

MINUTES OF THE MEETING OF THE HOUSE STATE ADMINISTRATION COMMITTEE,
JANUARY 24, 1983

CHAIRMAN JOE BRAND called the meeting to order at 9:00 a.m. in Room 129 of the Capitol. All members were present except for Rep. Bill Hand. Reps. Bliss and Pistoria were excused.

Chairman Brand introduced MAURICE EVANS, Chairman of the State Salary Commission. Chairman Brand said that Chairman Evans was present to talk about the Commission's recommendations and to answer questions from Committee members.

Chairman Evans told Committee members that his service on the Commission was the second time for him, having served on the commission that developed the 1973 recommendations. Chairman Evans said the commission's justification and methodology was the same as those used in the 1973 report. Chairman Evans said everyone on the Commission agrees there "must be a better way to do this." He said it is clear reports of the Commission are not going to be followed--and have not been followed in the past--for a variety of reasons including economic and political.

Chairman Evans said the Commission tried to come up with recommendations for salaries that were comparable with salaries paid in the private sector. But he conceded that "all the reasons in the world will not overcome economic realities." He suggested that a constitutional amendment to abolish the Commission might be appropriate. He suggested the Legislature might find some other way to come up with salary recommendations, and an alternative method should ideally include some contribution by members of the public to the salary recommendations. He noted the legislators were in a politically uncomfortable position by acting on salaries of elected officials, including themselves.

COMMITTEE QUESTIONS

CHAIRMAN BRAND CALLED FOR QUESTIONS FROM COMMITTEE MEMBERS FOR CHAIRMAN EVANS.

REPRESENTATIVE GLENN H. MUELLER, District 21, asked if Chairman Evans or his Commission members had any suggestions about how to get an effective public vote in the salary-setting process. Chairman Evans said he was unsure but the Legislature should consider some sorts of ways to let the people decide, or should perhaps tie elected officials' salaries to some sort of index.

REPRESENTATIVE KATHLEEN MCBRIDE, District 85, asked if the Commission had considered tying elected officials' salaries into the State Pay Plan. Chairman Evans said the Commission talked a lot about that. He said it created some difficult problems within the issue of delegation of power by the Legislature, and whether it was appropriate for the Legislature to do so. Chairman Evans noted that even though the elected officials' pay plan might be tied to something else, the Legislature, when under pressure, could always untie it. He said the Commission members had no objections to tying the level of elected officials' salaries to anything, but he suggested the issue be made a constitutional one so the Legislature could not override the process for expediency.

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REPRESENTATIVE JERRY DRISCOLL, District 69, noted that Congress has tied salaries to the cost of living. He said this was an ineffective way of removing politics from a question of salaries. He asked if there is any way to stop political maneuvering on the issue of elected officials' salaries. Chairman Evans suggested the levels be tied to a constitutional process, in order to avoid political steps by state officials.

REPRESENTATIVE CHET SOLBERG, District 2, suggested that elected officials' salaries be tied to state income. Chairman Evans said that raised the question of whether a person should have to sacrifice to serve state government. Representative Solberg said that is what private citizens have to do, especially those who live on farms and ranches; he said the incomes of agricultural producers must be tied to the prices they get or they will go bankrupt by spending more than they receive.

Chairman Evans reiterated his suggestion that the present method of arriving at officials' pay levels is "wasting a little bit of money." He said that a constitutional amendment to abolish the salary commission would not make any of the salary commission members unhappy.

Rep. McBride asked if Chairman Evans was aware of HB 79, which would tie elected officials' salaries to an economic factor intended to represent the well-being of the state of Montana. Chairman Evans said that there are potential problems in any possible solution.

Chairman Brand questioned Chairman Evans about the "huge increases" in the levels of pay for many of the elected officials in the Committee's report. Chairman Brand noted that the Governor's recommendation would go to \$70,000 a year. He asked Chairman Evans to "justify these raises," in view of the fact that the state is in a depression, state employees may get only a 3 percent raise, and unemployment is high. Chairman Brand suggested recommendations by the Salary Commission make the Legislature, and/or the Salary Commission, look bad because the Legislature must take realistic action on the recommendations. Chairman Brand asked if every member of the Commission supported the increases, and Chairman Evans said there were various positions among the Commission members but the recommendations were a "unanimous consensus" of the feelings of the Commission members. He said the positions were adopted November 12.

Chairman Brand asked that in view of unemployment and the decline in tax revenues, how would Chairman Evans justify the recommendations. Chairman Evans said the Salary Commission's function is not to find available revenue for its recommendations, but simply to recommend salary levels commensurate with the jobs involved. Chairman Evans acknowledged the "tremendous increase" in the Governor's salary recommended. He said the question of whether there is enough revenue to pay the recommended levels of salary is a question for the Legislature through its budgeting process.

Chairman Brand asked Chairman Evans what he thinks the reaction of the "person in the street" would be to seeing a recommended 88 percent increase in the Governor's pay, when unemployment and bankruptcies are up. Chairman Evans said, "They'd crucify you." He repeated his statement that the Commission's recommendations were judged solely on the basis of commensurability with private industry, and the job in question. He said the salary levels were in line with those of other states, especially the Rocky Mountain states. He repeated his suggestion that the entire question of state officials' pay be put before the people in the form of a proposed

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constitutional amendment.

Chairman Evans said elimination of the Salary Commission would "save some money" as well as the trouble of its members. He said the Salary Commission does not consider political questions or the availability of revenue. He said the kind of information-gathering work done by his Salary Commission "can be done easily by one of your researchers."

REPRESENTATIVE WALTER SALES, District 79, asked REPRESENTATIVE FRANCIS BARDANOUE, District 6, about proposed increases in the pay level for district court judges of \$10,000, or from \$45,000 to \$55,000 a year. Rep. Sales asked what affect this would have on the judges' retirement system, which he said was operating at a poor actuarial level. Rep. Bardanoue said, "It would make a bad situation worse." Rep. Bardanoue also noted that all public employees, including elected officials, participate in the P.E.R.S. Rep. Bardanoue also said that all public employees are eligible for Social Security benefits.

Rep. Driscoll asked if the Commission had worked on a constitutional amendment, as suggested by Chairman Evans.

Chairman Evans said the Salary Commission's recommendations have been drafted in bill form and exist in the Commission's report, but have not been introduced as bills yet. He said the Speaker of the House, Daniel Kemmis, District 94, had suggested the possibility of a Committee bill to carry the recommendations instead of a bill sponsored by an individual or individuals.

Rep. McBride noted that "if we choose to do nothing," legislators' pay would not be affected; the pay levels of other officials will, however, be affected by the lack of action.

NOTING THERE WERE NO FURTHER QUESTIONS FOR CHAIRMAN EVANS, CHAIRMAN BRAND ENDED THE HEARING INTO THE SALARY COMMISSION RECOMMENDATIONS.

EXECUTIVE SESSION

CHAIRMAN BRAND CALLED THE COMMITTEE INTO ORDER IN EXECUTIVE SESSION, AND CALLED FOR ACTION ON HOUSE BILL 37.

Rep. McBride, whose subcommittee reviewed HOUSE BILL 37, MOVED amendments to the bill be adopted; REP. GAYE HOLLIDAY, District 46, SECONDED the motion.

Rep. Bardanoue said he favored the amendment because it improved the bill, and makes the bill less nebulous as to the question of who would get notice.

The question was called and the motion carried on an unanimous voice vote.

Rep. McBride MOVED the bill be given a recommendation of DO PASS AS AMENDED, and Rep. Driscoll SECONDED.

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Rep. Sales questioned the bill's language about a "timely" request. He said he did not like the bill and the amendment. He said organized groups have the opportunity to get notices by putting their names on list with the agencies. He said the bill was defective because it put the burden on agencies to notify interested groups.

Chairman Brand noted that one reason for the bill is that many agencies were not providing proper notice even to groups that had requested notice. Chairman Brand said the groups cannot afford to monitor the agencies.

The question was called and passed on a voice vote. Rep. Bardanoue voted "no." The motion carried.

CHAIRMAN BRAND CALLED AN END TO EXECUTIVE SESSION AND THE COMMITTEE INTO ORDER TO HEAR TESTIMONY ABOUT HOUSE BILL 151, HOUSE BILL 222, HOUSE RESOLUTION 2 AND HOUSE JOINT RESOLUTION 3, dealing with recommendations for redistricting by the Reapportionment Commission.

LEGISLATIVE RESEARCHER ANNE BRODSKY reminded the Committee members that last week, January 19, they had heard testimony about the bills and about the Reapportionment Commission's proposals, and now it was for the Committee members to decide how to proceed on any possible recommendations based on the Commission's tentative proposals.

Chairman Brand said problems concerning Northeastern Montana redistricting or Gallatin County redistricting would not be discussed today because more information is needed about possible ripple effects of those two areas. He said those situations would be discussed after other districts are discussed.

Chairman Brand called on REP. ORVAL S. ELLISON, District 73, who spoke of objections regarding districting in the immediate Livingston area, Districts 81 and 82. He said the problems affect REPRESENTATIVE DAN YARDLEY'S district as well, and that Rep. Yardley is in complete agreement with his statements. Rep. Ellison said he and Rep. Yardley at present have the "two most correct districts in the state." Yardley, however, needs more people in his district, REP. ELLISON said. But that would create problems because it would break up a district that was ideal. He suggested that Yardley be given a portion of Enumeration District No. 1183, and that Rep. Ellison himself be given a portion of Enumeration District No. 1180. He said he was proposing the splitting of enumeration districts.

Chairman Brand asked how that would affect voters. Rep. Ellison said this was the most logical from all standpoints, including voters. Chairman Brand asked how it would affect the population of each district. Legislative Researcher Brodsky said what is proposed is that a line be drawn in the enumeration district along the Livingston Ditch, and put voters into rural districts to meet the 5 percent deviation figure.

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Chairman Brand asked if it was possible to do that, and Legislative Researcher Brodsky said it could be done. She said it could be done on the basis of census information, as well as Highway Department maps. Rep. Bardanouve asked if Brodsky herself, as an independent researcher, had any objections. Legislative Researcher Brodsky said "it can be done."

Chairman Joe Brand asked Rep. Ellison if he and Rep. Yardley had presented their proposal to the Reapportionment Commission. Rep. Ellison said this particular proposal was not presented, but both he and Rep. Yardley had appeared twice before the Commission to voice their concerns generally.

Rep. Bardanouve MOVED that Rep. Ellison's proposed change be included in the Committee's recommendation. Rep. Sales SECONDED.

Rep. McBride noted that she would prefer to wait to hear from other representatives affected by the proposed change.

Rep. Ellison noted that the population of the two districts involved totaled 16,122. That figure is broken down into districts of 8,156 and 7,966. At present, he said, the Senate District takes in two complete counties.

The question was called, and carried on a voice vote. Rep. McBride abstained.

Chairman Brand then moved discussion to Senator Aklestad's proposal for Plan II rather than Plan 5.

Rep. Solberg said Senator Aklestad's plan would have ripple effects. He noted that his plan for Northeastern Montana would affect this plan, and Chairman Brand directed that discussion on Senator Aklestad's plan be deferred.

Chairman Brand then moved the discussion to the situation in Billings, where several representatives have voiced concerns about proposal by the Reapportionment Commission. He brought discussion first to Rep. Cal Winslow's plan to rearrange some borders of districts within the City of Billings to accommodate him, because the Reapportionment Commission has suggested changes that would result in Rep. Winslow residing outside his present district.

Legislative Researcher Brodsky said that Winslow's plan would meet the 5 percent deviation requirement. She said Rep. James D. Jensen's plan would fall short of the 5 percent deviation figure by a total factor of -5.08 percent deviation.

Chairman Brand asked what the Winslow plan would do to voting patterns in House Districts 91, 92, 93 and 94. Rep. Driscoll stated that District 92 is close to city boundaries, and the effect of the Winslow plan would be "it's putting a representative back in his district."

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Rep. Driscoll said that under Representative Jensen's plan, all the land being changed is democratic territory except for a very small portion. Rep. Driscoll said the reapportionment plan would have Jensen living in the same district as REPRESENTATIVE KELLY ADDY, District 62, but Rep. Jensen's plan would put him back into his district. REP. GLENN MUELLER asked if all affected representatives were in agreement. Rep. Driscoll said he did not know.

Legislative Researcher Brodsky stated these population figures for the districts as proposed by the Reapportionment Commission: District 91-- 7,489; District 92-- 7,467 (-5.08 percent deviation); District 93-- 7,613; District 94-- 7,794. She said that under Rep. Jensen's plan, these population figures would result: District 91-- 7,409; District 92-- 7,608; District 93-- 7,476; District 94-- 7,513. She said the ideal population figure for a district is 7,867; the highest permissible figure is 8,260.

Rep. Sales stated that it appeared that most areas in Billings are of relatively low-growth-type areas. Rep. Driscoll agreed, with one exception.

AT THIS POINT, CHAIRMAN BRAND RECOGNIZED REP. DAN YARDLEY, DISTRICT 74, WHO HAD ENTERED THE COMMITTEE HEARING TO STATE HIS APPROVAL OF A PLAN TO REWORK THE PROPOSAL FOR THE LIVINGSTON AREA, AS SET FORTH BY REP. ORVAL S. ELLISON, DISTRICT 73.

Rep. Mueller stated that with regard to Rep. Jensen's plan, he wanted to hear any possible comments from Rep. Tom Hannah, District 67.

Chairman Brand asked if the Jensen proposal would move any one from his or her district. Rep. Driscoll said it would not. Chairman Brand asked about possible relocation of polling places under the Jensen plan. Rep. Driscoll said there would be no difference in this regard under either plan. In his words, "somebody has to move."

Rep. Sales noted that the districts in the Billings area appear to be relatively low-population districts. He asked, "Where are the high-population districts?" Legislative Researcher Brodsky said that question would be answered by looking at all 100 districts, as attributable increases in population in other districts cannot be made. She stated that the total population for purposes of reapportionment in Yellowstone County was 108,035. A portion of that is moved to the Stillwater senate district, and the average Yellowstone district should have 7,574 voters.

Rep. Holliday asked if there were any conflicts between the Winslow and the Jensen plans.

JOE LAMSON, Executive Secretary of the Montana Democratic Party, stated that the Winslow and Jensen plans were fine in terms of permissibility, but "it's all silly because they don't have to live in their particular district." Lamson also suggested the Committee would be setting a "bad precedent" to "allow people to come in and dink around with districts."

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Rep. Mueller stated that the Committee should look at all three proposals for solving districting problems in Billings. CHAIRMAN BRAND said the Commission should first consider the Winslow proposal. Legislative Researcher Brodsky noted a correction on the Winslow map (attached). The corrections are noted in red ink on the copy of the Winslow map attached to these minutes.

Rep. Mueller asked if any of the affected representatives would have problems with the Winslow proposal. Rep. McBride asked what it would do to Senators.

Chairman Brand shifted discussion to the Ramirez proposal, which is set forth in three pages attached to these minutes, called generally the District 13 and District 114 Maps. Much discussion ensued about removing a portion of Yellowstone County voters in western Yellowstone County and putting them into senate districts.

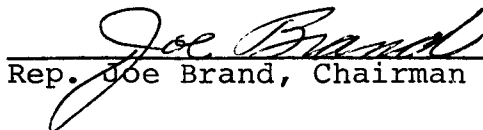
At that point, Republican members of the Committee left for a party caucus. Chairman Brand promised the members no executive action would be taken.

Rep. Driscoll said that in defense of the Reapportionment Commission, the members tried to keep rural farmers in their own districts.

Rep. Driscoll noted that Rep. Glenn Saunders, District 72, represents farmers who are trying to make a living farming, as opposed to farmers or other residents on "ranchettes or farmettes."

Chairman Brand noted that he would seek to persuade the Committee to issue recommendations by no later than Friday, January 28.

REP. HAMMOND MOVED for adjournment, REP. BARDANOUVE SECONDED, and the motion carried by unanimous voice vote.


Rep. Joe Brand, Chairman

STANDING COMMITTEE REPORT

JANUARY 24,

19 **83**

SPEAKER

MR.

STATE ADMINISTRATION

We, your committee on

HOUSE

37

having had under consideration Bill No.

first

reading copy (**white**)
color

"AN ACT TO REQUIRE THAT NOTICES OF PROPOSED RULEMAKING UNDER THE
MONTANA ADMINISTRATIVE PROCEDURES ACT BE MAILED TO CERTAIN SOCIETIES
WHOSE MEMBERS WOULD BE DIRECTLY AFFECTED BY THE PROPOSED RULE;
AMENDING SECTION 2-4-302, MCA."

HOUSE

37

Respectfully report as follows: That Bill No.

be amended as follows:

1. Title, line 2.

Following: "RULE"

**Insert: "AND TO ORGANIZATIONS THAT HAVE DEMONSTRATED AN INTEREST
IN AN AGENCY'S ACTIVITIES"**

2. Page 1, line 25.

Following: ", "

Strike: "and"

3. Page 2, line 3.

Following: "proposal"

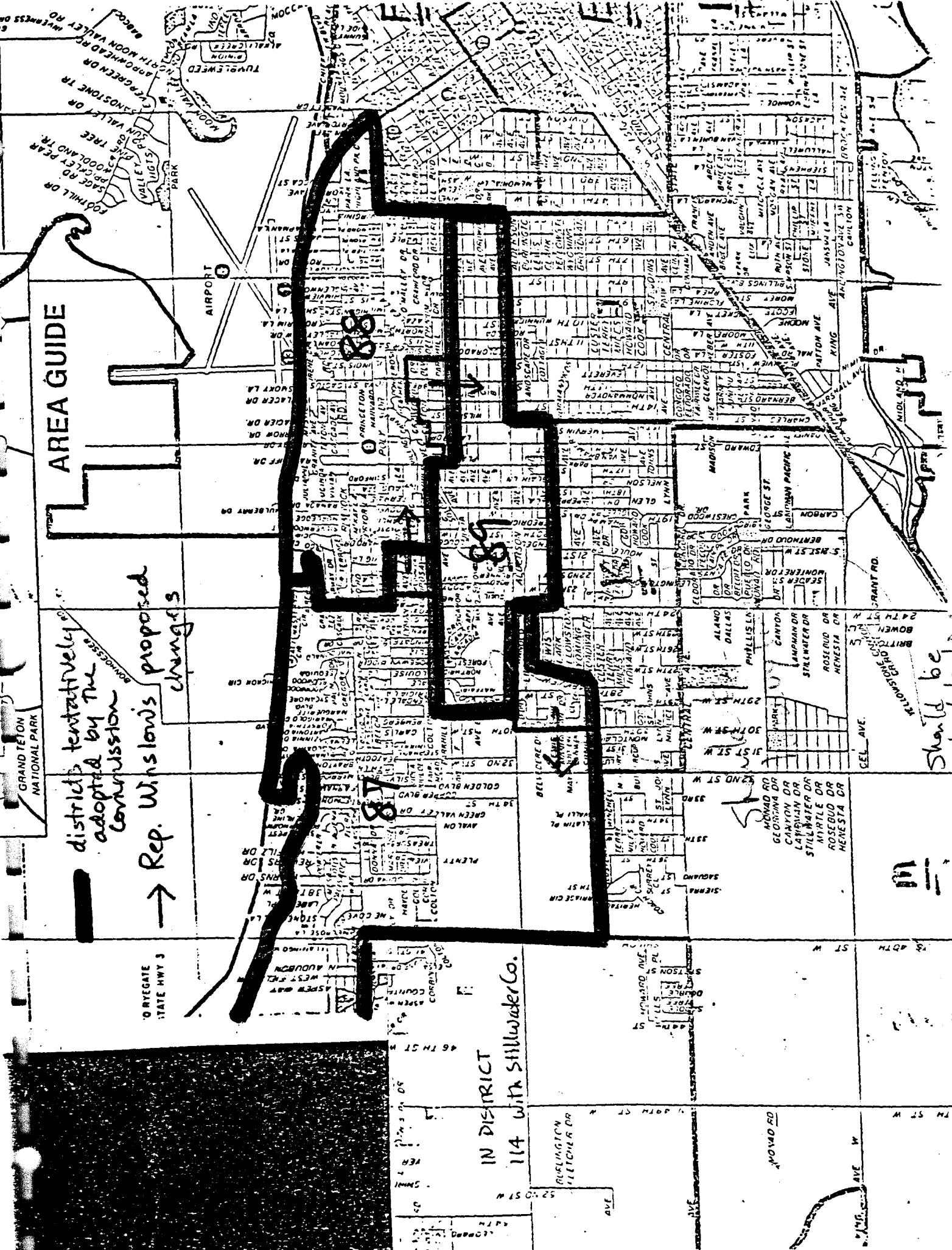
**Insert: "; and (iii) to the state headquarters of any reasonably
identifiable organization that has demonstrated to an agency an
interest in its activities"**

AND AS AMENDED

DO-PASS

AREA GUIDE

— districts tentatively adopted by the Commission
 → Rep. Winslow's proposed changes



Should be

IN DISTRICT
 114 with Stillwater Co.

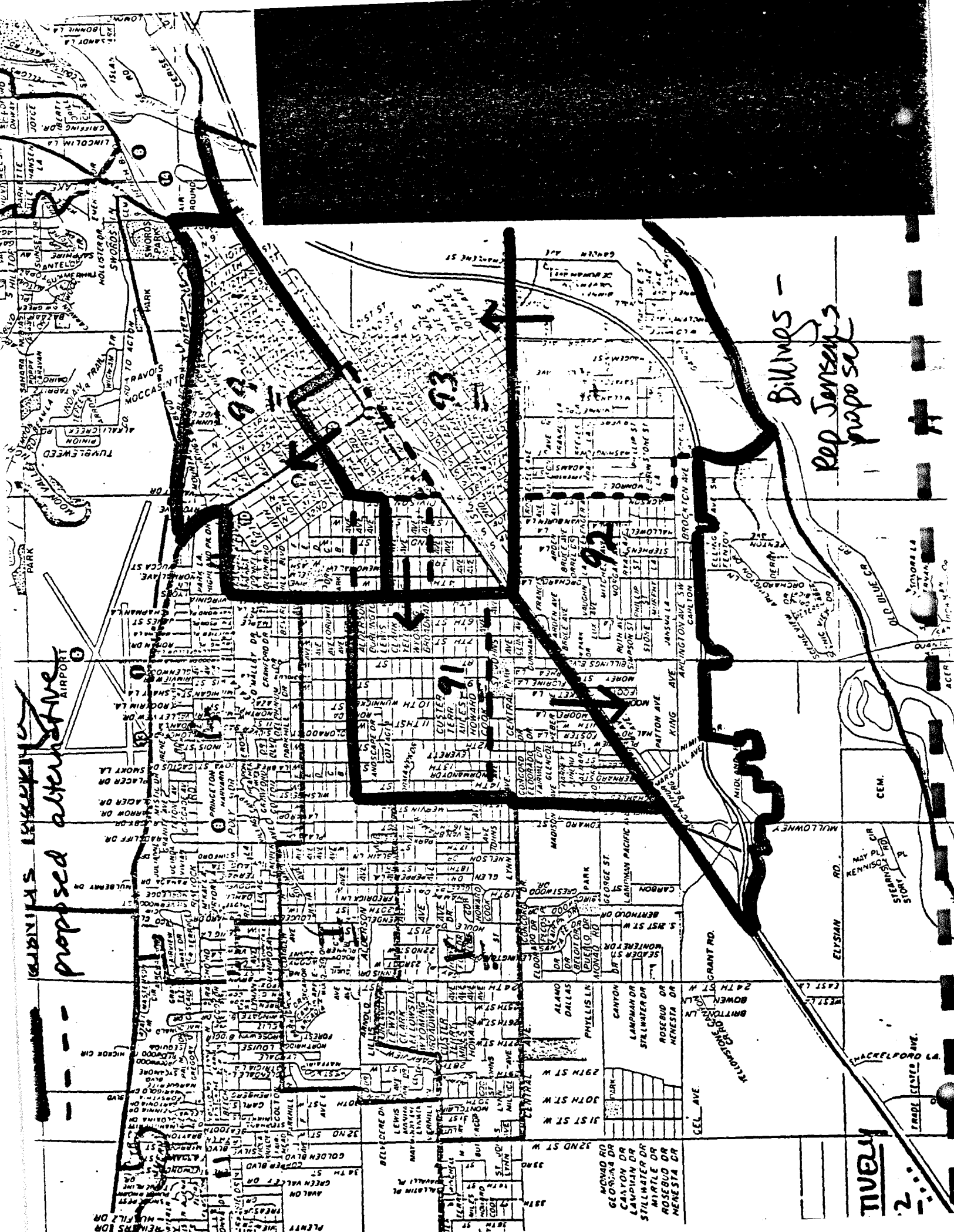
ORTGATE
 STATE HWY 3

MONAD RD

BUCKLINGTON
 FLETCHER DR

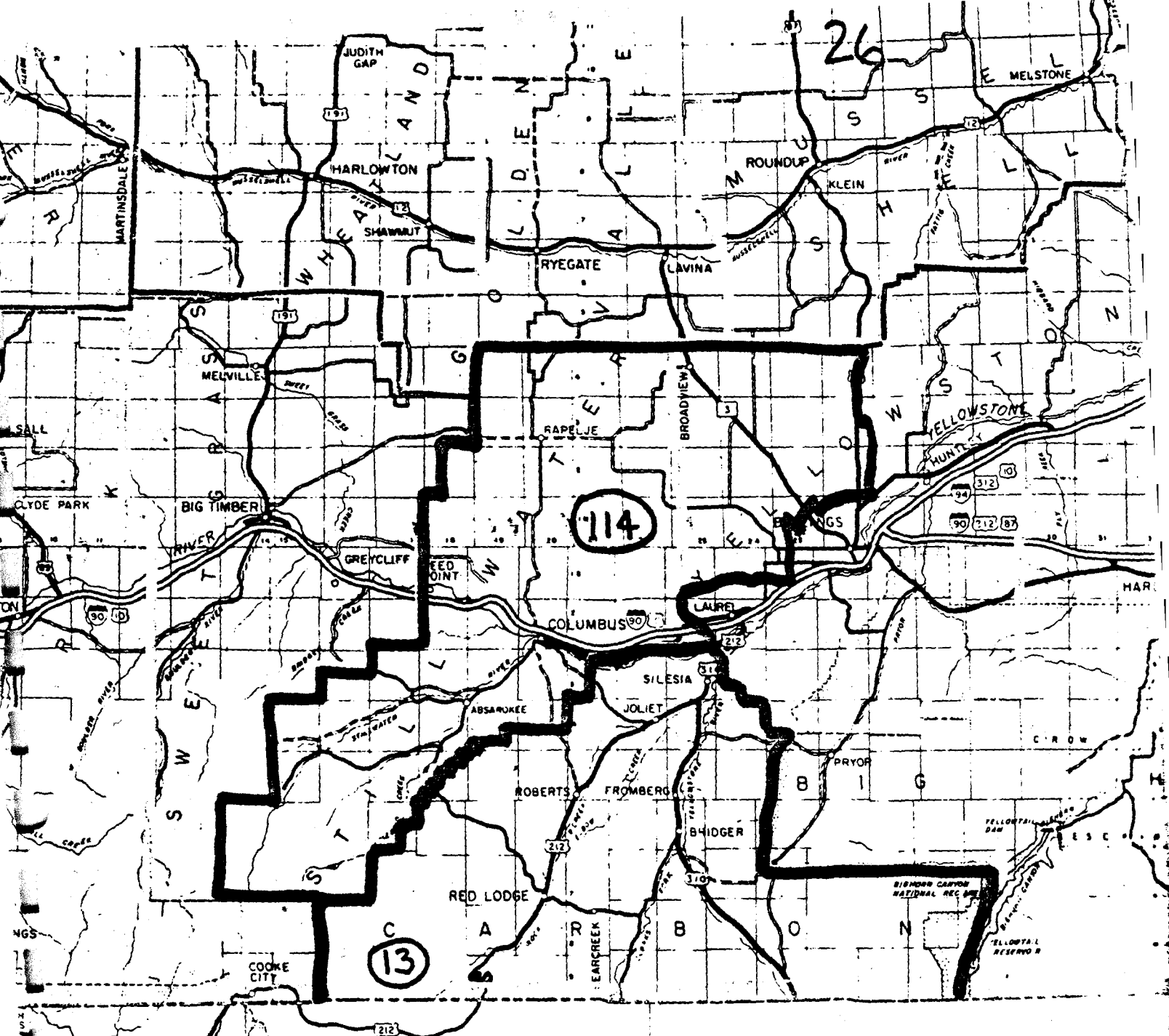
III

Billings -
Rep Jensen's
propose



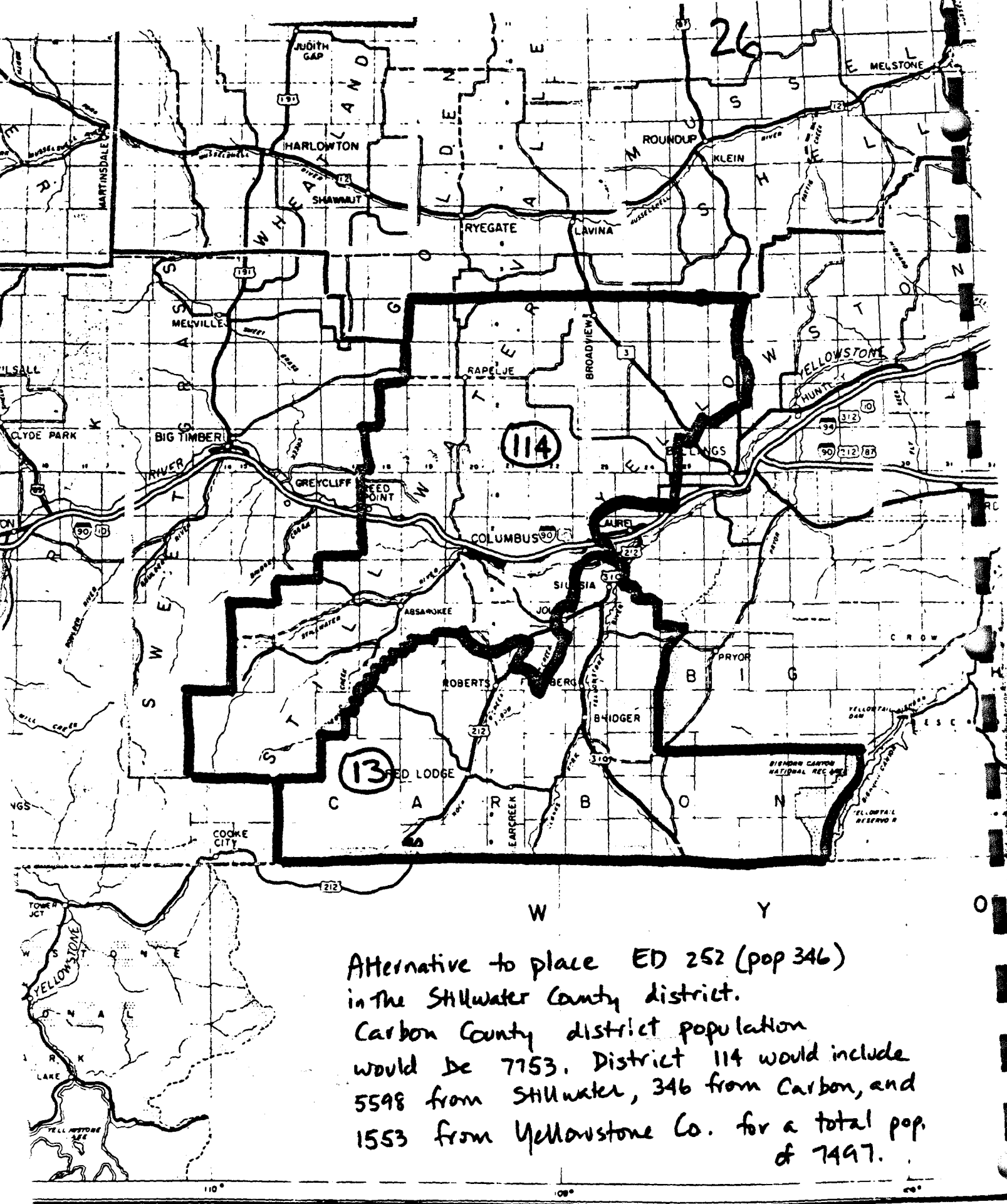
Billings -
Rep Jensen's
propose

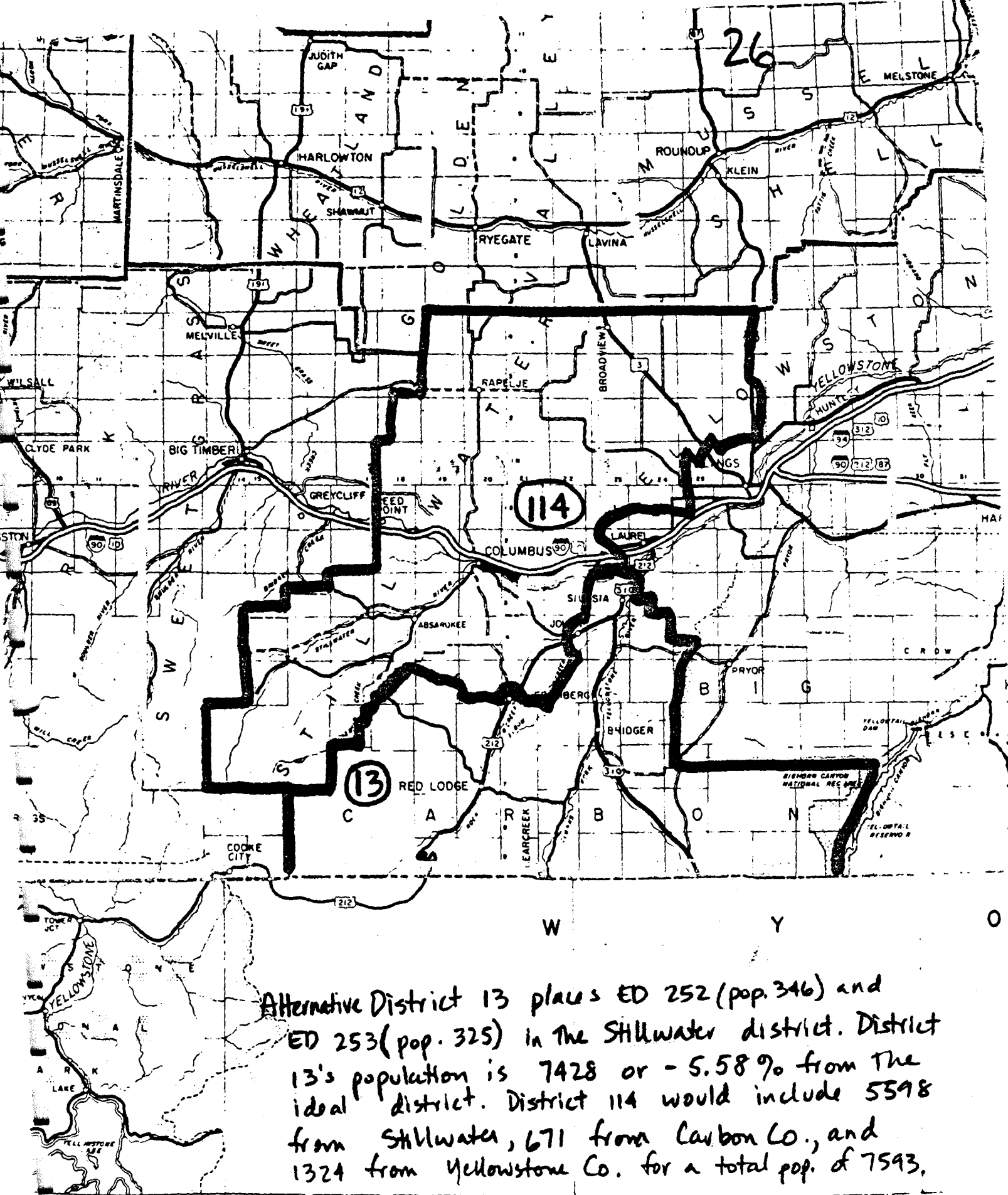
200



W
 (pop. 8044)
 District 13 consists of Carbon County in its
 entirety. District 114 includes 5598 people
 from Stillwater Co. and 1999 people from
 Yellowstone Co. (total pop. is 7597)

Dist/13 ➡ & Dist/114 map





Montana Salary Commission

WITNESS STATEMENT

Name Maurice Evans Committee On _____
Address 400 Beverly Hills - Billings MT Date 1/24/83
Representing MT. Salary Commission Support ☒
Bill No. _____ Oppose _____
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

2.

3.

4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

PLAN 2

ALTERNATIVE 2 (SPIN 3 CC BANKS)

October 6, 1982

DISTRICT 20
Pop. 8211
(1350 from Cut Bank)

DISTRICT 21
Pop. 8131
(2332 from Cut Bank)

DISTRICT 22
Pop. 1508
(1017 from Pondera Co.)

19B

20B

22B

October 6, 1982

(1350 from Cut Bank)

12

12332 from

Cut Bank: 5714

100

DISTRICT 22

mc 7508

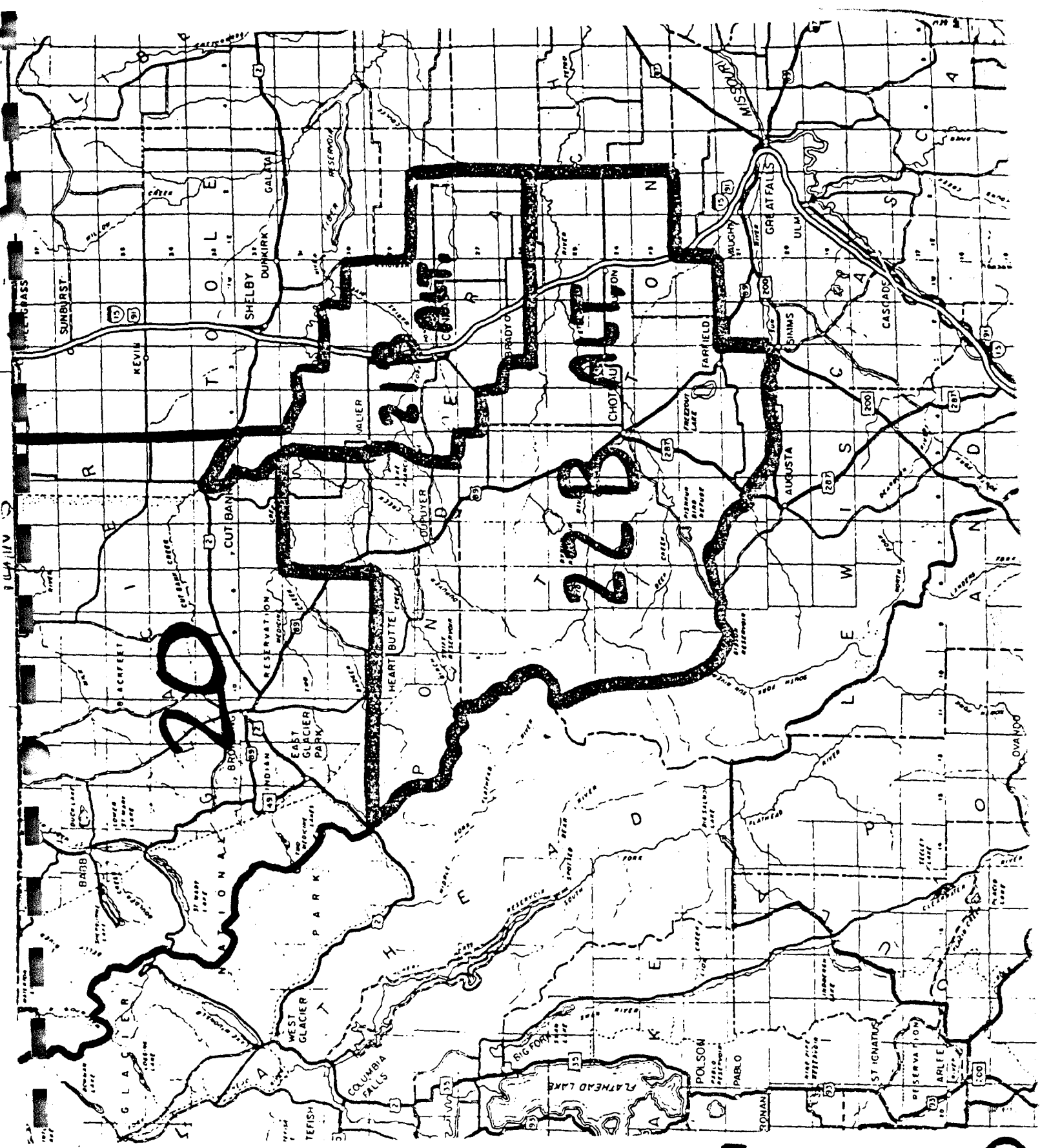
Union from bandera

PLAN 5

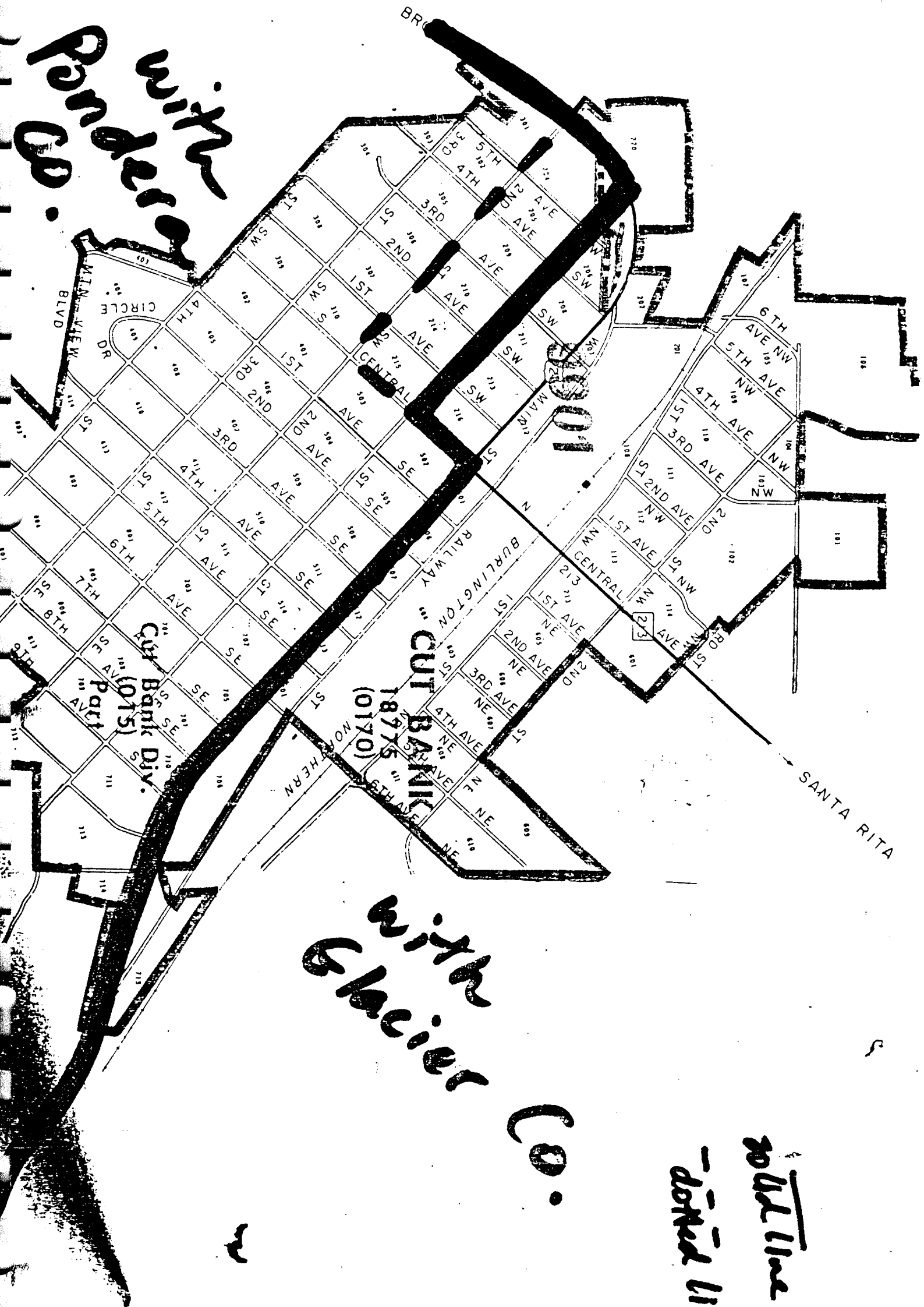
DISTRICT 20
POP. 7439
(1084 from
Cut Bank)

DISTRICT 21
POP. 8116
(2604 from
Cut Bank; 5427
from Pondera
Co.)

DISTRICT 22
POP. 7795
(1304 from
Pondera Co.)



with Pond.



with Glacier

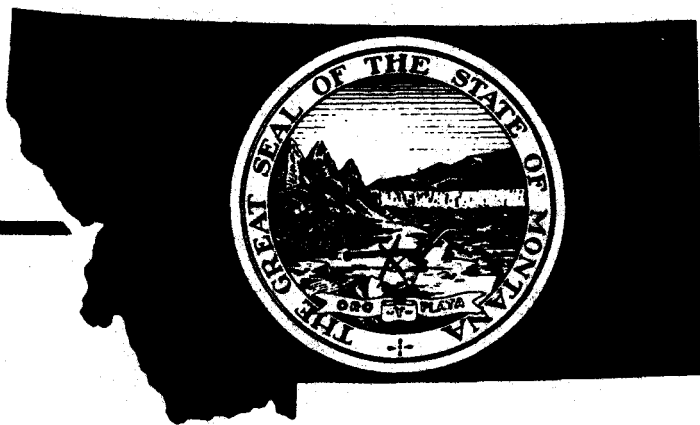
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solid line - plan 5
dotted line - plan 2

REPORT and RECOMMENDATIONS

MONTANA SALARY COMMISSION

1982



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Helena, Montana 59620
(406) 449-3064

MONTANA
SALARY COMMISSION

REPORT
AND
RECOMMENDATIONS
TO THE
FORTY-EIGHTH LEGISLATURE

November 12, 1982

MONTANA SALARY COMMISSION

<u>Name</u>	<u>Appointed By</u>	<u>Term Expires</u>
Mrs. Yvonne Bradford 1900 Ronald Avenue Missoula, Montana 59801	Governor	3/10/83
Milton Datsopoulos 5520 Skyway Missoula, Montana 59801	Supreme Court	3/30/84
Deborah J. Hanson P.O. Box 550 Miles City, Montana 59301	House Minority Leader	3/10/85
Maurice Evans 400 Beverly Hill Road Billings, Montana 59101	Senate Minority Leader	3/15/83
John C. Hoyt P.O. Box 2807 Great Falls, Montana 59403	Supreme Court	3/30/84
Robert T. Stevens, Jr. P.O. Box 459 Bozeman, Montana 59715	Speaker of the House	3/1/85
Carolynn E. Morrison 131 13th Avenue South Lewistown, Montana 59457	Governor	3/10/85
Carlyle D. Leeds, Sr. 806 8th Street Havre, Montana 59501	Senate Majority Leader	3/1/85

MONTANA SALARY COMMISSION

REPORT AND RECOMMENDATIONS TO THE FORTY-EIGHTH LEGISLATURE

Pursuant to Article XIII, Section 3, of the Montana Constitution, and implementing Sections 2-16-401 and 2-16-402, Montana Codes Annotated, the Montana Salary Commission submits its 1982 report and recommendations.

This report supplements the Commission's 1973, 1974, 1976, 1978, and 1980 reports. Research material in those reports was used in the Commission's deliberations along with current information about comparable salaries in other states. The Commission met twice between September and November, 1982, with staff services provided by the Legislative Council.

All research material is on file at the Legislative Council office, where it may be examined.

COMPENSATING THE GOVERNOR

The Montana Salary Commission believes the state's chief executive should be paid a salary commensurate with the dignity of the state, the duties and responsibilities of the office and equal to an executive with comparable responsibilities in the private sector.

Members of the Salary Commission are unanimous in agreement that the governor is entitled to greater compensation than any other official or employee of the state. In the office of the governor reposes responsibility for all functions of state government, with concomitant duty to oversee all facets of the administration. To great degree, the effectiveness of state government in problem solving, in economic development, in social improvement, and in related areas such as environmental protection is directly attributable to the ability, personality and character of the governor.

Ideally, the governor is an individual of unquestioned integrity, solid and wide-ranging academic background, long experience in challenging professional or business responsibility, proved political acumen, demonstrated leadership ability, genuine concern for the

welfare of the state, abundant energy, and excellent physical and mental health.

These qualities will equip the governor to solve the complex problems that arise daily, to meet on a level of equality business and political leaders from throughout the world, and to inspire confidence in the people of the state.

To expect a person endowed with all of these attributes to accept willingly and enthusiastically a job that demands 24-hour per day commitment, for an assured tenure of no more than four years, at an annual salary of \$47,023 is to ignore the opportunities for financial betterment that beckon him to professional or business pursuits.

The Salary Commission recognizes that increasing the governor's salary will not assure election of a person who possesses all of the qualifications necessary for leadership of the state. If the financial rewards, plus the perquisites, do not attract individuals who meet the requirements, at least the lack of them will not deter qualified candidates.

The quality and quantity of choices available to the voters will be enhanced and the probability of selecting an outstanding leader will be increased according to the attractiveness of the financial rewards offered.

Upgrading of the governor's salary broadens the range of salaries open to other elected officials and to senior administrative appointees to make government service more attractive to highly qualified people.

The Salary Commission members believe that appropriate salaries are needed for all decision-making, problem solving, policy-setting elected officials as well as for the governor, whose salary should be significantly higher than other state officials to emphasize the importance of the governorship. In the federal government, for example, no executive, judicial or legislative official is paid even 50 percent of the Presidential salary. In state government, with the governor paid substantially less than the President, the differential must of necessity be narrower. The governor is now matched in salary by the associate justices and surpassed by the chief justice and by many in professional and management positions. Without denigrating the responsibilities of those offices, it should be apparent that no individual has a wider range of duties nor greater demands on his time and

energy nor surpassing intellectual and physical impositions than the governor. To compensate him less handsomely than an investment officer or a university system head is false economy.

As the chief executive of this State and because of the complexities of properly discharging the executive functions, the governor must be able to hire competent personnel from the same talent reservoir as does private enterprise. As the salaries of his appointees should be substantially less than his own compensation, the salary of the governor must be at a level which will permit the governor to offer staff salaries to compete with the private business sector for the talent necessary to operate the executive branch of state government.

LIEUTENANT GOVERNOR

The Commission believes that the lieutenant governor is no longer just a figurehead, but an important adjunct to the office of governor and his salary should be considered on this basis.

THE JUDICIARY

The Commission feels that Montana has entered into a period of steadily increasing complexity when it is of utmost importance to all Montanans that the members of the Supreme Court and the trial judges be competent and independent. Just as the federal judges have suffered from the inflationary spiral, state judges have endured salaries less than commensurate with inflation. It is crucial that judicial compensation be adequate to attract the most learned and skillful attorneys to the bench.

THE ATTORNEY GENERAL

The office of attorney general has never been as important as it is now in this era of growing legal complexity. This office should attract and be held by a lawyer of utmost competence, experience, and perception, who understands that the office of attorney general is not a springboard for further political ambition but is of and by itself a position of highest importance.

THE SECRETARY OF STATE

Most duties of the secretary of state are ministerial, but his membership on the board of examiners and on the board of land commissioners requires a person of great ability and integrity. The decisions by the members of these two boards have heavy economic impact on all Montanans. The secretary of state has a wide range of responsibilities covering a multitude of duties involving election supervision, corporation records and legislative assistance requiring supervision of a large staff. This officer should be well compensated.

SUPERINTENDENT OF PUBLIC INSTRUCTION

The superintendent of public instruction is a member of the board of land commissioners and a non-voting, ex officio member of the board of education and of the board of regents. He also is charged with overseeing expenditures of large sums of public money, thus having both very important policy-making responsibility and decision-making obligations. The importance of this office speaks for itself and the salary should be sufficient to attract the most competent administrator in the state.

CLERK OF THE SUPREME COURT

This is the only official to whom the 1981 Legislature granted a pay increase as large as the Salary Commission recommended. The recommendation in this report constitutes only a cost-of-living raise.

AUDITOR

Emphasis is given again to the importance of membership on the board of land commissioners, and in addition, the auditor has many other responsibilities. He supervises and regulates the insurance and investment businesses which touch everyone's everyday life. As one of the most important elected positions in Montana, the salary should be commensurate with the responsibilities of the office.

PUBLIC SERVICE COMMISSIONERS

Few elected officials have more responsibility and more demands on their time and physical and emotional reservoirs of strength than public service commissioners, and the nature of their offices requires them to maintain two homes.

The duties require meticulous research and superb judgment and integrity, and the decisions of the Public Service Commission are crucial to the welfare of the people. The salary of a commissioner should guarantee a degree of financial independence. The chairman deserves additional compensation for the administrative duties he performs.

LEGISLATORS

The Salary Commission, recognizing the importance of the legislators and the impact their decisions have on the people of our State, believes that their salary must be adjusted upward to \$100 per day plus \$50 per day for expenses in regular and special sessions. The salary should also be payable for interim committee meetings when the normal state expense allowance will apply.

The Commission further believes that the public should be aware that a legislator's present salary, calculated on an hourly basis for time required during a session, is barely comparable to the minimum wage. The Commission is resolute in its hope that its recommendations on legislators' salaries be adopted.

APPOINTED OFFICIALS

State Tax Appeal Board's work in deciding disputed property valuations against which tax levies are applied is important to the functioning of state and local government. The members of STAB should not be slighted in compensation since the alacrity and certitude they apply to completion of their duties is essential to the revenue collection to finance state and local governments. The salary levels recommended are considered the minimum compensation for these responsibilities.

Initiative 85, approved by the voters in 1980, expanded the state's control of lobbyists' activities and assigned administration of the law to the Commissioner of Political Practices, in addition to that official's other duties. In recognition of these enlarged responsibilities, the Salary Commission believes the Commissioner of Political Practices deserves the compensation increase recommended.

COMPENSATION ANOMALIES

Despite the historic reluctance of the legislature to raise salaries of elective officials to levels corresponding to rewards offered in the private sector, several state agencies pay certain key personnel far more than is received by the chief justice, the associate justices and the governor.

The Salary Commission intends no disparagement of these more highly paid officials and, indeed, recognizes that in most cases their salaries are realistic and correspond to what their services command in the job market.

The Salary Commission noted the salaries of the officials named herein, although this is not a complete list of top state salaries. Payroll records were not searched, and additional state officials may enjoy earnings within the ranges cited.

Believed to be the highest paid state official is the medical examiner who heads the Forensic Science Division in the Department of Justice and is paid \$79,843, or about 86 percent more than the attorney general, the statutory director of the department and the medical examiner's appointing authority.

At the beginning of this fiscal year, the salaries of the state investment officer and of his assistant were increased to \$65,000 and \$50,000 respectively. By contrast, the state auditor now is paid \$31,071 a year, and his ex officio duties include supervision of the insurance and investment businesses that impact on the lives of every Montanan.

The disparity between the annual salary of the state superintendent of public instruction, \$36,979, and those of his five top management assistants, ranging from \$39,449 to \$41,500 a year, is a striking contrast. The salary gap between the state superin-

tendent and the superintendents of the state's largest local school districts is even more striking. Indeed many of the smaller school districts pay their chief administrators more than the state superintendent receives. Contrast these salaries of local superintendents with the state superintendent's:

Missoula High School	\$ 52,500
Billings	51,000
Great Falls	50,250
Hardin	49,896
Missoula Elementary	47,800
Bozeman	47,500
Colstrip	47,000
Lewistown	46,587
Helena	46,500
Browning	46,000
Libby	45,698
Miles City	43,752
Glasgow	43,200
Lockwood Elementary	42,840
Polson Elementary	42,500
Butte	42,000
Lodge Grass	41,000
Anaconda	40,231
Sidney	40,220
Wolf Point	40,100
Dillon High School	40,052
Cut Bank	40,000
Fairview	40,000

College and university administrative positions probably require a higher level of professional education and experience that justify the compensation of \$66,000 a year for the Commissioner of Higher Education and these salaries for the unit presidents:

- Montana State University \$65,000
- University of Montana \$64,000
- Montana Tech \$56,000
- Eastern Montana College \$55,000
- Northern Montana College \$52,000
- Western Montana College \$50,000

Each university unit president also is provided a home with utilities paid and the use of an automobile.

Notable also is the compensation of the appointive heads of the executive departments, one of whom surpasses all elected officials while the others are paid more than all elected officials except the governor and the members of the supreme court. Annual salary of a department director is \$46,500 except the director of Health and Environmental Sciences who receives \$53,000.

GENERAL CONCLUSIONS

The Salary Commission recognizes that enactment of all of its salary recommendations would increase the biennial budget about \$2 million, an increase that may appear ill-advised in this period of economic uncertainty. The members of the Salary Commission are convinced, however, that the recommendations are warranted and that the total increase is a fraction of the state budget that would be a small price to attract top calibre people to public service.

Adoption of these salary recommendations would raise Montana's officials' compensation to realistic levels, and the state could abandon the game of "catch-up" it has been playing for decades. Following implementation of these salary proposals, only periodic adjustments would be required to compensate for fluctuations as recorded in the Consumer Price Index or in other authoritative economic measurement devices.

The Salary Commission's 1982 recommendations are essentially the same as the recommendations it presented in 1980, which the Legislature failed to accept, with only minor variations. The most noticeable of the variations is probably the reduction of the recommendation for the governor's salary from \$75,000 to \$70,000. This scaling down does not mean the Salary Commission is any less convinced that the governor is entitled to the greater compensation. The \$70,000 salary, at this time, would assure the governor the highest compensation paid by the state, with one possible exception, and consideration of his additional perquisites including a residence with a maintenance and food allowance and an automobile would put him well in the forefront.

The Montana Salary Commission urges the Legislature to enact these recommendations.

APPENDIX A
RECOMMENDATIONS OF
MONTANA SALARY COMMISSION

ANNUAL SALARIES BEGINNING JULY 1, 1983

Governor	\$ 70,000
Lieutenant Governor	50,000
Chief Justice of Supreme Court	62,500
Justices of Supreme Court	60,000
Attorney General	55,000
State Auditor	36,000
Superintendent of Public Instruction	46,000
Public Service Commissioners (except chairman)	42,000
Chairman, Public Service Commission	44,500
Secretary of State	36,000
Clerk of Supreme Court	32,000
District Judge	55,000
Commissioner of Political Practices	27,500
Chairman, State Tax Appeals Board	28,500
Member, State Tax Appeals Board	26,500

Legislator

\$100 per day salary for each day in regular or special session or attending interim meetings plus \$50 per day expenses, 7 days a week, during regular or special sessions and expenses as allowed under 2-18-501 through 2-18-503, MCA, for interim meetings.

APPENDIX B

- Review of Montana Salary Commission Recommendations
- Comparative State Salaries
- Summary of Legislative Expense Allowances

REVIEW OF MONTANA SALARY COMMISSION RECOMMENDATIONS

Official	Salary FY 1981	FY 1982	% Increase	FY 1982	After 7-1-82	% Increase FY 81 to FY 83	Salary FY 1973	% Change FY 73 to FY 83
Governor	\$40,000	\$75,000	87.5	\$43,360	\$47,023	17.6	\$25,000	88.1
Lt. Governor	28,700	50,000	74.2	31,077	33,671	17.3	18,500	82.0
Chief Justice	41,000	62,500	52.4	44,447	48,204	17.6	24,000	100.9
Assoc. Justice	40,000	60,000	50.0	43,360	47,023	17.6	22,500	109.0
Attorney General	36,500	55,000	50.1	39,555	42,887	17.5	19,000	125.7
State Auditor	26,500	36,000	35.9	28,685	31,071	17.2	15,000	107.1
Supt. of Pub. Inst.	31,500	38,000	20.6	34,120	36,979	17.4	17,500	111.3
Chairman, PSC	28,700	44,500	55.1	31,077	33,671	17.3	NA	NA
PSC Commissioner	28,700	42,000	46.3	31,077	33,671	17.3	14,000	140.5
Secretary of State	26,500	36,000	35.9	28,685	31,071	17.3	15,000	107.1
Clerk Sup. Court	25,750	29,000	12.6	27,870	30,185	17.2	11,500	162.5
District Judge	39,000	50,000	28.2	42,273	45,841	17.5	20,500	123.6
Comm. Pol. Pract.	22,000	25,000	13.6	23,794	25,754	17.1	NA	NA
Chairman, STAB	21,779	28,500	30.1	23,554	25,493	17.1	NA	NA
Member, STAB	21,200	26,000	22.6	22,924	24,809	17.0	NA	NA
Legislator (per day)	39.50 ¹	100.00 ²	155.7	43.74 ³	48.42 ³	22.6	20	142.1
							(30/day exp.)	50.0

Consumer Price Index Increase FY 1972-1982 - 158.1%. Source: U.S. Bureau of Labor Statistics.

¹Grade 8, Step 2, State Pay Plan. Payable for days when in session (\$37.48 per day during interim, Grade 8, Step 1), plus \$40 per day expenses, 7 days a week during session (during interim, \$33 per day expenses on committee business with receipt for lodging plus travel cost). During legislative session, each member was entitled to reimbursement for two round-trips home-to-capital.

²Payable for maximum of 90 days each biennium plus \$50 per day expenses, 7 days a week, during legislative session.

³Grade 8, Step 2, State Pay Plan. Payable for days on which legislature is in session and for days on which engaged in interim committee business, plus \$45 per day expenses, 7 days per week, during legislative session, and \$37.50 per day expenses, with receipt for lodging, during interim, plus travel expenses. During regular legislative session, legislator is entitled to reimbursement for four round-trips home-to-capital, and during special session, two round-trips.

COMPARATIVE STATE SALARIES - ANNUAL UNLESS OTHERWISE STATED
Prepared for Montana Salary Commission - Revised July 19, 1982

Official	Arizona	Colorado	Idaho	Kansas	Minnesota	Nebraska	Nevada	New Mexico	North Dakota	South Dakota	Utah	Wyoming
Governor	\$56,000.00	\$60,000.00 ^a	\$50,000.00 ^d	\$52,425.00 ^l	\$66,500.00	\$40,000.00 ^a	\$65,000.00 ^a	\$60,000.00 ^a	\$47,000.00 ^a	\$49,025.00 ^f	\$52,000.00 ^a	\$70,000.00 ^a
Lt. Governor	NA	32,500.00	14,000.00	15,728.00	40,000.00	32,000.00	10,500.00	38,500.00	8,000.00	6,800.00 ^g	37,500.00	NA
Chief Justice	57,500.00	58,936.00	47,300.00	53,250.00	59,000.00	48,315.00	NA	50,500.00	55,400.00	48,000.00	50,500.00	53,500.00
Associate Justice	57,500.00	55,600.00	47,300.00	50,558.00	56,000.00	48,315.00	61,500.00	49,500.00	53,900.00	46,900.00	50,000.00	53,500.00
Attorney General	50,500.00	40,000.00	42,000.00	46,600.00	56,000.00	39,500.00	52,500.00	44,000.00	38,000.00 ^h	41,675.00	41,000.00	63,864.00
State Auditor	34,000.00	45,815.00 ^e	37,500.00	40,775.00 ^b	36,000.00	35,967.00 ^b	34,243.00 ^b	41,736.00 ^b	33,500.00 ^h	33,275.00	35,500.00 ^b	52,500.00 ^e
Supt. of Pub. Inst.	40,500.00	62,519.00	37,500.00	61,818.00	NA	48,000.00	40,509.00	50,000.00	34,000.00 ⁱ	37,800.00 ^t	63,015.84	52,500.00 ^e
Chairman, PSC	40,500.00	50,000.00	36,500.00	48,456.00	36,000.00	25,000.00	42,522.00	42,432.00	33,500.00 ^k	33,275.00	52,659.36	61,188.00 ^r
Secretary of State	37,500.00	32,500.00	37,500.00	32,038.00	36,000.00	32,000.00	32,500.00	38,500.00	33,500.00 ^g	33,275.00	NA	52,500.00 ^e
Clerk, Supreme Court	NA	42,684.00	NA	45,804.00	NA	27,504.00	NA	NA	28,000.00 ^u	NA	NA	26,643.00
District Judge	53,000.00	47,260.00	45,300.00	48,860.00	48,000.00	44,692.00	56,000.00	45,000.00	50,600.00	43,750.00 ^v	45,000.00	61,000.00
Comm. Pol. Pract.	NA	33,456.00 ^p	NA	24,384.00 ⁿ	NA	NA	NA	NA	NA	NA	NA	NA
Tax Appeal Board, Chrm.	50/day	100/day ^q	34,500.00	46,860.00	48,000.00	23,044.00	NA	NA	NA	NA	NA	57,888.00
Tax Appeal Board, Member	15,000.00	14,000.00	4,200.00	44,730.00	18,500.00	4,800.00	104/day	40/day	5/day/ session	80/day	47,000.88	52,428.00
Legislator	See Summary	See Summary	44/day	50/day	See Summary	See Summary	44/day	None	180/mo./term	50/day	25/day	30/day
Legis. Exp. Allow.	See Summary	See Summary	44/day	50/day	See Summary	See Summary	44/day	None	85/day	50/day	See Summary	60/day

^a Governor is provided a residence and an automobile.

^b Commissioner of Insurance salary.

^c Appointive position; salary range \$22,000 to \$32,000.

^d Governor is provided a mansion plus an expense allowance of \$5,000.

^e State provides an automobile.

^f Plus unvouchered expense allowance of \$13,862 per year.

^g Plus unvouchered expense allowance of \$11,206 per year.

^h Plus unvouchered expense allowance of \$9,880 per year.

ⁱ Plus unvouchered expense allowance of \$10,028 per year.

^j Plus unvouchered expense allowance of \$9,008 per year.

^k Governor is provided free housing.

^l Plus \$50 per day for each day attending to official duties. If appointed head of a department, salary may be greater as determined by governor.

^m Salary of Public Disclosure Commission administrator, assistant auditor.

ⁿ Employee of Secretary of State's office.

^o Plus actual expenses, limited to per diem and expenses for 120 days per year.

^p Appointive commission, 3 members, 6-year terms.

^q Plus \$50 for each legislative day - 75 days each biennium.

^r Appointive; salary set by the governor.

^s Salary set by the supreme court.

^t Salary of 28 circuit judges; eight presiding circuit judges each receive \$44,750.

SUMMARY OF LEGISLATIVE EXPENSE ALLOWANCES

COLORADO

In addition to salary, \$50 per day compensation allowed up to total of \$2,500 per year for committee attendance between sessions; actual and necessary expenses allowed for committee attendance between sessions. During session, each member is allowed \$20 per legislative day for actual expenses incurred and traveling expenses from his home to the capitol and back; in lieu of that, a member who resides outside the Denver Metropolitan Area is allowed up to \$40 per day for lodging and expenses. During session, actual and necessary expenses are allowed for one round-trip for each member; members living outside the Denver Metro Area are allowed travel expenses for one round-trip per week during session; mileage rate allowed is 20 cents per mile or 24 cents per mile for four-wheel vehicles.

WYOMING

12 cents per mile allowed for necessary travel to attend and return from legislative session.

NEVADA

Maximum salary \$6,240 for a regular session and \$2,080 for a special session. Per diem allowance \$44 per day during session, plus one day allowance for travel; supplemental travel maximum allowance for regular session \$3,500, and for special session \$1,000, computed at 20 cents per mile traveled. Telephone allowance maximum \$1,000 during regular session and \$200 during special session; postage allowance \$60 per session; leadership of both parties each get \$300 additional for postage and phone during regular session and \$40 during special session.

KANSAS

\$400 per month salary for April-December of each year; mileage allowance 26 cents per mile. In addition, leadership receives annual salaries: speaker \$4,200, senate president \$4,200, speaker pro tem \$1,800, senate vice president \$1,800, majority and minority leaders and chairmen of Ways and Means Committees \$3,240 each.

MINNESOTA

Payment of 24 cents per mile allowed for one round-trip home-to-capitol per week; up to \$23 per day allowed for living expenses in state and \$36 per day out of state.

SOUTH DAKOTA

Payment of five cents per mile allowed for one round-trip from home to Pierre for each session. Legislature meets every year: 40 days one year, 35 days the next.

ARIZONA

Legislators from Maricopa County receive \$20 per day for the first 120 days of a regular session and for legislative matters in Maricopa County and \$10 per day for days in excess of 120 in a regular session and \$40 per day for legislative matters outside Maricopa County. Legislators living outside Maricopa County receive twice as much subsistence except that they receive only \$20 per day for legislative matters in their county of residence.

NEBRASKA

During regular session, mileage reimbursement allowed for one trip from home to capitol and return. During special session or for interim meetings, payment allowed for actual expenses only with receipts required.

UTAH

Per diem of \$25 is paid for 60-day session in odd-numbered years and for 20-day session in even-numbered years plus \$15 per day expenses during these regular sessions. Travel allowance is 23 cents per mile. For interim meetings, legislators receive only per diem of \$25 -- no expense payments.

NEW MEXICO

Per diem of \$40 is paid for 60-day session in odd-numbered years and for 30-day session in even-numbered years. Travel allowance of 10 cents per mile for one trip home to Santa Fe and return for each session.

APPENDIX C
BILLS TO IMPLEMENT
1982 RECOMMENDATION
OF
MONTANA SALARY COMMISSION

- LC 218 Increasing salaries for the chief justice and justices of the Supreme Court and for judges of the district courts
- LC 219 Increasing salaries and expense allowances for legislators
- LC 220 Increasing salaries for elected officials of the executive branch and for members of State Tax Appeal Board and Commissioner of Political Practices

----- BILL NO. -----

INTRODUCED BY _____

BY REQUEST OF THE MONTANA SALARY COMMISSION

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING SALARIES OF THE CHIEF JUSTICE AND THE JUSTICES OF THE SUPREME COURT AND OF THE JUDGES OF THE DISTRICT COURTS; AMENDING SECTIONS 2-16-405 AND 3-5-211, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 2-16-405, MCA, is amended to read:

"2-16-405. Salaries of certain elected state officials. The salaries paid to certain elected officials of the state of Montana for fiscal year 1982 and following years are:

Fiscal Year	Following
1982	June 30, 1982

Governor	\$43,360	\$47,023
Lieutenant governor	\$31,077	\$33,671
Chief-justice-of-the		
supreme-court	\$44,447	\$48,204
Justices-of-the		
supreme-court,-each	\$43,360	\$47,023
Attorney general	\$39,555	\$42,887
State auditor	\$28,685	\$31,071

	Fiscal Year	Following
	1982	June 30, 1982
Superintendent of		
public instruction	\$34,120	\$36,979
Public service commissioners	\$31,077	\$33,671
Secretary of state	\$28,685	\$31,071
Clerk of the supreme court	\$27,870	\$30,185"

8 ~~NEW_SECTION.~~ Section 2. Salaries of the chief justice
9 and justices of the supreme court. For fiscal year 1984 and
10 following years, salaries paid to members of the supreme
11 court are:

12 (1) chief justice, \$62,500; and

13 (2) justices, each, \$60,000.

14 Section 3. Section 3-5-211, MCA, is amended to read:

15 "3-5-211. Salaries and expenses of district judges.

16 (1) The annual salary of each district judge ~~is as follows:~~

17 ~~(a) for the fiscal year beginning July 1, 1981 1983,~~

18 ~~and ending June 30, 1982, \$42,273;~~

19 ~~(b) after June 30, 1982, \$45,041 for each following~~

20 ~~year is \$55,000.~~

21 (2) Actual and necessary expenses for each district
22 judge shall be the travel expenses, as defined and provided
23 in 2-18-501 through 2-18-503, incurred in the performance of
24 his official duties."

25 ~~NEW_SECTION.~~ Section 4. Codification instruction.

1 [Section 2] is intended to be codified as an integral part
2 of Title 2, chapter 16, part 4, and the provisions of Title
3 2, chapter 16, part 4, apply to [section 2].

4 ~~NEW_SECTION.~~ Section 5. Effective date. This act is
5 effective on July 1, 1983.

-End-

1 _____ BILL NO. _____

2 INTRODUCED BY _____

3 BY REQUEST OF THE MONTANA SALARY COMMISSION

4

5 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING A
6 LEGISLATOR'S SALARY AND EXPENSE ALLOWANCE; AMENDING SECTIONS
7 5-2-301 AND 5-2-302, MCA; AND PROVIDING AN EFFECTIVE DATE."

8

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

10 Section 1. Section 5-2-301, MCA, is amended to read:

11 "5-2-301. Compensation and expenses for members while
12 in session. (1) Legislators are entitled to a salary
13 ~~commensurate-to-that-of-the-daily-rate-of-a-grade-8, step-2,~~
14 ~~classified--state--employee~~ of \$100 per day for those days
15 during which the legislature is in session. The president of
16 the senate and the speaker of the house shall receive an
17 additional \$5 a day in salary for those days during which
18 the legislature is in session.

19 (2) Legislators are entitled to ~~\$45~~ \$50 a day, 7 days
20 a week, during a legislative session, as reimbursement for
21 expenses incurred in attending a session. Expense payments
22 shall stop when the legislature recesses for more than 3
23 days and shall resume when the legislature reconvenes.

24 (3) Legislators are entitled to a mileage allowance as
25 provided in 2-18-503 for each mile of travel:

1 (a) to the place of the holding of the session and to
2 return to their place of residence at the conclusion of the
3 session; and

4 (b) for one additional round trip to their place of
5 residence during each session.

6 (4) In addition to the mileage allowance provided for
7 in subsection (3), legislators are entitled to two
8 additional round trips to their place of residence during
9 each regular session upon submittal of an appropriate claim
10 for such mileage reimbursement to the office of legislative
11 council.

12 (5) Legislators are not entitled to any additional
13 mileage allowance under subsection (3)(a) or (3)(b) for a
14 special session if it is convened within 7 days of a regular
15 session."

16 Section 2. Section 5-2-302, MCA, is amended to read:
17 "5-2-302. Compensation and expenses when legislature
18 not in session. When the legislature is not in session,
19 members of the legislative council, legislative
20 subcommittees, and select and interim committees, while
21 engaged in authorized committee business, are entitled to:

- 22 (1) a mileage allowance as provided in 2-18-503;
23 (2) expenses as provided in 2-18-501 and 2-18-502; and
24 (3) a salary ~~equat-to-one-full-day's-pay-at-the-rate~~
25 ~~of-a-classified-state-employee-described-in-5-2-301 of \$100~~

1 for each 24-hour period of time (from midnight to midnight),
2 or portion thereof, spent away from home on authorized
3 committee business. However, if time spent for business
4 other than authorized committee business results in
5 lengthening a legislator's stay away from home into an
6 additional 24-hour period, he may not be compensated for the
7 additional day."

8 NEW_SECTION. Section 3. Effective date. This act is
9 effective on July 1, 1983.

-End-

	Fiscal-Year	Following	Following
	1982	June 30, 1982	June 30, 1983
Governor	\$43,360	\$47,023	\$70,000
Lieutenant governor	\$31,077	\$33,671	\$50,000
Chief justice of the			
supreme court	\$44,447	\$48,204	
Justices of the			
supreme court, each	\$43,360	\$47,023	
Attorney general	\$39,555	\$42,887	\$55,000
State auditor	\$28,685	\$31,071	\$36,000

	Fiscal Year	Following	Following
	1982	June 30, 1982	June 30, 1983
Superintendent of			
public instruction	\$347,120	\$367,979	\$46,000
Public service			
commission chairman			\$44,500
Public service			
commissioners,			
other than chairman	\$317,077	\$337,671	\$42,000
Secretary of state	\$287,685	\$317,071	\$36,000
Clerk of the			
supreme court	\$277,070	\$307,185	\$32,000"

Section 2. Section 15-2-102, MCA, is amended to read:

"15-2-102. Qualification and compensation. (1) To be appointed a member of the state tax appeal board, a person must possess knowledge of the subject of taxation and skill in matters pertaining thereto. No person so appointed may hold any other office under the laws of this state or any other state or any office under the government of the United States or under the government of any other state. He shall devote his entire time to the duties of the office and shall not hold any other position of trust or profit or engage in any occupation or business interfering or inconsistent with his duties. The state tax appeal board is transferred to the department of administration for administrative purposes

only as is specified in 2-15-121. However, the board may hire its own personnel, and 2-15-121(2)(d) does not apply.

(2) The member designated chairman as provided for in 15-2-103 shall receive a ~~an~~ annual salary of ~~\$23,554--in fiscal--1982--and--\$25,493--in--fiscal--1983~~ \$28,500. The remaining state tax appeal board members shall be paid a ~~an~~ annual salary of ~~\$22,924--in--fiscal--1982--and--\$24,809--in fiscal--1983~~ \$26,500. All members of the board shall receive travel expenses as provided for in 2-18-501 through 2-18-503, as amended, when away from the capital on official business.

(3) The salary commission must review the salary for members of the board and shall recommend an appropriate salary to the legislature."

Section 3. Section 13-37-106, MCA, is amended to read:

"13-37-106. Salary. (1) The commissioner of political practices is entitled to receive a ~~an~~ annual salary of ~~\$23,794--in--fiscal--year--1982--and--\$25,754--after--June--30--1982~~ \$27,500.

(2) The salary commission must review the commissioner's salary and may recommend salary increases to the legislature."

~~NEW SECTION~~ Section 4. Effective date. This act is effective on July 1, 1983.

-End-



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