THAT THERE ARE 737 REFERENCES IN 371 DIFFERENT SECTIONS OF LAW WHICH TAKES 188 FEET OF PAPER TO PRINT. THESE ARE JUST THE STATUTORY DUTIES OF THE SHERIFF. INCLUDED WITHIN THOSE STATUTES ARE SPECIFIC REFERENCES BY TITLE SUCH AS:

1. CIVIL DUTIES
2. ACTIONS TO BE TAKEN AGAINST THE SHERIFF FOR OFFICIAL ACTS
3. GENERAL DUTIES
4. FIRE CODE DUTIES

5. ARRESTS AND DETENTION OF INDIVIDUALS
6. SHERIFF TO PROVIDE FACILITIES-ROOMS, ATTENDANTS, FURNITURE, FUEL, LIGHTS AND STATIONARY FOR HOLDING DISTRICT COURT AND JUDGES CHAMBERS
7. COLLECTION AND PAYMENT OF MONIES
8. NOTICES TO JURORS FOR SUMMONS
9. TRANSCRIPTION AND MAINTENANCE OF RECORDS
10. ATTENDANCE AT BOARD MEETINGS
11. CONTROL OF LIVESTOCK
12. SEIZURE AND IMPOUNDING OF DOGS
13. EXECUTING COURT ORDERS
14. OPERATION OF SHERIFF'S VEHICLES
15. LIABILITIES IN CIVIL ACTIONS, ESCAPES, FAILURE TO PROPERLY DISBURSE MONIES, RESCUES
16. CONFINEMENT OF FEDERAL PRISONERS
17. PROVIDE FOR PROPER HEALTH AND SAFETY OF PRISONERS
18. SALE OF PERSONAL PROPERTY
19. EXAMINATION OF RETAILERS PREMISES AND CARRIERS CARS AND AIRCRAFT
20. PROVIDE RADIO COMMUNICATION CENTERS IN DISASTERS AND NATIONAL EMERGENCIES
21. SHERIFF TO SEIZE ALL PERSONAL PROPERTY
22. WHEN ATTORNEY CAN SEE PRISONERS
23. ASSISTANCE TO/AND INSTRUCTION OF LOCAL AND STATE OFFICIALS
24. MANUFACTURER'S REGISTER OF MACHINE GUNS
25. EXECUTION OF DEATH SENTENCE

26. DISPOSITION OF PRISONERS EARNINGS
27. PUBLICATION OF ORDERS
28. PRIOR APPROVAL REQUIRED FOR CONSTRUCTION OR ALTERATION OF EDUCATIONAL AND INSTITUTIONAL OCCUPANCIES
29. SALE OF TRESPASSING LIVESTOCK
30. BOUNTY INSPECTORS
31. INSPECTION OF PUBLIC MARKETS
32. DISTRIBUTE FIRE CODES
33. INSPECT PUBLIC AUCTIONS
34. COLLECTION AND DISPOSAL OF FEES
35. REQUIRED TO ATTEND MONTANA LAW ENFORCEMENT ACADEMY
36. PREVENT OBSTRUCTION OF JUSTICE
37. ENFORCE ALL STATE CRIMINAL LAWS - OVER 800 WITH CRIMINAL PENALTIES
38. ENFORCE COUNTY ORDINANCES

THIS LIST OF HEADINGS ONLY IS JUST 10% OF THE NUMBER OF STATUTES OUTLINING THE DUTIES OF THE SHERIFF. WITHIN THESE HEADINGS THERE ARE MULTIPLE DUTIES OUTLINED IN MOST CASES.

IN ADDITION TO THE BASIC DUTIES OUTLINED IN THE STATUTES, SHERIFFS OFFICES HAVE ACQUIRED ADMINISTRATIVE, PUBLIC ASSISTANCE AND NON-STATUTORY DUTIES NUMBERING IN THE THOUSANDS THAT WOULD BE IMPOSSIBLE TO ENUMERATE IN TOTAL. THESE DUTIES WERE ACQUIRED THROUGH TRADITION: THROUGH THE NATURE OF THE OFFICE AS BEING PERSONAL RESPONDERS TO PUBLIC NEED: AND THROUGH BEING A DUMPING GROUND FOR THOSE FUNCTIONS THAT NEED TO BE PERFORMED ON A 24 HOUR

BASIS DURING WHICH TIMES NO OTHER AGENCY OR DEPARTMENT IS CONTINUOUSLY OPEN AND OPERATED.

A. PATROL FUNCTIONS INCORPORATE A MYRIAD OF DUTIES AND RESPONSIBILITIES THAT ALL SHERIFFS AND THEIR DEPUTIES PERFORM AT ONE POINT OR ANOTHER NO MATTER WHAT THEIR ADMINISTRATIVE TITLE. SPECIFIC PATROL DUTIES INCLUDE:-COLLECTING AND DISPOSING OF VICIOUS DOGS AND OTHER ANIMALS.

- LIVESTOCK BRANDS ENFORCEMENTS - INCLUDING INVESTIGATING CATTLE RUSTLING CASES, WHICH MANY TIMES INVOLVE ATTENDING POST MORTEMMS TO DETERMINE CAUSE OF DEATH; INSPECTION OF BUTCHERED MEAT AND HIDES; REMOVAL OF LIVESTOCK FROM PUBLIC AND PRIVATE AREAS; TENDING TO SICK AND INJURED LIVESTOCK; PRESERVING ANIMAL REMAINS FOR LABORATORY ANALYSIS; PERFORMING PROOF OF OWNERSHIP DUTIES WHICH ENTAILS BEING KNOWLEDGEABLE OF THE VARIOUS SPECIES AND PROVEN TECHNIQUES SUCH AS "MOTHERING UP";
- INVESTIGATE AND PROSECUTE FOR CASES OF ANIMAL ABUSE -
- INVESTIGATE INFRACTIONS OF ALL FISH AND GAME LAWS - THE SHERIFF IS AN EX-OFFICIO GAME WARDEN, THIS INCLUDES LAWS DEALING WITH HUNTING, FISHING, TRAPPING, TRESPASSING, WATERSAFETY, AND GUIDEING TO NAME BUT A FEW;
- ENFORCE ALL FIRE CODES - SHERIFF IS COUNTY FIRE WARDEN. THIS NOT ONLY ENTAILS STRUCTURE FIRES, BUT ALSO RANGELAND FIRES AND FOREST FIRES. IN ADDITION WE MUST PERFORM FIRE SAFETY INSPECTIONS. FIRE

PROTECTION MUST EXTEND TO ALL NON-DISTRICT
AREAS. ARSON RELATED FIRE ORIGINS MUST BE
DETERMINED AND INVESTIGATED.

- PERFORM GENERAL AND SECURITY GUARD FUNCTIONS INCLUDING:
 - A. SCENES OF LOCAL, STATE OR NATIONAL DISASTERS
 - B. AIRPLANE CRASHES
 - C. HAZARDOUS MATERIALS CRASHES AND FOR BOMBINGS -
OFTENTIMES AT GRAVE PERSONAL DANGER
 - D. CARRIER ACCIDENTS WHERE NATIONAL SECURITY OR HIGHLY
CLASSIFIED EQUIPMENT MUST BE PROTECTED
 - E. VIP PROTECTION FOR THREATENED RADICALS AS WELL AS
NATIONAL LEADERS, PROMINENT PEOPLE, COURT WITNESSES
AND THE LIKE
 - F. PROTECTION MUST BE PROVIDED FOR STRIKING RELATED
INCIDENTS
 - G. STAKEOUT DUTIES FOR FREQUENTLY HIT BUSINESS ESTABLISHMENTS
FROM CASES OF MINOR SHOPLIFTING TO MAJOR BURGLARIES
OR FIREBOMBING THREATS
 - H. SECURITY MUST BE PROVIDED FOR INDIVIDUALS THREATENED
WITH KIDNAPPINGS OR HOSTAGE SITUATIONS
 - I. SECURE VEHICULAR TRANSPORTATION MUST BE PROVIDED FOR
NOTED DIGNITARIES
 - J. ESCORTS MUST BE PROVIDED FOR EVERYTHING FROM NATIONAL
CARAVANS TO FUNERAL PROCESSIONS
- PERFORM AS COURT EXPERTS IN TESTIFYING AND EVIDENCE PRESENTATION
AS WELL AS PROVIDING COURT BAILIFFS AND SECURITY
- OPERATE AND UTILIZE TECHNICAL AND HEAVY EQUIPMENT SUCH AS:

- A. TANKER TRUCKS, DOZERS AND SEMIS IN CASE OF FIRE,
SEARCH AND RESCUE AND VEHICLE TRANSPORTATION
 - B. PHOTOGRAPHY EQUIPMENT - FROM PICTURE TAKING THROUGH
FINAL PROCESSING AND MAKING USE OF ALL TYPES OF
PHOTOGRAPHY EQUIPMENT FROM SURVEILLANCE CAMERAS AND
NIGHT SCOPES TO INFRA-RED AND LONG RANGE DEVICES. WE
MUST BE PROFICIENT IN THE USE OF VIDEO/RECORDERS AS
WELL AS VARIOUS AUDIO/VISUAL AIDS FOR USE IN
TRAINING AND COURT PRESENTATIONS
 - C. PROFICIENCY IN THE USE OF HIGHLY TECHNICAL INVESTIGATION
AND LABORATORY ANALYSIS KITS AS WELL AS ELECTRONIC
SURVEILLANCE MONITORS AND EQUIPMENT.
 - D. EMERGENCY MEDICAL APPARATUS AND LIFE SAVING EQUIPMENT
 - E. HOUSE MOVING EQUIPMENT FOR EVICTIONS OR SHERIFF'S SALES
 - F. IN SOME CASES COMPUTERS ARE UTILIZED WITHIN DEPARTMENTS
AND ALL MUST BE FAMILIAR WITH THEIR USE
 - G. COMMUNICATIONS CENTERS MUST BE SET UP AND OPERATED IN THE
EVENT OF CIVIL DISORDERS OR DISASTER SITUATIONS. THE
SHERIFF HAS PRIMARY RESPONSIBILITY FOR THE POLICY,
DIRECTION AND COORDINATION OF ALL LAW ENFORCEMENT
RESOURCES DURING A NUCLEAR CRISIS.
 - H. TACTICAL WEAPONS FROM PERSONAL PROTECTION SIDEARMS TO
SNIPER SUPPRESSION WEAPONS MUST BE LEARNED
- TRAFFIC REGULATION INCLUDES THE ENFORCEMENT OF:
- A. ALL TRAFFIC LAWS
 - B. ACCIDENT INVESTIGATIONS
 - C. GROWTH PLANNING FOR SHOPPING CENTERS
 - D. SPEED ZONE PLANNING

- E. WE ACT AS CONSULTANTS ON ROADWAY DESIGN
 - F. VEHICLE INSPECTIONS FOR TITLES AS WELL AS SAFETY
 - G. SELECTIVE TRAFFIC ENFORCEMENT PROGRAMS
 - H. LIFE OR DEATH EMERGENCY TRANSPORTATION OF BLOOD AND VITAL ORGANS - WHICH IN ITSELF IS HAZARDOUS DUTY
- PUBLIC AND PRESS RELATIONS FUNCTIONS INCLUDE:
- A. DISSEMINATION OF PUBLIC INFORMATION ON CRIME RATES, SAFETY TIPS, CRIME PREVENTION PROGRAMS
 - B. EXPLAINING HOW AND WHERE PUBLIC MONIES ARE SPENT
 - C. PROVIDING LIASONS BETWEEN ALL ELEMENTS OF THE CRIMINAL JUSTICE SYSTEM - POLICE, COURTS AND CORRECTIONS - CRIMINAL JUSTICE PLANNING AGENCIES, GOVERNMENT ADMINISTRATORS, LEGISLATURE AND OTHER COUNTY OFFICIALS
 - D. PROVIDING INFORMATION TO COMMUNITY AND STATE PLANNING GROUPS FOR CONSUMER NEEDS SURVEYS
 - E. MAINTAINING LISTINGS AND INFORMATION ON COMMUNITY RESOURCE GROUPS FOR THE PUBLIC-SUCH AS CRISIS LINES, MENTAL HEALTH CENTERS AND THE LIKE
 - F. PROVIDING INFORMATION TO TECHNICAL CONSULTANTS ON EDUCATIONAL AND PUBLIC BUILDINGS
 - G. COLLECTING AND PROPERLY DISPENSING INFORMATION TO THE NEWS MEDIAS RELATING TO CRIMES, HUMAN EVENTS AND EMERGENCY DISASTER SITUATIONS
 - H. PROVIDING ROAD AND WEATHER REPORTS FOR TRAVELERS
- CITIZEN ASSISTANCE FUNCTIONS INCORPORATE:

- A. ACTING AS COUNSELORS ON HUMAN NEEDS, MINISTERS FOR THE DOWN AND OUT, PARTICULARLY IN REGARDS TO SUICIDAL INTENTIONS, CRISIS INTERVENTION, FAMILY DISTURBANCE, ALCOHOLISM PROBLEMS, MARRIAGE COUNSELING AND SO ON
- B. WE ACT AS INSTRUCTORS FOR LOCAL ADULT EDUCATION CLASSES AS WELL AS FOR SCHOOL PROGRAMS FOR CHILDREN
- C. WE ATTEND VARIOUS PUBLIC AND COMMUNITY FUNCTIONS AS THEIR LAW ENFORCEMENT EXPERT
- D. WE ARE HEALTH INSPECTORS FOR PUBLIC MARKETS
- E. WE ARE SAFETY INSPECTORS FOR VARIOUS PUBLIC NEEDS
- F. WE MUST PROVIDE ASSISTANCE TO INDIVIDUALS WITH MOTORIST PROBLEMS
- G. WE, AS WELL AS FIREMEN, REMOVE CATS FROM TREES OR SKUNKS FROM WINDOWWELLS AND IF THAT ISN'T HAZARDOUS DUTY NOTHING IS
- H. WE TAKE MENTAL INCOMPETENTS OR DRUG ABUSERS INTO PROTECTIVE CUSTODY OFTEN AT OUR OWN PERSONAL EXPENSE
- I. WE INVESTIGATE ABANDONED VEHICLES AND LOCATE LOST PROPERTY
- J. WE HANDLE BARKING DOGS AND CONDUCT WELFARE CHECKS ON CITIZENS THAT HAVEN'T BEEN SEEN FOR A WHILE
- K. WE CONSTANTLY DEAL WITH CRIMES OF VIOLENCE SUCH AS ASSAULTS OR WEAPONS CALLS OFTENTIMES BECOMING THE VICTIMS OURSELVES. MANY SHERIFFS AND DEPUTIES HAVE BEEN INJURED OR SHOT IN THE RECENT PAST AND BROKEN BONES ARE ALL TOO FREQUENT
- L. WE AID SICK AND INJURED PEOPLE AND DELIVER EMERGENCY MESSAGES

M. WE INVESTIGATE SUSPICIOUS CIRCUMSTANCES WHICH IS A
CATCHALL TERM THAT CAN INCLUDE JUST ABOUT ANYTHING
OUT OF THE ORDINARY

- COMPLAINT CALLS FROM INDIVIDUALS COME IN ON A 24 HOUR BASIS AND
WE RESPOND TO:

A. BAR FIGHTS

B. JUVENILE GANG FIGHTS

C. THE HANDLING OF UNSTABLE ABANDONED EXPLOSIVES THAT MUST
BE REMOVED AND DESTROYED TO PREVENT INNOCENT PEOPLE FROM
BEING INJURED

D. LITTERING COMPLAINTS

E. CONCEALED WEAPONS CALLS

F. RUNAWAYS OR ESCAPEES FROM INSTITUTIONS

G. BURGLARY IN PROGRESS CALLS - OR ARMED ROBBERIES

H. MANY ATTEMPT TO LOCATE CALLS FOR VARIOUS REASONS

I. ROAD COMPLAINTS

J. BACKUP REQUESTS FROM OTHER AGENCIES OFTENTIMES INVOLVING
CASES OF RESISTING ARREST OR OFFICER ASSAULTS

K. WE ARE CALLED IN LAND DISPUTES, KEGGERS, SPEEDING
INSTANCES, SNOWMOBILE AND MOTORCYCLE COMPLAINTS

L. FOR VIOLATIONS OF THE CLEAN AIR ACT AND OTHER
ENVIRONMENTAL LAWS

M. WE DO BUILDING CHECKS AND CAMPGROUND CHECKS

N. WE PATROL CABIN OR RESORT AREAS AND CONDUCT HIGH
VISIBILITY DETERENT PATROLS

O. WE CHECK ON PROWLERS AND OTHER SUSPICIOUS PERSONS
AND VEHICLES . . .

AND I COULD GO ON AND ON

B. IN THE AREA OF JAIL OR CORRECTIONS THE SHERIFF MUST HOUSE LOCAL, STATE AND FEDERAL PRISONERS AND PROVIDE FOR THEIR PROPER HEALTH, SAFETY AND RECREATION NEEDS. IN ADDITION WE MUST KEEP CONSTANTLY ABREAST OF FEDERAL STANDARDS AND GUIDELINES AS WELL AS RECENT COURT DECISIONS INVOLVING HUMAN RIGHTS. WE ADMIT, BOOK, SEARCH, FINGERPRINT AND PHOTOGRAPH ALL PRISONERS. CLOTHING AND BEDDING MUST BE ISSUED TO THEM. VISITING AREAS AND SUPERVISION MUST BE PROVIDED IN ALL INSTANCES OF ATTORNEYS, BONDSMEN, RELATIVES, FRIENDS, MINISTERS, COUNSELORS AND OTHER LAW ENFORCEMENT OFFICIALS CONFERRING WITH THE PRISONER, MEDICAL CARE, MEALS, LIBRARY PRIVILEGES, PERSONAL HYGIENE AND PERSONAL PROPERTY ACCOUNTING MUST ALL BE ACCORDED FOR THEM. INJURIES TO SHERIFFS PERSONNEL FREQUENTLY OCCUR DURING THE INCARCERATION PROCESS. IN ADDITION WE MUST BE ABLE TO PROVIDE SPECIAL CARE TO THOSE INDIVIDUALS INTENT ON HARMING THEMSELVES OR OTHERS, OR TO THOSE INDIVIDUALS WITH SPECIAL NEEDS. TRANSPORTATION MUST BE PROVIDED THE PRISONERS TO CRIME SCENES, HOSPITALS, DOCTORS, DENTISTS, MONTANA STATE PRISON, GALEN, WARM SPRINGS, JUVENILE FACILITIES, PSYCHIATRISTS, AND WE MUST GO AFTER AND RETURN INDIVIDUALS ON THE EXTRADITION PROCESS FROM ANYWHERE IN THE COUNTRY. BOOKKEEPING PLAYS A LARGE PART IN THE CORRECTIONAL SYSTEM AS WE, FOR EXAMPLE, MUST CONDUCT PROPER DISPOSITION OF PRISONERS EARNINGS IF THEY ARE ON WORK RELEASE WHICH IS ANOTHER PROGRAM WE MUST ADMINISTER. RELIGIOUS SERVICES AND COMMISSARY PRIVILEGES MUST BE ACCORDED THE PRISONER. ACCORDING TO LAW AND RECENT COURT DECISIONS PROPER PRISONER SEGREGATION MUST BE MAINTAINED NOT ONLY BY SEX, BUT BY

AGE, NATURE OF THEIR CRIME AND SENTENCED VS PRE-SENTENCED STATUS. INSURANCE MUST BE MADE TO SEE THEY ARE PROPERLY ARRAIGNED AND CHARGED IN COURT IN A TIMELY FASHION. RECORDS MUST BE MAINTAINED ON BONDS, RELEASE DATES AND SENTENCES. JAIL LEDGERS MUST BE KEPT UP TO DATE AND BOARD RECORDS AND BALANCES MUST BE MAINTAINED FOR PROPER BILLING OF OTHER AGENCIES.

C. CRIMINAL INVESTIGATIONS ARE GENERALLY A LENGTHY, TIME-CONSUMING PROCESS THAT INVOLVES AN OFFICER WITH THE DREGS OF OUR SOCIETY AND IS NOT THE GLAMOROUS JOB IT IS PORTRAYED TO BE ON TV AND IN THE MOVIES. CHILD ABUSE, NARCOTICS, BODY BUTCHERINGS AND BLOODY BEATINGS ARE ALL A PART OF EVERYDAY WORK. ORGANIZED CRIME IS PRESENT IN MONTANA AND MUST BE DEALT WITH. UNDERCOVER WORK AND SURVEILLANCES ARE NOT A 8 TO 5 JOB AND REMOVE US FROM OUR FAMILIES AND LEISURE TIME QUITE FREQUENTLY. OVER 800 STATUTES, AS I STATED EARLIER, WITH CRIMINAL SANCTIONS ARE ON OUR LAW BOOKS THAT WE MUST NOT ONLY BE FAMILIAR WITH IN A LEGAL SENSE, BUT WE MUST POSSESS THE TECHNOLOGICAL EXPERTISE TO INVESTIGATE THEM ALL, RANGING FROM WHITE COLLAR CRIMES, INVOLVING ACCOUNTING, TO SEXUALLY DEPRAVED CRIMES INVOLVING SEVERE EMOTIONAL TRAUMA. CONSTANT TRAINING MUST BE PROVIDED SO THAT WE MAY PROPERLY FUNCTION IN THE AREAS OF: INTERVIEWING, INTERROGATIONS, COLLECTION OF EVIDENCE, CRIME SCENE PROTECTION AND ANALYSIS, REPORT PREPARATION, LABORATORY EXAMINATIONS, POLYGRAPH EXAMINATIONS, HYPNOSIS, AND HUNDREDS OF OTHER AREAS. WE HAVE TO LOCATE AND ARREST WANTED INDIVIDUALS, CONDUCT BACKGROUND INVESTIGATIONS FOR VARIOUS TYPES OF APPLICANTS FROM GAMBLING LICENSES TO MILITARY AND GOVERNMENTAL SECURITY

POSITIONS. ASSISTANCE IS ROUTINELY PROVIDED TO OTHER LOCAL, STATE AND FEDERAL INVESTIGATORY AGENCIES. IN GENERAL WE INVESTIGATE ALL CRIMINAL INFRACTIONS OF THE LAW AND CARRY THEM THROUGH TO A HOPEFULLY SUCCESSFUL PROSECUTION. A HIGH DEGREE OF LEGAL KNOWLEDGE IS REQUIRED DUE TO THE TECHNICAL NATURE OF SEARCH WARRANT PREPARATION, FILING OF COMPLAINTS AND TO ALLOW US TO KNOW WHETHER OR NOT WE CAN MAKE A MOVE IN ANY INVESTIGATION TO PREVENT THE COURTS FROM THROWING THE CASE OUT ON A TECHNICALITY.

D. SPECIALIZED LAW ENFORCEMENT PROGRAMS MUST BE CONTINUALLY RESEARCHED AND IMPLEMENTED, IF APPLICABLE, TO PROVIDE THE CITIZENS WITH THE BEST POSSIBLE PROTECTION FROM THE CRIMINAL ELEMENT. FORCES OF RESERVE OFFICERS ARE MAINTAINED BY MANY DEPARTMENTS TO ALLOW US TO MAINTAIN A FULL COMPLEMENT OF PERSONNEL IN THE EVENTS OF PERSONNEL ILLNESS, VACATIONS, TRAINING TIME, AND TO HANDLE SPECIAL POTENTIALLY EXPLOSIVE SITUATIONS, SUCH AS ROCK CONCERTS, RODEOS, ETC. THESE RESERVES MUST BE TRAINED BY US IN AN 88 HOUR TRAINING PROGRAM AS SPECIFIED BY STATUTE. COMMUNITY CRIME PREVENTION PROGRAMS ARE OF A TECHNICAL NATURE AND TAKE A GREAT DEAL OF KNOWLEDGE TO PRODUCE AND ADMINISTER. BURGLARY PREVENTION PROGRAMS, RAPE PREVENTION TRAINING, VARIOUS JUVENILE CAREER DEVELOPMENT AND ASSISTANCE PROGRAMS, OPERATION ID AND NEIGHBORHOOD WATCH ARE BUT A FEW. K-9 PROGRAMS ARE ANOTHER EXAMPLE. WITHIN HOUSE PROGRAMS FOR THOSE DEPARTMENTS THAT ARE OF SUFFICIENT SIZE TO UTILIZE THEM ARE NECESSARY. PARTICULARLY IN REGARDS TO MARRIAGE PRESERVATION AND FAMILY COUNSELING FOR DEPARTMENT PERSONNEL.

E. THE "BUSINESS" OF SERVING AND ENFORCING CIVIL PROCESS IS ONE OF THE OLDEST AND MOST BASIC RESPONSIBILITIES OF THE SHERIFF. THE PRIMARY FUNCTIONS OF THE SHERIFF IN CIVIL WORK ARE TO ENFORCE THE RULINGS OF THE CIVIL COURTS. THIS ENTAILS THE SERVING AND EXECUTING OF ALL TYPES OF PROCESSES EMANATING FROM ANY COURT OF JUSTICE, JUDICIAL OFFICER OR COMPETENT AUTHORITY IN THIS COUNTY OR STATE, OR ANY OTHER STATE OR FOREIGN COUNTRY.

THE SHERIFF, AS THE JUDICIAL OFFICER OF THE COURTS IS REQUIRED TO ENFORCE THE MANDATES OF THE COURT. MANY OF THESE ARE ROUTINE FUNCTIONS, BUT IT IS IMPORTANT TO KNOW THAT IT IS A DUTY IMPOSED BY LAW. EXAMPLES ARE: THE RECEIVING AND ENTERING OF PROCESSES FOR SERVICE, THE SERVICE OF PROCESS, AND THE RETURN OF SERVICE; ALL SHALL BE DONE IN A MANNER PRESCRIBED BY LAW. THE "LAW" SPOKEN ABOUT HERE VARIES FROM SERVICE TO SERVICE. THE FAVORITE WORD USED BY OUR FOUNDING FATHERS TO DESCRIBE THE SERVICE OF PROCESS IS "FORTHWITH" AND IN MOST CASES THE ATTORNEY OR THE COURT INTERPRETS THIS WORD TO MEAN "YESTERDAY", HOWEVER, THE TIMELY SERVICE MAY VARY FROM AN IMMEDIATE EFFORT AS IN SUBPOENAS, EXECUTIONS OR JUDGEMENTS, RESTRAINING ORDERS, AND ORDERS TO SHOW CAUSE: TO 4-DAYS AS IN SUMMONS FOR UNLAWFUL DETAINER. SOME REQUIRE THAT SERVICE BE MADE "NOT LESS THAN 10-DAYS" SUCH AS WRITS OF RESTITUTION, OR "NOT LESS THAN 5-DAYS" PRIOR TO THE DATE SET BY THE COURT FOR HEARING; WHILE OTHERS, SUCH AS THE COMMON SUMMONS AND COMPLAINT DO NOT START THE "COURT TIME CLOCK" RUNNING UNTIL THE ACTUAL TIME THE PROCESS IS SERVED. MORE THAN 40 LAWS ARE CURRENTLY ON THE BOOKS SPELLING OUT THE DUTIES OF A SHERIFF IN PERFORMING HIS ELECTED DUTIES IN HANDLING SERVICE OF CIVIL PROCESSES. A SHERIFF FAILING TO ACT AS PRESCRIBED BY LAW MAY BE

FOUND LIABLE IN THE AMOUNT OR VALUE OF THE SERVICE. FOR THIS REASON THE CIVIL DUTY IS A JOB NOT TO BE TAKEN LIGHTLY.

THE CIVIL DEPARTMENT ALSO CONTROLS THE SHERIFFS TRUST ACCOUNT AND MONIES RECEIVED AND DISPERSED FROM THE DEPARTMENT SUCH AS BONDS, JUDGEMENTS, EXECUTIONS, SERVICE AND MILEAGE FEES, TOWING FEES, AND MISCELLANEOUS. THE FEES AND MILEAGE THE SHERIFF MAY COLLECT FOR SERVICES OF PROCESS ARE SET BY LEGISLATION. AT PRESENT THE SHERIFF MAY COLLECT \$2.00 FOR THE SERVICE OF EACH SUMMONS TOGETHER WITH A COMPLAINT, NOTICE, EXECUTION, ORDER AND/OR WRIT. FOR EACH SUBPOENA SERVED THE SHERIFF MAY COLLECT \$1.00. THE MONIES THUS COLLECTED BY THE SHERIFF FOR SUCH SERVICE OF PROCESS AND MILEAGE ARE TURNED OVER TO THE COUNTY TREASURER AND PLACED BY THE TREASURER INTO THE COUNTY GENERAL FUND.

IN ADDITION OTHER DUTIES ARE PERFORMED BY THE CIVIL DEPARTMENT INCLUDING: CONDUCTING AUCTIONS AND SHERIFF'S SALES: FORCLOSURES: SALE OF REAL ESTATE: SERVING OF WRITS: ORDERS, ATTACHMENTS, LEVIES AND GARNISHMENTS: IT MUST ACCEPT AND PAY OUT MONIES COLLECTED FROM VARIOUS SOURCES: IT MUST CONDUCT INVENTORIES: MAKE COLLECTIONS AND PLACE LIENS ON PROPERTY AND MAKE SEIZURES OF MONIES AND PROPERTY TO NAME BUT A FEW.

TAX COLLECTING IS ALSO A FUNCTION OF THE SHERIFF AND HE MUST TRACK DOWN AND COLLECT TAXES OR PROPERTY OF EQUAL VALUE FROM THOSE INDIVIDUALS WHO HAVE FAILED TO PAY THEIR FAIR SHARE. ABANDONED AND JUNK CAR DUTIES INCORPORATE A MULTIPLE GROUP OF FUNCTIONS AS WELL, INCLUDING; APPRAISALS TO DETERMINE IF ANTIQUE OR JUNK, LOCATION OF OWNER, SENDING OF CERTIFIED LETTERS, AND PROPER

REMOVAL AND DISPOSTION OF THE VEHICLE.

F. THE VERY NATURE OF THE SHERIFF AND HIS OFFICE CALLS FOR HIM TO PERFORM THE SEARCH AND RESCUE DUTIES FOR THE CITIZENS OF HIS COUNTY. AGAIN, THESE TYPES OF INCIDENTS DO NOT OCCUR ONLY ON AN 8 TO 5 P.M. BASIS AND MAY INVOLVE DAYS ON END TO SATISFACTORILY RESOLVE, OFTENTIMES WITHOUT REST OR FOOD BEING AVAILABLE. WHEN A LIFE HANGS IN THE BALANCE THESE ARE INSIGNIFICANT ITEMS UP TO A POINT. THE TYPES OF SEARCHES WE MUST PERFORM ARE LIMITED ONLY TO MAN'S IMAGINATION AND HIS ABILITIES TO GET HIMSELF INTO PRECARIOUS SITUATIONS. SOME OF THE MORE COMMON SEARCHES INVOLVE MINE CAVE-INS, AIRPLANE CRASHES, LOST HUNTERS-SNOWMOBILERS-SKIERS OR HIKERS, MISSING CHILDREN, DROWNING OR BOATING ACCIDENTS, FOREST FIRE EVACUATIONS, EXTRICATIONS FROM COLLAPSED OR DAMAGED BUILDINGS-VEHICLES-TRAINS OR FARM EQUIPMENT, AVALANCHES AND REMOVAL FROM CLIFFS AND OTHER OUT OF THE WAY PLACES. SOMETIMES FOOD, MEDICAL SUPPLIES OR EVEN LIVESTOCK FEED MUST BE AIRLIFTED INTO SNOWBOUND AREAS. SPECIALIZED TRAINING AND EQUIPMENT IS A MUST IN OUR ENDEAVORS IN THIS AREA. AIRCRAFT, WATERCRAFT, CLIFF-CLIMBING EQUIPMENT, GROUND TO AIR OR WATER COMMUNICATIONS EQUIPMENT ARE ALL NECESSARY TO GET THE JOB DONE.

G. IN THE AREA OF ADMINISTRATION THE SHERIFF HAS A MYRIAD OF RESPONSIBILITIES RANGING THROUGH LEADERSHIP, PERSONNEL MOTIVATION, BUDGETING, PLANNING AND RESEARCH, DEVELOPING RULES AND REGULATIONS, PERSONNEL EVALUATIONS, WRITING STANDARDS OF PERFORMANCE, TRAINING, COST/BENEFIT ANALYSIS, MANPOWER DEPLOYMENT, CRIME ANALYSIS, SCHEDULING, PUBLIC RELATIONS, POLICE/VIOLATOR RELATIONS, CONFLICT RESOLUTION, ORGANIZATIONAL DEVELOPMENT, GOAL SETTING AND GUIDANCE, PRODUCTIVITY PLANNING, GRANTS ADMINISTRATION, FINDING ALTERNATIVE SOURCES OF REVENUE, INCARCERATION DUE PROCESS PLANNING AND COMMITMENT, NEWS MEDIA RELATIONS, CONTRACTING FOR GOVERNMENTAL SERVICES, INFORMATION SYSTEMS DEVELOPMENT, MUTUAL AID COMPACTS, PERSONNEL SUPERVISION, COORDINATING COMMUNITY RESOURCES, RECORDS MANAGEMENT, SELECTION AND RECRUITMENT OF PERSONNEL, SUPERVISORY AND EXECUTIVE DEVELOPMENT AND DISCIPLINARY MANAGEMENT JUST TO INDICATE A SAMPLE. HE MUST HAVE THE ABILITY TO PREDICT AND ANALYSE INFLATIONARY FACTORS AND MANPOWER AND EQUIPMENT NEEDS, AS WELL AS SPECIFY SUPPORTIVE SERVICES FOR BUDGETARY PURPOSES. GEOCODING, TARGET HARDENING, COMPUTER AIDED DISPATCH AND VARIOUS STATISTICAL LEVELS ARE AREAS HE MUST HAVE KNOWLEDGE AND EXPERTISE IN. HE MUST CONSTANTLY BE DOING RESEARCH TO KEEP ABREAST OF ALL THE CHANGES IN LAWS, EMERGENCY MEDICAL SERVICES, FIRE FIGHTING AND SEARCH AND RESCUE TECHNIQUES AS WELL AS BEING COGNIZANT OF EXTERNAL NATIONAL TRENDS THAT WILL HAVE AN IMPACT ON HIS DEPARTMENT SUCH AS DOWNSIZING IN POLICE VEHICLES AND GAS ALLOTMENTS.

H. PERSONNEL REQUIREMENTS FOR OFFICERS IN SHERIFFS DEPARTMENTS ARE SPECIFICALLY STATED IN THE STATUES AS FOLLOWS:

1. SELECTION OF OFFICERS REQUIRES THEY BE:

- A. A HIGH SCHOOL GRADUATE
- B. BE OF GOOD MORAL CHARACTER AS DETERMINED BY A THOROUGH BACKGROUND INVESTIGATION
- C. NEVER HAVE BEEN CONVICTED OF A FELONY FOR WHICH THEY COULD HAVE BEEN IMPRISONED
- D. CANNOT HAVE BEEN A MEMBER OF ANY SUBVERSIVE ORGANIZATION
- E. MUST BE EXAMINED AND CERTIFIED AS PHYSICALLY FIT BY A PHYSICIAN WITHIN 30 DAYS OF THEIR APPOINTMENT
- F. MUST BE ON PROBATION FOR ONE YEAR

2. TRAINING REQUIREMENTS PROVIDE THAT THEY MUST ATTEND THE BASIC COURSE OF THE MONTANA LAW ENFORCEMENT ACADEMY OF 6 WEEKS DURATION DURING THEIR FIRST YEAR OF EMPLOYMENT. IN ADDITION, THEY HAVE AVAILABLE THE INTERMEDIATE COURSE OF 2 WEEKS; THE ADVANCED COURSE OF 2 WEEKS AND OVER 35 SPECIALIZED COURSES ALL AT THE MLEA INCLUDING, BUT NOT LIMITED TO; FINGERPRINTING, PHOTOGRAPHY, HOMICIDE INVESTIGATION, FIREARMS INSTRUCTOR, CRIME SCENE SEARCH, LAWS OF ARREST, SEARCH AND SEIZURE, BOMB DISPOSAL, NARCOTICS INVESTIGATION, SURVEILLANCE TECHNIQUES, CRIME PREVENTION AND MANY OTHERS. TO PERFORM EFFECTIVELY AND EFFICIENTLY AS ADMINISTRATORS SHERIFFS MUST AND DO INVOLVE THEMSELVES IN TRAINING ON A NATIONAL LEVEL SUCH AS THE FBI NATIONAL ACADEMY, THE NATIONAL SHERIFFS INSTITUTE AND THE NATIONAL INSTITUTE ON CORRECTIONS. THE AVERAGE LAW ENFORCEMENT OFFICER IN MONTANA HAS 385 HOURS OF FORMAL TRAINING EXCLUDING YEARS OF EDUCATION. APPROXIMATELY 21% OF OFFICERS HAVE COLLEGE DEGREES RANGING FROM BUSINESS ADMINISTRATION TO LAW.

AS I STATED AT THE BEGINNING OF MY PRESENTATION SHERIFFS ARE GENERALISTS IN THE PERFORMANCE OF THEIR DUTIES AND WE PERFORM ALL FUNCTIONS REQUIRED OF US AS COMPARED TO PRIVATE INDUSTRY OR GOVERNMENT THAT HAVE SEPARATE JOB CLASSIFICATIONS AND HIRE WELL PAID SPECIALISTS FOR.

THE MONTANA SHERIFFS IN PREPARATION FOR THIS MEETING IN THE HOPES OF PROVIDING THIS COMMISSION WITH ALL POSSIBLE ASSISTANCE, COMPLETED THE RANKING OF THE CRITERIA YOU SPECIFIED IN YOUR QUESTIONNAIRE AND THE RESULTANT GENERAL CONSENSUS IS AS FOLLOWS:

<u>PRIMARY TOTAL</u>	<u>SECONDARY TOTAL</u>	<u>TITLE</u>
1ST	2ND	WORKLOAD-VOLUME OF DUTIES
1ST	3RD	DIRECT WORK RESPONSIBILITIES
(TIED) 1ST, 11TH	6TH	ADMINISTRATIVE RESPONSIBILITIES
2ND	13TH	SIZE OF POPULATION SERVED
3RD	5TH	POLICY MAKING RESPONSIBILITIES
(TIED) 3RD, 6TH, 15TH	5TH	YEARS OF RELATED EXPERIENCE
5TH	14TH	PERSONAL SAFETY
6TH	13TH	LOCAL COST OF LIVING INDICES
7TH	4TH	TRAINING
8TH	9TH	ON THE JOB TRAINING

(TIED) 8TH, 13TH	7TH	YEARS OF EDUCATION
(TIED) 9TH, 15TH	12TH	INCONVENIENCE TO OFFICE HOLDER
10TH	11TH	YEARS OF ACTUAL SERVICE IN ELECTIVE POSITIONS
12TH	13TH	MERIT
14TH	15TH	FINANCIAL CAPABILITY OF TAX BASE

NO STATE OR PRIVATE POSITIONS WERE FOUND TO BE COMMENSURATE WITH THAT OF THE SHERIFF. THE CLOSEST WE WERE ABLE TO COME UP WITH WERE THOSE OF THE:

- 1) ADMINISTRATOR, LAW ENFORCEMENT DIVISION,
DEPARTMENT OF JUSTICE; SALARY RANGE
\$21,925.00 - \$28,811.00
- 2) ADMINISTRATOR BRANDS ENFORCEMENT DIVISION,
DEPARTMENT OF LIVESTOCK; SALARY RANGE
\$23,964.00 - \$30,841.00
- 3) ADMINISTRATOR, LAW ENFORCEMENT DIVISION,
DEPARTMENT OF FISH, WILDLIFE AND PARKS;
SALARY RANGE \$21,925.00 - \$28,311.00
- 4) THIRD LEVEL MANAGERS AT MOUNTAIN BELL
INCLUDING VARIOUS SPECIALIST CLASSIFICATIONS;
SALARY RANGE \$28,600.00 - \$40,000.00
- 5) CONSTRUCTION SUPERVISORS; SALARY RANGE
\$24,000.00 - \$36,000.00
- 6) CONSTRUCTION FOREMAN; SALARY RANGE \$25,488.00

7) JOURNEYMEN ELECTRICIANS; SALARY RANGE \$26,964.00

CLASS SPECIFICATION SHEETS ARE ATTACHED FOR THESE POSITIONS. NONE OF THESE POSITIONS, HOWEVER, HAVE THE NUMEROUS AND DIVERSIFIED DUTIES AS DOES THE SHERIFF'S POSITION. NOR DO THEY CARRY THE AMOUNTS OF LIABILITY FOR THEIR ACTIONS THAT THE SHERIFFS CARRY. ALL OF THE FUNCTIONS I HAVE DESCRIBED WE ARE CIVILLY AND SOMETIMES CRIMINALLY LIABLE FOR. THE NEXT SPEAKER, SHERIFF DICK SHAFFER FROM YELLOWSTONE COUNTY, WILL ADDRESS THAT ISSUE.



BOARD OF CRIME CONTROL

303 NORTH ROBERTS
~~STATE OF MONTANA~~
SCOTT HART BUILDING
HELENA, MONTANA 59601

TELEPHONE No. 449-3604

February 11, 1980

IN REPLY REFER TO

MEMORANDUM

TO: Chuck O'Reilly, Sheriff
Lewis & Clark County

FROM: Larry Petersen, Chief *[Signature]*
Research & Planning Bureau
Board of Crime Control

SUBJECT: NUMBER OF SHERIFF'S OFFICERS ASSAULTED DURING
CALENDAR YEAR 1979

Data are supplied only for those Montana Sheriff's agencies that reported assaults as occurring during January through December of 1979 under the UCR program:

Officers Killed -- Felonious Assault 0
Accident or Negligence 0

ASSAULT DATA

TYPE OF WEAPON

TYPE OF ACTIVITY	TOTAL	TYPE OF WEAPON			
		FIREARM	KNIFE	OTHER WEAPON	HANDS, FISTS, FEET
1. Disturbance Calls	14	8		2	4
2. Burglaries In Progress					
3. Robberies in Progress					
4. Attempts	4	1			3
5. Civil Disorder	5				5
6. Handling Prisoners	3		1		2
7. Suspicious Persons					
8. Ambush	1			1	
9. Mentally Deranged					
10. Traffic	2	1			1
11. Other	1				1
12. TOTAL	30	10	1	3	16
13. With Personal Injury	10	1		3	6
14. Without Personal Injury	20	9	1		10

I hope this information will be of value. Should you need more assistance, please feel free to contact me.



STATE OF MONTANA
DEPARTMENT OF ADMINISTRATION
PERSONNEL DIVISION

**CLASS
SPECIFICATIONS**

CLASS CODE	379013
GRADE	13
LAST UPDATED	7-1-77

OCCUPATIONAL GROUP: Protective Services **(\$21,925 - \$28,811)**

MONTANA CLASSIFICATION TITLE: Administrator, Law Enforcement Division **(Fish, Wildlife, Parks)**

DESCRIPTION OF WORK

GENERAL DUTIES: Performs complex administrative and supervisory duties in planning, coordinating and directing the activities of the Law Enforcement Division of the Department of Fish and Game.
SUPERVISION RECEIVED: Works under broad policy guidance and direction of the Department Director.
SUPERVISION EXERCISED: Exercises supervision over many professional, technical and clerical personnel.

EXAMPLE OF DUTIES

Plans comprehensive programs; initiates state-wide programs of special investigation; directs and evaluates law enforcement programs; hires, assigns and evaluates duties of all personnel; directs the formulation and interpretation of division policy; reviews all regulations and other details for seasons and limits, and prepares recommended regulations for the commission; publicizes regulations through news media; prepares and administers budgets for division; keeps records and prepares various reports; coordinates issuing of equipment and supplies to field personnel; oversees department radio system; performs related duties as required.

MINIMUM QUALIFICATIONS

KNOWLEDGES: Extensive knowledge of department organization; policies and operations; thorough knowledge of Fish and Game Laws, both state and federal; game laws, principals and practices; personnel management and standard administrative practices and procedures.
SKILLS: None
ABILITIES: Ability to establish and maintain effective working relationships with employees, other agencies and the public; to direct and coordinate the activities of a large staff; to speak and write effectively.
EDUCATION: Graduation from a college or university with a Bachelor's degree in Wildlife Management or related field.
EXPERIENCE: Six years of progressively responsible experience as a warden and warden supervisor,

OR

Any equivalent combination of education and experience.

USER AGENCIES	A"	* As Noted Below	All Except Those Noted Below
	5201		



STATE OF MONTANA
DEPARTMENT OF ADMINISTRATION
PERSONNEL DIVISION

CLASS SPECIFICATIONS

CLASS CODE	413019
GRADE	19
LAST UPDATED	7-1-74

OCCUPATIONAL GROUP: Livestock Farming Occupations

MONTANA CLASSIFICATION TITLE: Administrator Brands Enforcement Division *Salary 23,964 - \$ 30,841*

DESCRIPTION OF WORK

GENERAL DUTIES: Perform administrative and supervisory work in enforcing and administering laws, regulations and policies affecting the Brands Enforcement Division of the Department of Livestock,
SUPERVISION RECEIVED: Works under broad policy guidance and direction of an administrative superior.
SUPERVISICN EXERCISED: Exercises supervision over division personnel directly or through subordinate supervisors.

EXAMPLE OF DUTIES

Responsible for development, implementation, interpretation, evaluation and administering laws, regulations and programs affecting the division for the department; develops, plans and implements procedures and training programs; carries out departmental policies and goals; supervises and evaluates personnel; assists in preparation of legislation affecting the division; analyzes budget expenditures and needs; coordinates the division's function with other agencies and private groups; establishes functional priorities and goals; may serve on committees or boards; performs related work as required.

MINIMUM QUALIFICATIONS

KNOWLEDGES: Thorough knowledge of the laws and regulation affecting the Brands Enforcement Division, livestock raising and sale; brands. Considerable knowledge of practice and procedures of management; departmental functions.
SKILLS: None.
ABILITIES: Ability to communicate effectively verbally and in writing; supervise effectively; establish and maintain effective working relationships with employees, other agencies and the public.
EDUCATION: Graduation from a college or univesity with a Bachelor's degree in Animal Sciences, Business Administration, Law Enforcement or related field.
EXPERIENCE: Four years of progressively responsible supervisory and administrative experience in the livestock industry,

OR

any equivalent combination of education and experience.

USER AGENCIES	5603	All	* As Noted Below	All Except Those Noted Below

NOTE: Duties described above are not necessarily all inclusive for this class.



STATE OF MONTANA
DEPARTMENT OF ADMINISTRATION
PERSONNEL DIVISION

CLASS SPECIFICATIONS

CLASS CODE	379013
GRADE	18
LAST UPDATED	7-1-74

OCCUPATIONAL GROUP	Protective Services	Salary \$21,925 - \$28,811
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MONTANA CLASSIFICATION TITLE	Administrator, Law Enforcement Division
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DESCRIPTION OF WORK

GENERAL DUTIES: Performs complex administrative and supervisory duties in planning, coordinating and directing the activities of the Law Enforcement Division of the Department of Fish and Game.

SUPERVISION RECEIVED: Works under broad policy guidance and direction of the Department Director.

SUPERVISION EXERCISED: Exercises supervision over many professional, technical and clerical personnel.

EXAMPLE OF DUTIES

Plans comprehensive programs; initiates state-wide programs of special investigation; directs and evaluates law enforcement programs; hires, assigns and evaluates duties of all personnel; directs the formulation and interpretation of division policy; reviews all regulations and other details for seasons and limits, and prepares recommended regulations for the commission; publicizes regulations through news media; prepares and administers budgets for division; keeps records and prepares various reports; coordinates issuing of equipment and supplies to field personnel; oversees department radio system; performs related duties as required.

MINIMUM QUALIFICATIONS

KNOWLEDGES: Extensive knowledge of department organization; policies and operations; thorough knowledge of Fish and Game Laws, both state and federal; game laws, principals and practices; personnel management and standard administrative practices and procedures.

SKILLS: None

ABILITIES: Ability to establish and maintain effective working relationships with employees, other agencies and the public; to direct and coordinate the activities of a large staff; to speak and write effectively.

EDUCATION: Graduation from a college or university with a Bachelor's degree in Wildlife Management or related field.

EXPERIENCE: Six years of progressively responsible experience as a warden and warden supervisor,

OR

Any equivalent combination of education and experience.

USER AGENCIES		All	*	As Noted Below	All Except Those Noted Below
	5201				

NOTE: Duties described above are not necessarily all inclusive for this class.

Title: State Traffic Supervisor
Level/Band: 3A or 3B
Department: Traffic or Customer Services or Network

Overview:

Provides staff assistance, coordination, administration and field support in various areas of Traffic operations on a statewide basis.

Supervision:

Normally reports to a fourth level supervisor. Supporting staff ranges from 5 to 15 first and second level employees plus clerical people.

Specific Responsibilities & Activities:

Some representative samples of the types of work and associated responsibilities are:

Provides assistance to district managers throughout the state in policy administration, problem solving, implementation of new programs, budget administration, etc.

Provides any required interdistrict and interdepartmental coordination on implementing new procedures, large conversion projects, long range planning, etc.

Provides interface with Corporate Headquarters on traffic methods, procedures, training or Company policy. Responsible for the development or adaptation of state methods and procedures.

Directs functions statewide such as: operating budgets, forecasting of load and force requirements, service observing activity, training, etc.

Analyzes operating results to identify areas that are below departmental standards and assists district managers in improving results.

Diversity:

May be responsible for several areas or specialize in a particular area such as: Operator Services, Network Administration, Business Services Functions, etc.

Hours/Environment:

Works normal business hours. Overtime as required. Subject to travel throughout the state.

Useful Backgrounds:

Line and lower level staff experience in one or more of the areas of specialization or in related traffic operations.

Title: State Plant Supervisor
Level/Band: 3A or 3B
Department: Plant or Customer Services

Overview:

Provides staff assistance, coordination, administration and field support in various areas of Plant operations on a state-wide basis.

Specific Responsibilities & Activities:

Some representative samples of the types of work and associated responsibilities are:

Provides assistance to district managers throughout the state in policy administration, problem solving, implementation of new programs, budget administration, etc.

Provides any required interdistrict and interdepartmental coordination on implementing new procedures, large conversion projects, long range planning, etc.; or on day-to-day operations.

Directs any statewide work operations such as: purchase of motor vehicles, supplies distribution, ordering of cable, SSMB operation (special services maintenance bureau), etc.

Collects and analyzes operating results in service, quality, productivity and cost efficiency to identify any areas that are below departmental standards and assist district managers in improving results.

Provides technical expertise and assistance on special problems, new types of equipment or test gear, new operating procedures, inter-district problems, etc.

Provides administrative staff assistance to the department head in such areas as budget administration, personnel matters, interdepartmental coordination, etc.

Acts as the interface between corporate staff and state staff operations in the areas of policy administration, problem solving, budget administration, etc.

Supervision:

Normally supervises a supporting staff of 5 to 15 first and second level management employees plus technical and clerical non-management people. Normally reports to a department head.

Diversity:

Normally specializes in a group of related areas such as: central office and toll operations; buildings, supplies and motor vehicles; installation and maintenance operating results; etc.

Hours/Environment:

Works normal business hours. Subject to travel throughout the state.

Useful Backgrounds:

Experience in one or more of the areas of specialization or in related plant operations.

Title: State Marketing Supervisor
Level/Band: 3A or 3B
Department: Marketing or Customer Services

Overview:

Responsible for the administration and direction of all staff functions for a state organization.

Specific Responsibilities & Activities:

Performs and/or directs staff activities in support of sales and servicing line organizations. Work involves most of the following:

- Provide staff support, technical assistance and expertise to line organizations.
- Provide interface between state operations and Corporate Headquarters.
- Conduct "Operations Reviews" to determine strengths and weaknesses in organizations. Develops programs to improve weak areas.
- Results analysis and the formulation and implementation of appropriate action to correct problem areas.

Evaluates changes in the market place and adjust efforts and programs to effectively meet competition, provide a high quality of communication services to business customers, and increase business revenues.

Implementation of methods, procedures, and policy on all matters pertaining to the Marketing job.

Budget preparation and administration statewide.

Supervision:

Normally reports to a fifth level supervisor. Subordinate organization ranges from 5 to 25 first and second level employees.

Diversity:

Normally functions as a liaison and coordinator on all departmental matters. Work involves the ability to carry out problem solving and projects to a successful conclusion concerning all areas of the Marketing job.

Hours/Environment:

Regular business hours, Monday through Friday. Overtime as required. May require occasional travel throughout the state.

Useful Backgrounds:

Line and staff experience in sales and servicing functions. Sales Manager, Marketing Service Manager, District Manager.

Title: Rate and Tariff Supervisor
Level/Band: 3A or 3B
Department: Finance or Financial Planning

Overview:

Directs the planning and development of rates and rate structures for pricing our services commensurate with costs, market considerations, present and future product line, legal and regulatory considerations. Directs the writing of associated tariffs and the filing of those tariffs with state regulatory agencies for the purpose of implementing or changing rates.

Specific Responsibilities & Activities:

Directs the planning and associated study efforts for developing pricing concepts, objectives, structures and rate levels for new products and services as well as re-pricing all of our existing services. Provides the required interdepartmental, interstate, and inter-company coordination and higher management contact.

Directs the writing and filing of associated tariffs and provides the required contact with state regulatory agencies which may include planning and coordinating quite comprehensive rate case applications and associated testimony for public hearings or providing day-to-day contact with commissions for the administration and maintenance of all existing tariffs. May include testifying at public hearings.

Provides all associated services such as rate development for special assemblies for "one of a kind" application, negotiating construction agreements on speculative land developments, special studies on specific proposals or local problems, providing tariff interpretations and clarifications to customer contact people, etc.

Supervision:

Normally supervises 2 to 6 management employees and supporting non-management people. In Corporate headquarters, this position would report to a fourth level manager who has similar company-wide responsibilities of a larger and broader scope. Reports to a department head in State offices.

Diversity:

In Corporate headquarters this position would specialize in such areas as competitive terminal equipment, exchange service, private line services, rate case coordination, etc. There is normally one position in each State that would be responsible for all functions.

Hours/Environment:

Works normal business hours.

Useful Backgrounds:

Experience in lower level positions in rate & tariff or related fields in Commercial or Marketing. Formal training in economics, mathematics or other related areas would be helpful.

Title: Commercial Operations Supervisor
Level/Band: 3A or 3B
Department: Commercial Operations (Corporate Headquarters)

Overview:

Provides staff direction, coordination, administration and field support in various areas of operations on a company-wide basis.

Specific Responsibilities & Activities:

Some representative samples of the type of work and associated responsibilities are:

Provides guidance and assistance to field managers throughout the company in policy administration, problem solving, implementation of new programs, mechanization efforts, budget administration, etc.

Analyzes operating results in quality, productivity and cost efficiency to identify weak spots and develops improvement programs for recommending to higher management and field managers.

Acts as interface between field operations and higher management, other corporate departments, AT&T, other companies, etc.

Develops new or revised operating methods and procedures for introduction to field operations or adopts new AT&T methods to Mountain Bell operations prior to implementation through our field managers.

Conducts operations reviews in specific areas to ensure that departmental policies and procedures are being properly administered, and that service and efficiency standards are being met. Assists local managers to improve their operation.

Supervision:

Subordinate organization ranges from 5 to 50 employees consisting of first and second level supervisors and non-management employees.

Diversity:

Normally specializes in a particular area such as: methods & procedures, training, results, or forecasting. Commercial methods involve a variety of functions such as: business office operations, public offices, cashier/teller functions and order centers.

Hours/Environment:

Works normal business hours.

Useful Backgrounds:

Line and lower level staff experience in Commercial operations.

Title: Commercial Supervisor
Level/Band: 3A or 3B
Department: Commercial or Customer Services

Overview:

Provides staff direction, coordination, administration and field support in various areas of operations on a state-wide basis.

Specific Responsibilities & Activities:

Provides assistance to district managers throughout the state in policy administration, problem solving, implementation of new programs, budget administration, etc.

Analyzes results in quality, productivity, etc., to identify any areas that are below departmental standards and assists district managers in improving results.

Directs functions statewide such as: expense and force budgets, training of management and non-management personnel, adaptation and implementation of methods, training practices, etc.

Provides any required interdistrict and interdepartmental coordination on implementing new procedures, large conversion projects, long range planning, etc.

Provides technical expertise and assistance on special problems, new operating procedures interdistrict, interdepartmental problems, etc.

Provides administrative staff assistance to the department head in such areas as budget administration, personnel matters, interdepartmental coordination, etc.

Supervision:

Normally reports to a fourth or fifth level supervisor. Subordinate organization ranges from 10 to 50 employees consisting of first and second level supervisors and non-management personnel.

Diversity:

May involve staff support for a variety of functions such as: Business Offices, Order Centers, Public Offices, Teller/Cashier functions and Training operations.

Hours/Environment:

Regular business hours, Monday through Friday. Overtime not unusual. Subject to travel throughout the state.

Useful Backgrounds:

Commercial Service Manager, District Manager, lower level staff experience.

Title: Public Relations Manager
Level/Band: 3A or 3B
Department: Public Relations or External Affairs (State)

Overview:

Responsible for all Public Relations functions for a state or segment of a larger state.

Supervision:

Normally supervises a supporting staff of 3 to 12 management and non-management people. Normally reports to a department head.

Specific Responsibilities & Activities:

Directs the following Public Relations functions:

Writing, editing, publishing, and distributing employee information publication, brochures and bulletins.

Researching, writing, editing and updating telephone recorder messages.

Responding to news media requests for information about Telephone Company operations or local situations and service conditions.

Disseminating news releases initiated by the Company about new service offerings, plans for new buildings & facilities, earnings results, rate case activity, etc.

Providing community relations services to schools, service organizations, churches, civic groups, etc. including coordinating Company contributions to charitable organizations.

Writing speeches and presentations for state officers, executives, Exchange Managers and other public contact people.

Coordinating advertising programs.

Diversity:

In larger states, the responsibilities of this position may be split along geographic lines and/or functional responsibilities.

Hours/Environment:

Works normal business hours.

Useful Backgrounds:

Experience as a Public Relations Supervisor or in any other Public Relations job in the Telephone Company or outside industry. Formal training in journalism, Public Relations or professional writing.

Title: Public Relations Manager
Level/Band: 3A or 3B
Department: Public Relations (Corporate Headquarters)

Overview:

Provides assistance, guidance and coordination to State PR organizations. Directs the development and administration of various programs, information media, news releases, etc. in various Public Relations fields (employee information, CCTV, news media contact, advertising, community relations) for company-wide dissemination.

Specific Responsibilities & Activities:

Some representative samples of the responsibilities are:

Directs the planning, development and company-wide implementation of various programs designed to improve understanding of corporate goals and objectives by employees, customers, and shareowners. Insures that all media is consistent with corporate and departmental policies.

Directs the preparation of various media (press releases, employee publications, CCTV programs, financial reports, etc.) that are of a company-wide nature. Provides guidance and assistance to State PR Managers and their staffs on preparing similar media that is locally oriented (rate case applications, new service offerings, etc.)

Directs the development and administration of advertising programs. Acts as interface with advertising agencies, AT&T, the media, other departments, etc. for the day-to-day administration of advertising programs.

Directs the planning, development and implementation of community relations programs throughout the company in such areas as consumer, environmental and urban affairs.

Provides administrative staff assistance to higher management in such areas as long range planning, interdepartmental coordination, personnel matters, research, etc.

Supervision:

Normally supervises a supporting organization of 2 to 6 first and second level management employees plus clerical non-management people. Reports to a corporate AVP.

Diversity:

Normally specializes in one area such as advertising, employee information, news media contact, CCTV, community relations, etc.

Hours/Environment:

Works normal business hours.

Useful Backgrounds:

Experience as a Public Relations Supervisor or in any other Public Relations job in the Telephone Company or outside industry. Formal training in journalism, Public Relations or professional writing.

Title: Plant Operations Supervisor
Level/Band: 3A or 3B
Department: Plant Operations (Corporate Headquarters)

Overview:

Provides staff direction, coordination, administration and field support in various areas of operations on a company-wide basis.

Supervision:

May direct a supporting staff of 2 to 10 management employees plus technical and clerical non-management people. Reports to a fourth level manager who has similar responsibilities of a larger and broader scope.

Specific Responsibilities & Activities:

Some representative samples of the type of work and associated responsibilities are:

Provides guidance and assistance to field managers throughout the Company in policy administration, problem solving, implementation of new programs, mechanization efforts, budget administration, etc.

Analyzes operating results in service, quality, productivity and cost efficiency to identify weak spots and develops improvement programs for recommending to higher management and field managers.

Acts as interface between field operations and higher management, other corporate departments, AT&T, other companies, etc.

Develops new or revised operating methods and procedures for introduction to field operations or adopts new AT&T methods to Mountain Bell operations prior to implementation through our field managers.

Conducts operations reviews in specific areas to insure that departmental policies and procedures are being properly administered, and that service and efficiency standards are being met. Assists local managers to improve their operation.

Diversity:

Normally specializes in a particular area such as: installation results, maintenance results, central office switching, toll operations, station equipment, test centers, B.S.&M.V. (Buildings, Supplies & Motor Vehicles), interdepartmental safety programs, outside plant facilities, etc.

Hours/Environment:

Work normal business hours. Subject to travel throughout the company.

Useful Backgrounds:

Experience in the particular area of specialization or a closely related field of Plant operations.

Overview:

Responsible for the provision and administration of various personnel services for a state organization or for providing various staff direction and coordination in a particular personnel field on a company-wide basis from the corporate headquarters.

Specific Responsibilities & Activities:

Areas of involvement may include one or more of the following functions: wage and salary administration, employment, transfer coordination, employee plans and benefits administration, human resources development, EEO and AAP coordination, industrial relations (union negotiations), employee activities (Pioneers, employee awards, cultural and social activities), personnel review center, management job evaluation, manpower utilization, etc.

Supervision:

Normally directs a staff of 5 to 15 first and second level management people plus supporting and clerical non-management people.

Diversity:

In smaller states this position would be responsible for all personnel matters. In larger states and in corporate headquarters, the position would specialize in a narrower area of involvement.

Hours/Environment:

Works normal business hours.

Useful Backgrounds:

Overview:

Provides staff direction, coordination, administration and field support in various areas of operations on a company-wide basis.

Specific Responsibilities & Activities:

Some representative samples of the type of work and associated responsibilities are:

Provides guidance and assistance to field managers throughout the company in policy administration, problem solving, implementation of new programs, mechanization efforts, budget administration, etc.

Analyzes operating results in quality, productivity and cost efficiency to identify weak spots and develops improvement programs for recommending to higher management and field managers.

Acts as interface between field operations and higher management, other corporate departments, AT&T, other companies, etc.

Develops new or revised operating methods and procedures for introduction to field operations or adopts new AT&T methods to Mountain Bell operations prior to implementation through our field managers.

Conducts operations reviews in specific areas to ensure that departmental policies and procedures are being properly administered, and that service and efficiency standards are being met. Assists local managers to improve their operation.

Supervision:

Reports to a fourth or fifth level manager. May direct a supporting staff of 2 to 29 management employees plus clerical people.

Diversity:

Normally specializes in a particular area such as: operator services, network administration, business services functions or mechanization projects.

Hours/Environment:

Regular business hours Overtime as required. Subject to travel throughout the company.

Useful Backgrounds:

Line and staff experience in the particular area of specialization.

Title: Data Systems Supervisor
Level/Band: 3A or 3B
Department: Data Systems

Overview:

Directs the development and maintenance of data systems and associated computer programs for use by Accounting in various electronic data processing and record keeping applications or by Data Systems which performs various data processing operations for all other departments.

Specific Responsibilities & Activities:

Supervises Analysts and Programmers responsible for the definition, design and maintenance of data processing systems and associated programs normally oriented toward one particular facet of our business such as: service order processing, billing of customer accounts, processing toll billing, maintaining inventory & cost records, maintaining directory compilation & delivery data, etc.

The systems normally entail 100 + computer programs, and may involve the development and implementation of an all new mechanization program, major additions to existing systems and/or day-to-day maintenance and updating of current programs to coincide with new rate structures, new departmental operating procedures, changes in associated systems, etc.

Responsibilities of this position would include forecasting and allocation of resources and manpower, establishing schedules and priorities and ensuring that they are met, approval of all projects undertaken by the group, and approval of product output.

Supervision:

Normally supervises 7 to 12 second level supervisors directly and 10 to 20 lower level management and non-management people through subordinate supervisors. Reports to a Division Manager.

Diversity:

Title would also apply to positions who provide various supporting and staff services such as planning, developing, and purchasing of software or hardware systems.

Hours/Environment:

Works normal business hours.

Useful Backgrounds:

Training or experience in analysis, programming or computer technology.

PART I

STATUTORY DUTIES

A. ADMINISTRATIVE:

As the county government official and school officer of the county, conduct general supervisory of public schools in the county: 20-1-101 (6); 20-3-205 (1-23).

Carry out duties as prescribed by legislature, board of education, and state superintendent of public instruction: 20-3-205 (23).

Assist trustees with school supervision and evaluation. Visit, advise, consult with teachers: 20-3-207 (-4).

Hold meetings with trustees for the good of the districts: 20-3-205 (27).

Administer oath of office to trustees: 20-3-205 (2); 20-3-205 (24); 20-3-307.

Determine trustee nominating districts: 20-3-205 (1); 20-3-352; 20-3-353; 20-3-354.

Make appointments to fill additional trustee positions or vacancies in trustee positions in second and third class districts if not filled within 60 days: 20-3-309; 20-3-205 (3); 20-3-353; 20-3-354.

Conduct controversy appeals and hearings: 20-3-210; 20-4-204 (3); 20-4-207 (2); 20-5-304 (2); 20-5-311 (4).

Recommend library and textbooks to districts having no administrator: 20-3-205 (20); 20-7-204; 20-7-602.

Comply with textbook dealer provisions: 20-3-205 (21); 20-7-605.

Serve as clerk of joint board of trustees: 20-3-206 (4); 20-3-361.

Chairman of county transportation committee: 20-3-206 (1); 20-10-131.

Member of high school boundary commission of the county: 20-3-206 (2); 20-6-304.

Attendance officer: 20-3-206 (3); 20-5-104.

County superintendent of joint district: 20-3-206 (4); 20-9-202 (1); 20-4-202; 20-9-151.

B. RECORD KEEPING:

Keep record of official acts; preserve reports, documents, books, instructional equipment or supplies: 20-3-205 (25).

Register teaching certificates: 20-3-205 (4); 20-4-202.

Process bus driver certification, transportation contracts and claims for reimbursement: 20-3-205 (19); 20-10-103 (7); 20-10-143 (3); 20-10-145 (2).

Classify school districts: 20-3-205 (7); 20-3-201 (3-4); 20-3-301.

Keep transcript of district boundaries: 20-3-205 (8); 20-6-103.

Fulfill responsibilities for organization, alteration, or abandonment of districts: 20-3-205 (9).

Act on any unification proposition: 20-3-205 (10); 20-6-312 (3-5); 20-6-313 (1).

Process school isolation applications: 20-3-205 (12); 20-9-302.

C. FISCAL:

Complete the budgets, compute budgeted revenues and tax levies, give notice of budget meetings, file final and emergency budgets and fulfill responsibilities regulating school budget systems: 20-3-205 (13).

Submit annual financial report to state superintendent of public instruction: 20-3-205 (14); 20-9-211.

Submit annual report to state superintendent of public instruction on final budgets, finances, pupil information for each district, and any other information requested by that office: 20-3-209; 20-4-402 (7); 20-9-134; 20-9-213 (5-6).

Order treasurer to apportion state and county school monies: 20-3-205 (15); 20-9-212 (1-2); 20-9-334; 20-9-347 (2); 20-10-145 (2); 20-10-146.

Calculate estimated budgeted general fund sources of revenue: 20-3-205 (17); 20-9-348 (2).

Compute revenues, and district and county levy requirements for each fund in each district's final budget, and report such computations to county commissioners: 20-3-205 (18).

Publish annual report in county newspaper, stating for each district

- a. total cash balance at beginning of year
- b. total realized in each fund
- c. total expenditures in each fund
- d. total cash balance at end of year: 20-3-205 (26).

File audit reports of districts: 20-3-205 (6); 20-9-203 (2).

Estimate ANB, and act on requests to transfer ANB: 20-3-205 (11 & 16); 20-6-502 (2,3,4); 20-6-503 (3); 20-6-504 (4); 20-6-506 (1).

Act on tuition applications: 20-3-205 (5); 20-5-301; 20-5-302; 20-5-304; 20-5-311; 20-5-312.

Act at district request to allocate federal monies for indigent children for school food services: 20-3-205 (22); 20-10-205.

Establish fund to request, accept, and disburse monies such as special ed co-ops, or any federal funds, with advice and consent of appropriate schoolboards: 20-3-208.

PART II

OTHER DUTIES

(Not Specifically Required by Law)

A. TEACHER SERVICES

Compile directory and handbook for teachers.

Prepare school bulletin--ideas and helps (monthly or periodically).

Distribute available free materials.

Sponsor county and multi-county inservice workshops.

Sponsor workshops during the year.

Coordinate evaluation of textbooks and develop and recommend curriculum.

Display textbooks.

Assist or provide teacher centers.

Recommend teacher applicants for recertification.

Inform teachers as to new laws.

Keep school inventories current.

Maintain audio-visual and professional library.

Certify record of years of teaching for retirement.

Provide and maintain Cumulative Record System.

Provide testing materials, report cards, duplicated teaching materials for teacher use.

B. SCHOOL BOARD SERVICES

Compile a directory and an annual report on county schools.

Assist in hiring teachers and substitutes.

Advise on annexation and reorganization.

Provide information on allocation and assist in planning for use of Federal Funds such as applying for PL 874 monies at direction of individual districts.

Assist in preparation of district budgets.

Represent rural schools on Special Ed Co-op Advisory Boards.

Arrange individual board and county-wide informational meetings for school boards.

Inform boards as to new laws.

Cooperate with State School Boards Association.

Attend school board meetings.

Advise on adoption and revision of school board policy.

Supervise school trustee, special levy, bond, site, consolidation and annexation elections, provide (with clerk and recorder) materials and assistance.

Coordinate county-wide special ed services.

Assist district clerks in performing duties.

Represent Third Class Districts' legislative concerns.

Coordinate First Aid Classes for Bus Driver Certification.

C. STUDENT ACTIVITIES

Administer testing program, state and local, involving standardized achievement and mental ability tests, readiness tests.

Work with parents of retarded and handicapped children and the community to establish and assist in promoting special education program.

Supervise and sponsor: play days, physical fitness day, track meets, elementary basketball tournaments; spelling contests--County and Treasure State Spelling Bee; poster contests.

Judge--essays, speech and drama meets, other contests and community events.

Provide or assist with outdoor education or conservation programs.

Furnish school transcripts.

Serve on scholarship committees.

Provide rural graduation exercises.

Assist and promote any other student-centered activities.

D. SERVICE ACTIVITIES

County School Administrators.

Bookmobile Committee.

Public and County Library Board.

Civic and Charitable Organizations.

Parent-Teacher Association.

County School Civil Defense.

Project Head Start.

Local and State Educational Boards.

County Curriculum Committee.

Testing and screening programs by community groups--Amblyopia, health clinics, etc.

Community education programs.

Health education programs.

E. GENERAL

Mimeograph for community organizations (for a fee) and for other county offices.

Supply certified copies of census records for delayed birth certificates and social security.

Attend state school board, school administrator meetings, state curriculum meetings.

Help provide musical programs for rural schools.

Promote and arrange school exhibits at county and state fairs.

Provide statistical information for various agencies.

Monitor tests for other agencies.

Update school district maps.

Cooperate with all community agencies or organizations to improve educational opportunities.

Provide service and information as education information officer of county.
Refer to other agencies if necessary.

Speak to various groups.

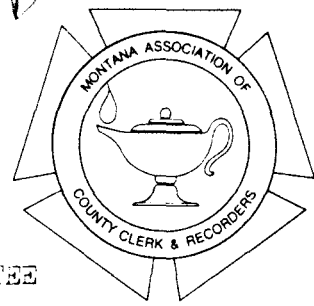
Assist with Fire District elections.

Provide County library exchange.

Assist in coordinating services between high schools and feeder elementary schools.

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Montana Association
of
County Clerks & Recorders



TO: THE HONORABLE MEMBERS OF THE 47TH LEGISLATURE, SENATE COMMITTEE
ON SENATE BILL NO. 50.

FROM: THE MONTANA ASSOCIATION OF COUNTY CLERK AND RECORDERS, LORRAINE P.
MOLITOR, PRESIDENT

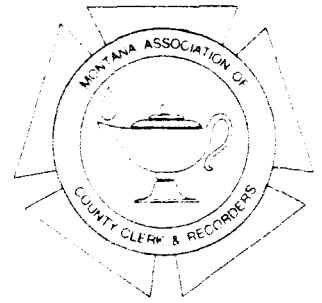
RE: ESTABLISHING SALARIES FOR ELECTED COUNTY OFFICIALS

Realizing the need for a just and equitable method of setting salaries of elected county officials, the 46th Legislature appointed a Salary Commission to conduct a study of the situation and to present to the 47th LEGISLATURE a bill that would allow justifiable increases in the salaries of elected county officials. This study has been made. The method of setting salaries in other states has been researched, many meetings and hearings have been conducted. A bill is now in the hands of the honorable legislators. The Montana Association of County Clerk and Recorders supports this bill with one amendment. Following are the reasons:

1. An increase in salaries of elected officials is justifiable. Salaries of county officials are not in line with those of other Montanans in similar positions. For instance school teachers and librarians in our public schools are making more money in less than 10 months than elected officials are making in 12. Plus they have a retirement system that is far superior to ours. City officials are receiving higher wages in the larger counties. County road crews are being paid more than county officials. All of these salaries are being paid by the taxpayers. Unskilled laborers in almost any line of work are making several times the earnings of county officials. This situation will certainly result in a deterioration in the calibre of people who seek county office and in the services they provide. This bill is a solution to this problem.
2. At their 21st annual convention held in August of 1980, the M.A.C.R. membership unanimously approved a 30% factor. This would give counties the authority to set salaries as warranted in their particular county. Each county is an entity unique unto itself.
3. Auditors from the seven counties having auditors were contacted by our representative on the Compensation Board since they do not have an association. They support the concept of the introduced bill with the 30% factor.
4. The fallacy has long existed that the offices of all county officials were merely managerial and that officials were not required to actually be on duty. This is certainly not the case with clerks and recorders. The influx of documents due to increased activity in subdividing, mining, oil and gas leasing, the responsibility of handling all elections, the re-recording of water rights and just the complexity of modern government has brought about a situation whereby officials do not get as much time off as their employees. Our jobs are not only full time - it is overtime, with many evenings, weekends and holidays being spent on duty. We are 24 hour-a-day, 365 day-a-year officials and we believe that we are entitled to a decent, livable wage.

RECORDS

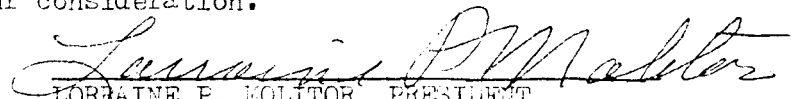
Montana Association
of
County Clerks & Recorders



PAGE 2

5. The concept of the bill submitted by the Compensation Board and introduced by the Honorable George McCallum is good. We believe that full consideration should be given the 30% factor to be administered on the county level. It is hoped that you will find this proposal worthy of your support and will recommend passage to the other members of the 47th legislature. If this bill becomes law, the legislators will not be faced with a salary bill at each successive session of the legislature.

Thank you for your time and your consideration.


LORRAINE P. MOLITOR, PRESIDENT
MONTANA ASSOCIATION OF CLERK AND RECORDERS

January 17, 1951

Master Chairman and members of the Committee,

I am Sarah Howe, Clerk of District Court of Tardona County, in Conrad. I am Past President and present member of the Executive Board of Montana Association of Clerks of Court, I am also Vice-President of Montana Elected ^{County} Officials Association.

I speak in favor of S.B. 50.

This salary bill is of the utmost importance to all elected County officials in the state.

There is great stress on Local Government and keeping our people involved in Government. Counties are Local Government. There is a concerted effort over the United States to abolish elected officials and replace with appointed County officials. This is one of the first steps toward removing our Government from the man on the street and depriving him of the privilege of choosing his or her office holder.

As a result of our 1942 Constitution the workload in all offices has increased, possibly three-fold.

I speak now of the Clerks of District Court. The New Uniform Probate Code - the New Criminal Code - the Civil and Juvenile Codes have created many problems with no answers. Consequently, this creates additional work for our Supreme Court and also our Legislature.

Now we are informed that the Water Right Bill and the Unlocatable Oil Mineral and Royalty owner Bill will be very involved and will add to the Clerks workload, the office space required and our responsibility.

In Counties the size of Pondera, and there are many in the state, with only 2 people in the office, it is necessary for us to be cognizant of all applicable statutes and be able to perform every phase of our office procedure.

Our Salaries have increased over the year but have not kept abreast of the increase in our workload. I used to think if I were had a position at a \$10,000 salary I would be as extravagant. Now \$13,000 is considered low income.

The Clerks of District Court hope to generate some help with the additional budget requirement of this salary bill.

We are introducing S.B. 121, which will increase our office filing fees.

For a number of years, 60% of our fees have been deposited with the State Treasurer, 20% of which goes to the Judges Retirement Fund and the balance to the State General Fund. East County receives the 40% balance.

We are asking the Legislature to reverse the breakdown with 40% deposited with the

State Treasurer and with the County he partially
fund the District Court Fund which was
Created by the 1979 Legislation.

At the present time there is only a small levy
designated for the District Court Fund.

I have worked up a hand-out sheet for your
consideration. The first Column shows the Current
Base Salary for each County, the 2nd Column
gives a 7% increase on the Current Base Salary
and the balance shows the Salaries, based
on the 1980 population that SP-50 would generate.

Trust Chairman, may I leave these with your
Committee.

I hope I have been able to show you how
important SP-50 is to all County officials.

Thank you for allowing me this time to
address you.

State Publishing Co.
Helena, Montana

Other Parts

CLASS	Current Base		1980 POPULATION	Attorneys		Sheriff		Superintendent		Other Parts Officials
	Salary *	+ 7%		4500/22,500	19,000 + 900	14,500 + 700	14,000 + 600			
Beaverhead	4	13205	18129	8200	22500	20640	16140	15640		
Big Horn	1	15313	16385	11100	22500	21220	16720	16220		
Blaine	3	13234	14160	7000	22500	20400	15900	15400		
Broadwater	6	11589	12400	3300	22500	19660	15160	14660		
Carbon	3	13539	14273	8100	45000	20620	16120	15620		
Carter	6	11427	12227	1800	22500	19360	14860	14360		
Cascade	1	19440	20801	80600	45000	32590	28090	27590		
Chouteau	3	13103	14020	6100	22500	20220	15720	15220		
Custer	4	13728	14689	13100	22500	21620	17120	16620		
Daniels	6	11696	12515	2800	22500	19560	15060	14560		
Dawson	3	13713	14673	11900	22500	21380	16880	16380		
Deer Lodge	1	13728	14689	12500	45000	21500	17000	16500		
Fallon	2	13563	14512	3800	22500	19760	15260	14760		
Fergus	3	13982	14961	13100	22500	21620	17120	16620		
Flathead	1	16209	17986	51500	45000	22225	23725	23225		
Gallatin	1	16091	17217	42200	45000	26920	22420	21920		
Garfield	6	11321	12113	1600	22500	19020	14820	14320		
Glacier	2	14227	15298	9700	22500	20940	16440	15940		
Golden Valley	7	10678	11425	1000	22500	19200	14700	14200		
Granite	6	10948	11714	2700	22500	19540	15040	14540		
Hill	6	14625	15712	17900	22500	22580	18080	17580		
Jefferson	5	12607	13489	7000	22500	20400	15900	15400		
Judith Basin	6	11575	12355	2600	22500	19520	15020	14520		
Lake	3	13236	14233	19100	22500	22820	18320	17820		
Lewis and Clark	1	16090	17216	43100	45000	26965	22465	21965		
Liberty	5	11680	12491	2300	22500	19460	14960	14460		
Lincoln	3	13992	14961	17700	22500	22540	18040	17540		
Madison	4	12456	13328	2700	22500	19540	15040	14540		
McCone	5	11680	12491	5400	22500	20080	15580	15080		
Meagher	6	10948	11714	2100	22500	19420	14920	14420		
Mineral	6	11067	11842	3700	22500	19740	15240	14740		
Missoula	1	18000	20000	75400	45000	31810	27310	26810		
Musselshell	5	12456	13328	4400	22500	19880	15380	14880		
Park	5	13457	14399	13000	45000	21600	17100	16600		
Petroleum	7			700	22500	19140	14640	14140		
Phillips	4	12323	13186	5400	22500	20880	15380	15080		
Pondera	4	13234	14160	6700	22500	20340	15840	15340		
Powder River	1	15269	16388	2500	22500	19500	15000	14500		
Powell	5	12711	13601	6900	22500	20380	15880	15380		
Prairie	6	10948	11714	1800	22500	19360	14860	14360		
Ravalli	3	14103	15090	22400	45000	23480	18980	18480		
Richland	2	14296	15299	12200	22500	21440	16940	16440		
Roosevelt	3	13847	14816	10400	22500	21080	16580	16080		
Rosebud	1	17093	18239	10000	22500	21000	16500	16000		
Sanders	4	13205	14189	8600	45000	20720	16220	15720		
Sheridan	3	12712	13602	5400	22500	20080	15580	15080		
Silver Bow	1	16269	17408	37900	45000	26185	21685	21185		
Stillwater	5	12323	13186	5600	22500	20120	15620	15120		
Sweet Grass	6	11589	12400	3200	22500	19640	15140	14640		
Teton	4	12714	13604	6500	22500	20300	15800	15300		
Toole	3	12965	13873	5600	22500	20120	15620	15120		
Treasure	7	10681	11429	1000	22500	19200	14700	14200		
Valley	4	13848	14817	10200	22500	21010	16510	16010		
Wheatland	6	10948	11714	2400	22500	19480	14980	14480		
Wibaux	6	11575	12355	1500	22500	19300	14800	14300		
Yellowstone	1	21681	23194	107700	45000	36655	32155	31655		
		741149	793029			145290	145290	145290		
						1041000	812000	746000		
						1530000	1209290	957290	727290	

Adaptive - R.P.
2956

Cascade County

State of Montana

TELEPHONE: (406) 761-6700



Great Falls, Montana 59401

JANUARY 14, 1981

THE ELECTED OFFICIALS OF CASCADE COUNTY MET
ON JANUARY 14, 1981, AND VOTED TO SUPPORT
SENATE BILL 50.

C.L. Buck O'Connell

C.L. BUCK O'CONNELL, TREASURER

J.L. Lennon

J.L. LENNON, CLERK AND RECORDER

Florence Mc Giboney

FLORENCE MC GIBONEY, CLERK OF COURT

Diane Erickson Green

DIANE ERICKSON GREEN, AUDITOR

J. Fred Bourdeau

J. FRED BOURDEAU, ATTORNEY

Gladys Vance

GLADYS VANCE, JUSTICE OF THE PEACE

Patrick R. Paul

PATRICK R. PAUL, JUSTICE OF THE PEACE

Glenn Osborne

GLENN OSBORNE, SHERIFF

Bob Batista

BOB BATISTA, SURVEYOR

Helen Loney

HELEN LONEY, SUPT. OF SCHOOLS

Richard Gasvoda

RICHARD GASVODA, COMMISSIONER

Franklin Steyaert

FRANKLIN STEYAERT, COMM.

Jack Whitaker

JACK WHITAKER, COMMISSIONER

Charles Nebel

CHARLES NEBEL, ASSESSOR



1980-81 Taxable Valuation

<u>County</u>	<u>Value</u>	<u>Class</u>
Anaconda-Deer Lodge	\$ 17,138,445	4
Beaverhead	17,947,567	4
Big Horn	109,381,054	1
Blaine	35,765,867	2
Broadwater	7,488,789	6
Butte-Silver Bow	54,502,048	1
Carbon	23,617,810	3
Carter	8,711,581	6
Cascade	92,928,873	1
Chouteau	29,524,401	3
Custer	21,064,007	3
Daniels	8,777,469	6
Dawson	24,233,218	3
Fallon	46,398,634	2
Fergus	25,004,305	3
Flathead	80,271,331	1
Gallatin	59,346,367	1
Garfield	7,599,651	6
Glacier	41,904,427	2
Golden Valley	4,645,185	7
Granite	6,138,332	6
Hill	43,078,558	2
Jefferson	10,225,526	5
Judith Basin	10,702,641	5
Lake	28,281,506	3
Lewis and Clark	58,963,631	1
Liberty	16,049,950	4
Lincoln	29,393,095	3
Madison	18,029,016	4
McCone	11,668,243	5
Meagher	6,281,965	6
Mineral	4,886,599	7
Missoula	129,649,592	1
Musselshell	19,876,085	4
Park	19,126,913	4
Petroleum	3,867,680	7
Phillips	25,135,209	3
Pondera	21,852,693	3
Powder River	50,773,128	1
Powell	12,685,489	5
Prairie	5,104,020	6
Ravalli	25,249,251	3
Richland	74,550,076	1
Roosevelt	26,107,173	3
Rosebud	103,277,612	1
Sanders	19,488,467	4
Sheridan	37,206,728	2
Stillwater	14,158,199	5
Sweet Grass	6,709,294	6
Teton	18,561,030	4
Toole	34,611,417	2
Treasure	4,158,498	7
Valley	22,018,771	3
Wheatland	5,736,105	6
Wibaux	10,805,240	5
Yellowstone	191,762,175	1
	<u>\$1,842,420,936</u>	

Missile County

BCC - FY81 Salary \$18,699

63 County Employees have higher Salaries

- All appointed Resident Aides who work

for BCC are higher

- Of TRD 63 - 30 are in Surveyor's Office
and 26 of these are on the road
crew.

1981 - Missile County Budget \$19.2 million
dollars

450+ County employees

Liability of

Tapes of account review done
Salary for

all should be proposed by DCA

STATEMENT OF ACCORD

FIRST AND SECOND CLASS COUNTIES

January 16, 1981

1. Bill presently states Sheriffs would receive \$5,000 more than other elected officials.

Position: Sheriffs would receive not to exceed \$2,000 more than other elected officials.

2. Bill presently states that in counties over 30,000 population the Coroner is full time.

Position: County Commissioners would determine amount of time Coroner works and determine salary accordingly.

3. Bill presently states the base salary for elected officials would \$14,000.

Position: Base salaries for first and second class counties would be \$14,000. ~~Third and fourth would be \$12,000. Fifth through seventh would be \$10,000.~~ All increments would be added to that.
all other CO's make their own rec's

4. Bill presently states a cost of living increase would be equal to the Consumer Price Index.

Position: Cost of living increase would be paid by the County Commissioners to all elected officials in an amount not to exceed the Consumer Price Index as determined by the federal government.

5. Bill presently states County Attorneys would receive \$45,000 in full-time positions.

Position: County Attorneys would be excluded from this bill and covered elsewhere since they are half state and half county.

6. Bill presently states Superintendents and Surveyors would receive \$500 extra.

Position: Superintendents and Surveyors would receive the same base as the County Commissioners with no extra.

7. Bill presently states the County Commissioners can give themselves ~~a~~ *up to* 30% raise.

Position: ~~Strike above~~ *apply to all elected officials across the board -*