

MINUTES OF THE MEETING
49TH LEGISLATURE THIRD SPECIAL SESSION
LOCAL GOVERNMENT COMMITTEE
MONTANA STATE SENATE

June 18, 1986

The first meeting of the Local Government Committee during the Third Special Session of the 49th Montana Legislature was called to order on the above date in Room 410 of the State Capitol Building by Chairman Fuller at 1:35 p.m.

ROLL CALL: The following Senators are members of the Local Government Committee: Pete Story, Pat Regan, Dick Pinsoneault, George McCallum, Les Hirsch, Ethel Harding, Dorothy Eck, Bruce Crippen, John Mohar, Vice Chairman and David Fuller, Chairman.

Karen Renne, Legislative Council Rita Tenneson, Secretary

Senator Story was absent. All other members were present.

CONSIDERATION OF SB 1: Senator Joseph Mazurek, Senate District 23, Helena, sponsored the bill. The bill was introduced at the request of the Montana Sheriffs and Peace Officers Association. The bill allows sheriffs to continue hiring nonsworn jailers as they have been doing for a number of years. Senator Mazurek referred the committee to the Attorney General's interpretation in the handout, Exhibit #1 (letter to Clarence Belue from Attorney General Mike Greely).

The problem came to light after the last session when a private jail bill was passed allowing counties to contract with private entities to run their jails. Sheriffs, especially in larger counties, would have to hire sworn deputies. Jailers would now have to go to the Law Enforcement Academy to be trained in all aspects of law enforcement when they only work as jailers. Their salaries are set by statute. Most sheriffs have not been paying jailers the same salaries they have been paying deputies on the beat because they don't have the same law enforcement responsibilities. This bill amends the statute to allow sheriffs to hire either deputies or nonsworn individuals as jailers. It also specifies that the same salary is not required to be paid nonsworn jailers as other deputy sheriffs.

The final page of Exhibit #1 is an impact statement estimation put together by the Sheriffs and Peace Officers Association showing what the fiscal impact would be in this coming fiscal year. The figures on the sheet are about \$200,000 less than the fiscal note. If the bill is not passed, this is what the additional cost will be to county governments. The costs are mainly associated with sending sworn deputies to the Law Enforcement Academy, initial salaries, uniform requirements, etc. This may also have significant effects on the Law Enforcement Academy should all the people hired as jailers need to go there for training.

Local Government
June 18, 1986
page 2

PROPOSERS: Chuck O'Reilly, Lewis and Clark County Sheriff and Past President of the Montana Sheriffs and Peace Officers Association, presented Exhibit #2 pointing out the letters from sheriffs around the counties, saying they didn't have time to poll all the sheriffs. The impact shown is \$972,000 which is from the 24 counties they had contacted. He said the reason the option for sheriffs to hire sworn individuals vs nonsworn was left in the law was because many of the smaller counties do not hire civilian employees. They may have from one to ten deputies and they have to use these people in all facets of law enforcement, including jailers.

Sheriff Mike Schafer, 1st Vice President, Montana Peace Officers Association, supported the bill saying the effect it would have on Yellowstone County would be \$125,000. When they move into their new center within a year, they expect to have 31 jailers. Consequently it would have a terrific impact on Yellowstone County.

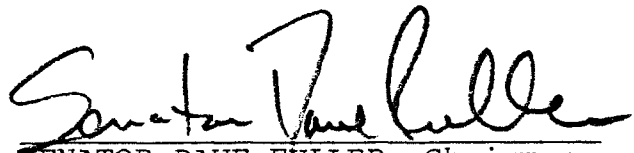
Sheriff Bob Butorovich, Butte/Silver Bow, said the bill, if allowed to remain the same, would cause them drastic problems in the future. He anticipated that, when Silver Bow got a new jail, the staff would double in size. It would have an impact of somewhere around \$82,000.

OPPOSERS: None.

COMMITTEE QUESTIONS: None.

DISPOSITION OF SB 1: Senator Regan moved SB 1 DO PASS. Motion seconded by Senator Harding. Motion carried unanimously.

There being no further business, the meeting adjourned.


SENATOR DAVE FULLER, Chairman

ROLL CALL

LOCAL GOVERNMENT

COMMITTEE

48th LEGISLATIVE SESSION -- 1985

Date 6-18-86

SENATE
SEAT

	NAME	PRESENT	ABSENT	EXCUSED
43	SENATOR DAVE FULLER, Chairman	✓		
23	SENATOR JOHN MOHAR, V. Chrmn.	✓		
13	SENATOR BRUCE CRIPPEN	✓		
18	SENATOR DOROTHY ECK	✓		
11	SENATOR ETHEL HARDING	✓		
47	SENATOR LES HIRSCH	✓		
4	SENATOR GEORGE McCALLUM	✓		
44	SENATOR DICK PINSONEAULT	✓		
19	SENATOR PAT REGAN	✓		
21	SENATOR PETE STORY		✓	

Each day attach to minutes.

Exhibit #1

PRESIDENT

Wally Schumacher, Deputy Sheriff
Bozeman, MT 59715
586-2315

PAST PRESIDENT

Chuck O'Reilly, Sheriff
Helena, MT 59601
442-7880



SECRETARY-TREASURER

Tony Harbaugh, Sheriff
1010 Main Street
Miles City, MT 59301
Office: 232-2237
Home: 232-6299

OFFICIAL PUBLICATION
"THE MONTANA SHERIFF AND PEACE OFFICER"

Sheriffs and Peace Officers Association

OFFICE OF THE SECRETARY

May 21, 1986

1st VICE PRESIDENT

Mike Schafer, Sheriff
Billings, MT 59101
252-0588

2nd VICE PRESIDENT

Curt Petty, Deputy Sheriff
Helena, MT 59601
442-7880

3rd VICE PRESIDENT

Rick Later, Sheriff
Dillon, MT 59725
683-2383

**BOARD OF DIRECTORS,
SHERIFFS** 782-4224

Bob Butorovich 723-8262
Butte, MT 59701

Glen Osborne 761-6842
Great Falls, MT 59401

Dean Mahlum 653-1061
Wolf Point, MT 59201

P.T. (Spud) Cremer 435-2540
Jordan, MT 59337

Charles Rhodes 755-3691
Kalispeil, MT 59901

**UNDERSHERIFFS AND
DEPUTIES**

Rickard Ross 252-0588
Billings, MT 59101

James Burnes 761-6842
Great Falls, MT 59401

Jay Printz 363-3033
Hamilton, MT 59840

Jim DuPont 755-5311
Kalispeil, MT 59901

Jack Barney 538-3415
Lewistown, MT 59457

Senator Joe Mazurek
Sheriff Mike Schaffer
Sheriff Bob Butorovich

For your update I have prepared a packet for each of you for our presentation to the legislature on the jailer issue. I took the liberty of polling the Sheriffs around the state trying to determine the extent of the impact dollarwise should legislation fail to be passed. As you can see from the fifth document in the package, a \$972,358.00 impact will be felt by only 11 counties. The other counties listed do have civilian jailers but did not provide dollar figures. Several departments did not respond and I have no idea if they have civilian jailers or not. However, if you average out the costs I think you can see there would be an additional impact of at least \$616,845.00 for a total minimum impact statewide of \$1,589,203.00.

The packet is in what I felt to be a logical order for presentation to the committee but I'm certainly open to suggestions on that.

So that everyone is tracking along the same path, I would like to reiterate the process as I understood it from our last meeting. I will be out of the state from 5/31/86 through 6/15/86. I'll be in my office on 6/16-17, 86 and will then be in Bozeman at the MSPOA Convention (Grantree Inn) from 6/18/86 through 6/21/86, as will Sheriffs Mike Schaffer and Bob Butorovich. I will further be out of the state from 6/22/86 through 6/23/86. In the interim Senator Mazurek will pre-file the proposed legislation. If assistance is needed or problems arise, Senator Mazurek will contact Sheriff Butorovich as chairman of the MSPOA, Legislative Committee for resolution of the problem.

During the week the legislature is in session all of us

RECEIVED

MAY 22 1986

GOUGH, SHANAHAN,
JOHNSON & WATERMAN

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 1

DATE 6-18-86

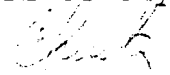
BILL NO. SB 1

Re: Sworn jailer issue
5/21/86
Pg. 2

on the committee as well as several other sheriffs, geographic and population representative, will be available to testify by traveling from Bozeman to Helena. I would suggest that Senator Mazurek or Sheriff Butorovich make contact with one another just prior to the legislature meeting to firm up whatever arrangements Senator Mazurek feels will be necessary for the successful passage of our proposal. Hopefully the committee hearing will be scheduled sufficiently in advance to allow us time to be contacted and to travel to Helena. I recall also that consensus was the sooner the hearing could be held the better.

I would be willing to make the primary presentation to the committee with followup from everyone else, unless someone else prefers to be the main speaker. Please let me know your thoughts on this.

Sincerely,


CHARLES M. O'REILLY,
Sheriff

CMO:ss
encls.

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 1

DATE 6-18-86

BILL NO. SB1

*requesting further
training*

STATE
OF
MONTANA

ATTORNEY GENERAL
MIKE GREELY

JUSTICE BUILDING, 215 N. SANDERS, HELENA, MONTANA 59620
TELEPHONE (406) 444-2625

21 February 1986

Clarence Belue
Big Horn County Attorney
Big Horn County Courthouse
Hardin MT 59034

Dear Mr. Belue:

You requested an opinion on whether the sheriff's department can employ a person who is not a deputy sheriff as a jailer when the county jail is the responsibility of the sheriff.

In your letter, you explained that the sheriff has employed persons who are not qualified as deputies, and who are being paid less than deputy sheriffs.

The answer to your question is found in Title 7, chapter 32, Montana Code Annotated.

Section 7-32-2121(7), MCA, requires the sheriff to "take charge of and keep the county jail and the prisoners therein, unless the jail is operated by a private party under an agreement entered into under 7-32-2201 or by a jail administrator."

Section 7-32-2123, MCA, provides:

Appointment of deputy sheriff to act as jailer. A sheriff who operates a county jail may appoint two deputies in counties of the first, second, or third class and one deputy in counties of the fourth, fifth, sixth, or seventh class who shall act as jailer and receive the same salary as other deputy sheriffs.

At first glance, the word "may" suggests the sheriff is not required to appoint a deputy to act as jailer.

However, the legislative intent of the language was to enable, not require, the sheriff to expand his force of deputies, if necessary, because the enactment of this statute imposed a new requirement that all jailers be deputies. Hogan v. Cascade County, 36 Mont. 183, 187, 92 P. 529, 531 (1907). It is clear, therefore, that

SENATE LOCAL GOVERNMENT

6-18-86
BILL NO. SA

unless a private jailer or jail administrator is obtained pursuant to section 7-32-2201, MCA, the jailer must be a deputy sheriff, receiving the same pay as other deputy sheriffs.

Section 7-32-2201, MCA, was amended in 1985 (1985 Mont. Laws, ch. 447) with the addition of subsection (2), which provides:

A county, or two or more counties acting together, may provide for the jail required by subsection (1) by:

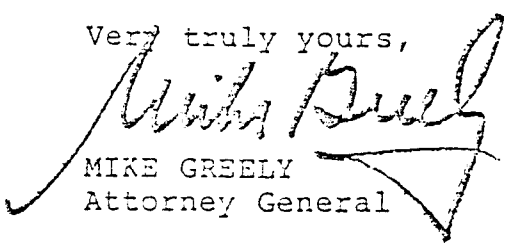
(a) establishing in the county government the position of jail administrator and, with the sheriff's concurrence, hiring a person, who is answerable to the governing body of the county, to fill the position; or

(b) entering into an agreement, with the concurrence of the sheriffs of all participating counties, with a private party under which the private party will provide, maintain, or operate the jail.

In the event a county should decide to participate in an agreement for a private party under subsection (b), the agreement must comply with requirements enumerated in section 7-32-2232, MCA. The private party jailer under this section has powers described in section 7-32-2234, MCA.

In summary, when the sheriff has responsibility for and operates the county jail, and is not proceeding under section 7-32-2201(2), MCA, the jailer must be a deputy sheriff, and must receive the same pay as other deputy sheriffs.

Very truly yours,


MIKE GREELY
Attorney General

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 1

DATE 6-18-86

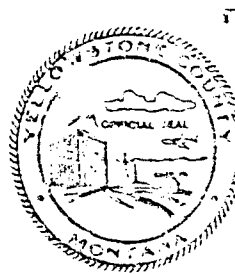
BILL NO. SB 1

County of Yellowstone

BILLINGS, MONTANA 59101

COUNTY ATTORNEY'S OFFICE, YELLOWSTONE COUNTY COURTHOUSE, ROOM 503

(406) 256-2870



PR 15 1986

DEEDS OFFICE

☐ Criminal Division
☐ Civil Division
☐ Deferred Prosecution

☐ Victim/Witness Assistance
☐ Child Support Enforcement

April 11, 1986

Board of County Commissioners
Courthouse
Billings, Montana

Re: Attorney General's Opinion to
Big Horn County 21 February '86
Deputies as Jailers

Dear Commissioners:

Last week I furnished you with a copy of the above referenced opinion. On Friday of last week, I met briefly with the sheriffs who were having a meeting here in Billings. It was determined that I would meet with the Attorney General to ascertain whether or not his opinion would be modified.

I did meet with the Attorney General and his assistant Dorothy McCarter who drafted the opinion on Tuesday, April 8, 1986, at which time we discussed the opinion in depth.

It is the Attorney General's opinion that his letter of February 21, 1986, represents an accurate statement of the law based on the case of Hogan v. Cascade County cited in the opinion.

In addition to the discussion with the Attorney General and his staff person, I have reviewed the law and I am satisfied that this opinion is legally correct. If the question were to be relitigated in court, the only argument that could be made in overturning the Hogan decision would be that the factual situation surrounding both the qualifications for deputies and for jailers is totally different than it was in 1907. This is, of course, more of a legislative problem and it is a legal question.

I believe that if you and the sheriff do not follow this legal interpretation for fiscal 1986-87, it would be most

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 1

DATE 6-18-86

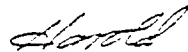
BILL NO. SR 1

I believe that if you and the sheriff do not follow this legal interpretation for fiscal 1986-87, it would be most difficult to defend that position from a legal standpoint. There are obviously serious financial impediments if you staff the jail with qualified deputies. There are also secondary problems such as the existing union contract and the fact that some of the civilian jailers might not be qualified to meet the minimum requirements to be employed as a deputy sheriff.

Because of the serious impact on not only this county, but probably most of the counties in Montana, it would be my recommendation that every effort be made to encourage the legislature to address this problem in the June session. As a practical matter, the legislative change would be very simplistic and would simply provide that jailers would not have to be deputy sheriffs. Based on the comments at the Friday meeting with the sheriffs, it is obvious there would be considerable support for this approach. In my meeting with the Attorney General, we discussed the advisability of a legislative solution and his office is in the process of preparing draft legislation.

If you concur in this recommendation, I would be pleased to work with the sheriff and coordinate an effort for legislative change.

Yours very truly,

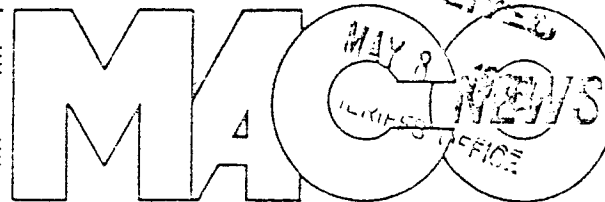
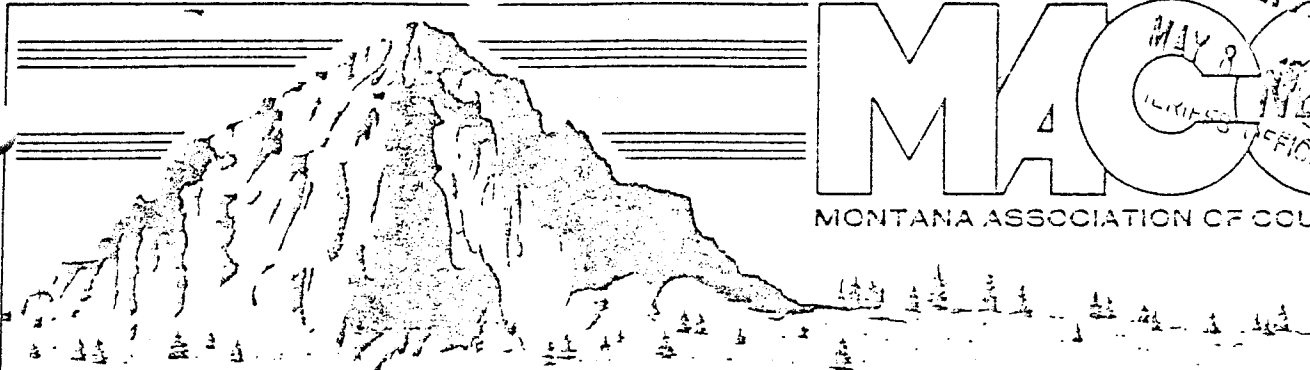


Harold F. Hanser
County Attorney

HFH/cr

cc: Mike Schafer, Sheriff ✓
President of Sheriffs and
Peace Officers Association

SENATE LOCAL GOVERNMENT
EXHIBIT NO. 1
DATE 6-18-86
BILL NO. SB 1



MONTANA ASSOCIATION OF COUNTIES

VOL. 15, No. 5

Helena, Montana

May 1986

AG: Jailers Must be Deputies

In an informal letter to Big Horn County Attorney Clarence Belue, Attorney General Mike Greely said that unless a private jailer or jail administrator is obtained under a new law that allows for privatization of jails, *the jailer must be a deputy sheriff, receiving the same pay as other deputy sheriffs.*

Citing Sec. 7-32-2123, MCA, Greely said the word "may" regarding appointing deputies as jailers refers only to allowing a sheriff to expand his force, rather than to suggest that the sheriff is not required to appoint a deputy to act as jailer.

Greely's opinion does not address the definition of "jailer" as an administrative position, as opposed to those civilians who work under the appointed jailer.

Also, Sec. 7-32-2123 *limits* a sheriff to appointing two deputies in counties of the 1st, 2nd, or 3rd class, and one deputy in counties of the 4th, 5th, 6th, or 7th class to act as jailers." However, jail operations "clearly require more than one or two persons to staff a 24-hour shift," commented Gordon Morris, MACo executive director. It appears that regardless of the requirement under Greely's opinion that jailers must be deputies, with a deputy's salary (and training), counties are limited in the number of persons they may appoint as jailers.

If Greely's opinion stands, or the law is not clarified, Morris said, county jail management will be impossible.

Compensatory Time Addressed By Attorney General

Although many persons, including officials of the state's Dept. of Labor and Industry, have assumed that Montana's more stringent law concerning compensatory time takes precedence over federal law, Attorney General Mike Greely has ruled that state and local government employees covered under the Fair Labor Standards Act are not subject to the provisions of the Montana Minimum Wages and Maximum Hours Act.

In most cases, states may enact more stringent laws than those enacted by Congress, which sets minimum standards. However, Montana's Sec. 39-3-403, MCA, clearly states that the MWMHA provisions are not applicable to employees covered by the FLSA. Greely stated, "the legislature has expressed its clear intent to defer to the federal act."

Therefore, the attorney general concludes that the recent amendments to the federal law permitting government employees and employers to agree to payment of compensatory time-and-one-half in lieu of cash overtime will apply as of April 15, 1986. On the question of law enforcement and fire protection employees of state and local governments, these employees are covered by the FLSA unless the agency employs less than five persons. Any employees who are exempt from the FLSA are governed by the MWMHA.

FLSA WORKSHOP

Dick Perkins, assistant area administrator, Wage and Hour Division, U. S. Dept. of Labor, has informed MACo that because the public comment period on the proposed regulations will not close until June 2, the publication of the final regulations will not take place until after the comments have been reviewed.

When the regulations have been published, MACo again will sponsor a workshop as a follow-up to the one held in January for city, county, school, road, law enforcement and fire department personnel. Perkins said, sometimes publication is delayed for several months, depending on the number and type of comments received.

In the meantime, if the regulations are published before the MACo annual meeting in Red Lodge, we will invite Patricia Murray, Billings Field Station Compliance Officer, US-DOL, to give our delegates a brief preview of the final regulations.

Congressional Budget Hearing

On March 14 U. S. Rep. William H. Gray, III, chair of the Committee on the Budget, U. S. House of Representatives, held a hearing at the state Capitol in Helena. Montana Rep. Pat Williams is a member of the committee and was instrumental in bringing the hearing to Montana.

Speakers included Executive Director Alec Hansen, Montana League of Cities Executive Director, Madison County Commissioner Marie McAlar,

SENATE LOCAL GOVERNMENT

EXHIBIT A-10

DATE 6-18-86

BILL NO. SB1

Counties Impacted by Attorney General's Opinion On Sworn vs
Non-sworn Status

<u>COUNTY</u>	<u>NO. OF JAILERS</u>	<u>BUDGET INCREASE</u>
Beaverhead	2	\$ 25,000.00
Missoula	17	113,403.00
Flathead	10	114,829.00
Cascade	6	82,170.00
Fergus	6	111,706.00
Lewis & Clark	11	131,115.00
Yellowstone	17	125,136.00
Ravalli	4	45,810.00
Valley	4	78,189.00
Custer	2	15,000.00
Gallatin	<u>14</u>	<u>130,000.00</u>
TOTALS (11 counties)	93	\$972,358.00 Increase

Other counties also impacted - no figures available:

Silver Bow	6
Hill	6
Granite	5
Fallon	7
Big Horn	7
Blaine	5
Richland	5
Toole	2
Lake	4
Dawson	1
Roosevelt	3

Probable impact due to using dispatchers as jailers:

Daniels Co.	4
Wibaux	4

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 1

DATE 6-18-86

BILL NO. SB1

DRAFT COPY
SUBJECT TO REVISIONS

1 _____ BILL NO. _____

2 INTRODUCED BY _____

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A SHERIFF WHO
5 OPERATES A COUNTY JAIL TO APPOINT NONSWORN INDIVIDUALS AS
6 JAILERS; PROVIDING THAT NONSWORN JAILERS NEED NOT RECEIVE
7 THE SAME SALARY AS DEPUTY SHERIFFS; AMENDING SECTION
8 7-32-2123, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

9

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

11 Section 1. Section 7-32-2123, MCA, is amended to read:

12 "7-32-2123. Appointment of ~~deputy--sheriff-to-act-as~~
13 ~~jailer.~~ A sheriff who operates a county jail pursuant to
14 7-32-2121 may appoint ~~two-deputies-in-counties-of-the-first,~~
15 ~~second,--or--third--class--and-one~~ deputy in counties of the
16 ~~fourth,--fifth,--sixth,--or--seventh--class--who--shall--act--as~~
17 ~~jailer--and~~ sheriffs or nonsworn individuals as jailers. A
18 nonsworn individual appointed as a jailer need not receive
19 the same salary as other a deputy sheriffs sheriff."


20 NEW SECTION. Section 2. Effective date. This act is
21 effective on passage and approval.

-End-

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2

DATE 6-18-86

 Montana Legislative Council SB1

Counties Impacted by Attorney General's Opinion On Sworn vs
Non-sworn Status

<u>COUNTY</u>	<u>NO. OF JAILERS</u>	<u>BUDGET INCREASE</u>
Beaverhead	2	\$ 25,000.00
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Lewis & Clark	11	131,115.00
Yellowstone	17	125,136.00
Ravalli	4	45,810.00
Valley	4	78,189.00
Custer	2	15,000.00
Gallatin	<u>14</u>	<u>130,000.00</u>
TOTALS (11 counties)	93	\$972,358.00 Increase

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Richland	5
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Lake	4
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Roosevelt	3

Probable impact due to using dispatchers as jailers:

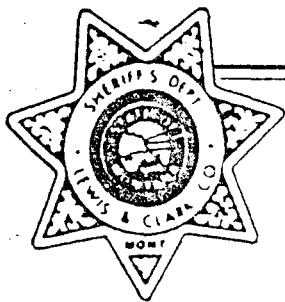
Daniels Co.	4
Wibaux	4

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2

DATE 6-18-86

BILL NO. 381



LEWIS & CLARK COUNTY

SHERIFF'S DEPARTMENT

221 Breckenridge

Helena, MT 59601

406-433-1010 Business

406-442-7880 Emergency Only

CHUCK O'REILLY, SHERIFF

Cost increases to Lewis & Clark County Sheriff's
Department for elevating non-sworn jailers to Deputy
Sheriff status:

11 Jailers to Patrolman III	53,129
Longevity Payments	3,982
Employer Contribution	10,279
Overtime (increase in rate of pay)	2,530
Employer Contribution	380
Vacation Replacement (rate of pay inc.)	406
Employer Contribution	41
Basic School (234 ea.)	2,574
Replacements while at Basic (88 weeks)	34,452
Uniforms (1452 per man)	15,972
Uniform cleaning	1,320
Physical exams (150.00 ea.)	1,650
Employment Background checks - Salary of deputy to do checks	4,400
Grand total -	131,115

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2

DATE 6-18-86

BILL NO. 501

CHARLES A. GIRVIN
Deputy Sheriff

ARNOLD R. CASTER
Deputy Sheriff

DAVID R. SIRUCEK
Deputy Sheriff

JACK M. BARNEY
Deputy Sheriff

KEN L. DONEY
Deputy Sheriff

EUGENE A. COUCH
Captain

ALBERT L. WESTBURG
Sargent

Dispatcher



Phone
(406) 538-3415
538-3416

Sheriff's Department Fergus County

LEWISTOWN, MONTANA 59457

Radio
KUL 910

RECEIVED

MAY 8 1986

SHERIFFS OFFICE

May 7, 1986

Sheriff Chuck O'Reilly
Lewis & Clark County
Helena, Montana 59601

Sheriff O'Reilly;

Additional cost to Fergus County to elevate Civilian Jailers
to Deputy Sheriffs;

Wages - Co. Contribution & Longevity	\$26,115.00
Uniforms	900.00
Basic school & mileage	\$1,807.00
Replacement while at Basic 48 wks	\$81,984.00
Physicals at \$150.00	900.00

TOTAL \$111,706.00
1st year

Respectfully yours,
Jack L. Songer
(Jack L. Songer, Sheriff

SENATE LOCAL GOVERNMENT
EXHIBIT NO. 2
DATE 6-18-86
BILL NO. SB1

From: The Office of the Sheriff
Glenn G. Osborne, Sheriff

County of Cascade
State of Montana

Sheriff Chuck O'Reilly
Helena, Montana

Dear Sheriff,

The following is a breakdown of the projected additional costs to

Cascade County to promote six civilian jailers to Deputy Sheriff III.

Additional salary	42,912
Longevity costs	2,730
M.L.E.A. Basic	1,404
Replacement while at Basic	18,792
Uniforms	6,900
Physical Examinations	900

Total additional cost. \$82,170



SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2

DATE 6-18-86

CHARLES "CHUCK" RHODES
SHERIFF — CORONER

800 S. MAIN - [REDACTED]
KALISPELL, MONTANA 59901
Phone 752-6161

RECEIVED
MAY 14 1986
OFFICE

May 12, 1986

Sheriff Chuck O'Reilly
Lewis and Clark County Sheriff
Helena, MT 59601

Dear Sheriff O'Reilly,

In answer to your letter of May 6, 1986 regarding the jailers.

Our increase for 1986-87 budget year would be as follows:

17 Jailers salary and Longevity	\$ 47,896
Employer Contribution	\$ 8,019
Basic School requirement	\$ 7,268
Replacement while at Basic	\$ 49,096
Physical Exams @ \$150 each	\$ 2,550
Grand Total	\$114,829

This figure is differant than we discussed over the telephone on May 12, 1986. I forgot to divide the 136 weeks by 2 for our pay periods. Sorry if this inconvenienced you.

Sincerely,

Chuck
Chuck Rhodes

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2

DATE 6-18-86

BILL NO. SB 1

CRIMINALS
JUL 19 1986

MISSOULA COUNTY

RECEIVED

MAY 14 1986

DANIEL L. MAGONE
SHERIFF

OFFICE OF THE SHERIFF
COUNTY COURTHOUSE
MISSOULA, MONTANA 59802

T. GREGORY HINTZ
UNDERSHERIFF

May 13, 1986

Sheriff Chuck O'Reilly
Lewis & Clark County Sheriff's Dept.
Lewis & Clark County Courthouse
Helena, Montana 59601

SUBJ: Staffing of Jails

Dear Sheriff O'Reilly:

Per your request I have prepared approximate cost increases that would occur for Missoula County if the Missoula County Sheriff's Department Jail Division would change from civilian jailers to deputized jailers. Those costs are listed below:

Civilian Jailers to Deputized Jailers	- \$87,550.00
Longevity	- 4,500.00
Basic Law Enforcement Academy	- 3,978.00
Uniforms	- 9,350.00
Physical Examination	- 680.00
Employee Background Checks	- <u>7,345.00</u>

For an estimated total of \$113,403.00

If I can be of any further assistance please feel free to contact me. My telephone number is 721-5700, extension 306.

Sincerely,

DANIEL L. MAGONE
SHERIFF

T. Gregory Hintz

T. Gregory Hintz
Undersheriff

TGH/ms

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2DATE 6-18-86BILL NO. SB2

OFFICE OF THE SHERIFF

BEAVERHEAD COUNTY

DILLON, MONTANA



FB/NA 116th-79

K DOERING, UNDERSHERIFF

RICHARD E. "RICK" LATER
BEAVERHEAD COUNTY SHERIFF

UTIES:

TH REEDER, DILLON

TASH, DILLON

HANSEN, DILLON

IG McCLOSKEY, WISDOM

YSON PHIPPS, LIMA

PHONE 406 683 2383
POST OFFICE BOX 109
ZIP CODE 59725

RECEIVED
MAY 14 1986
SHERIFF'S OFFICE

DATE: May 12, 1986

TO: Chuck O'Reilly, Sheriff
Lewis & Clark County
228 East Broadway
Helena, Montana 59601

Dear Chuck:

In regards to the non-sworn employees as Jailers. We are a very small County in population, but very large in area. We are primarily agriculture, and the ranchers & farmers are in serious trouble financially. If we have to hire sworn personnel for Jailers, it will cost \$25,000.00 plus, to keep our facility to any kind of standard. There are only seven sworn employees now in our County, and it will take them all to cover the Jail. I can't see where the Commissioners will spend the money to hire sworn personnel. With the Garcia Decision, I can see the citizens of Beaverhead County with very little law enforcement protection.

I sincerely hope, the Governor and the Legislature will address this matter immediately. Keep in touch and let me know if there is anything I can do to help on this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard E. Later", is written over a circular stamp that contains the word "Sincerely,".

Richard E. Later,
Beaverhead County Sheriff

SENATE LOCAL GOVERNMENT
EXHIBIT NO. 2
DATE 6-18-86
BILL NO. SB2

County of Yellowstone



OFFICE OF THE SHERIFF

P.O. BOX 35017
BILLINGS, MONTANA 59107

May 13, 1986

Sheriff Bob Butorovich, Legislative Chairman
Butte Silver Bow Law Enforcement
Butte, Montana 59701

RE: Increased operational costs if jailers in Yellowstone
County are appointed deputies

Dear Bob:

Based upon a 2,080 hour year with an overtime factor of twelve per cent built in, the total operating cost to Yellowstone County would be \$125,136 per year, figuring the base personnel figure of seventeen.

In June of 1987, an additional fourteen jail staff will be hired to operate the new facility in Yellowstone County. This will increase our total operating cost to a minimum of \$225,000 per year if the statute is not changed.

If you need a breakdown for these figures, please feel free to contact me.

Sincerely,

MIKE SCHAFFER, SHERIFF

YELLOWSTONE COUNTY

lr

SENATE JUDICIAL COMMITTEE
FILED 2
JUN 18 1986
302



Sheriff's Office

Butte - Silver Bow
120 S. Idaho
Butte, Mont.
59701



RADIO
KNHC 284

406/782-4224

BUTOROVICH
Sheriff

PH E. LEE
undersheriff

DEAN RILEY
Secretary

May 12, 1986

Sheriff Chuck O'Reilly
Lewis & Clark County
221 Breckenridge
Helena, Montana 59601

Dear Chuck,

The figures you will find in this letter reflect a close approximation of the increase that Butte-Silver Bow would experience over the next three years if sworn officers were to replace the civilian jailers. These figures are based on one officer vs. one jailer. All the fringe benefits such as clothing, overtime, etc. are reflected as 30 percent of salaries.

These figures reflect the salaries of our highest paid civilian jailer compared to our lowest paid sworn officer. In 1986 the cost increase would be (per person) \$6,483.00, in 1987 - \$7,075.00 and in 1988 - \$7,745.00.

If you roll in the costs of hiring these civilians as sworn officers with all the expenses incurred in the testing, background investigations and education, the figure would be astronomical and quite prohibitive.

RECEIVED - BUTTE-SILVER BOW SHERIFF'S OFFICE

DATE 6-18-86
FILE NO. 582

Yellowstone County Sheriff's Detention Facility

DATE May 13, 1986

FROM Lt. Rickard A. Ross, Division Commander

TO Sheriff Mike Schafer

M E M O

SUBJECT Projected increase in operational cost
ie: Correctional Officers at Deputy Sheriff Status

The following information is based on a 2080 hour year per employee with an actual overtime factor of 12%.

F/Y '86/'87	at correctional officer wages	at deputy sheriff wages	Increase
4 Sergeants	\$ 86,493	\$ 109,782	\$ 23,289
12 Correctional Officers	230,421	285,561	55,140
Longevity at actual years of service (48 x 19.83 x 12)	-0-	11,422	11,422
Employer's Contribution *@ 6.5% **@ 7%	20,600*	28,474**	7,874
Uniform expense	1,600	2,400	800

sub total			\$ 98,525

Additional cost of transition from
Correctional Officer to Deputy status

Overtime cost for training at the
Montana Law Enforcement Academy Basic
Course (projected sending four officers
at a time over a year period)
[\$406,765 ÷ 16 x 4 ÷ 52 x 8 x 1.5]

	23,467	23,467
--	--------	--------

M.L.E.A. Basic Training Cost @ \$234/ officer	3,744	3,744
16 physical examinations @ \$150 ea.	2,400	2,400

Projected Total Cost.....\$ 125,136
=====

In addition, beginning May 1987 we will increase our staff
by 16 correctional officers/deputies, an increase of 48.4%.
This would multiply the increase by a factor of two.

2
6-18-86

County of Yellowstone



COMMISSIONERS

(406) 256-2701

Box 35000
Billings, MT 59107

May 5, 1986

Mike Schafer
Sheriff
P.O.Box 35017
Billings, Montana 59107

Re: Correctional staff salary

Dear Mike:

We strongly support the position that a Sheriff who operates a jail pursuant to M.C.A., Section 7-32-2121, may appoint a deputy or non-sworn individual to operate the County Jail. When a non-sworn individual is appointed by the Sheriff, the salary should not have to be the same as that of a Deputy Sheriff.

The recent Attorney General's opinion will have disastrous consequences for Yellowstone County. Unless the Legislature clarifies the Statute, we may be forced to cut our patrol division in half to accommodate the increased jail salaries. We also recognize that public safety is of extreme importance to all our citizens and we want to protect what law enforcement we have.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

Dwight MacKay
Dwight MacKay, Chairman

Dave Gorton
Dave Gorton, Member

Grace M. Edwards
Grace M. Edwards, Member

DM:gp

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2

DATE 6-18-86

BILL NO. SB1

OR J058

M.MT0010000.K18S.*NICKY
KT MESSAGE NBR. 296 051986
DILLON SD
HELENA SD

ATTN: CHUCK O'REILLY

DILLON S.O. EMPLOYS ONE CIVILIAN JAILER.

AUTH: RICK LATER, SHERIFF, BEAVERHEAD CO, DILLON, M1010 HRS
OUTPUT MSG 028. FROM J185

M.MT0410000.K13S.*132VH
XT MESSAGE NBR. 531 051986
AVALLI COUNTY SHERIFF HAMILTON
EWING & CLARK COUNTY SHERIFF HELENA
TTN: SHERIFF CHARLES O'REILLY

RE: YOUR TWX - CIVILIAN JAILERS

AVALLI COUNTY CURRENTLY HAS THREE CIVILIAN JAILERS, TO BE INCREASED TO FOUR
4/1/86.

IF/UNDERSHERIFF RON FISHER
ITH: DALE E. DYE, SHERIFF1043 HRS

TPUT MSG 104. FROM J135

SEDATE LOCAL GOVERNMENT
EXHIBIT NO. 2
DATE 6-18-86
BILL NO. SB 1

J058

0150000.J058.*HELEN

MESSAGE NBR. 05190000001 051986

HEAD COUNTY SHERIFF

& CLARK SHERIFF

FLOY CIVILIAN JAILERS AND HAVE 9 JAILERS PLUS A SUPERVISOR AT THIS

THIS IS WHAT YOU NEED.

CHUCK RHODES, SHERIFF

RS

MSG 027.

FROM J078

RS

MSG 112.

FROM J218

00000.J058.*SHARON

MESSAGE NBR. 078 051986

IN COUNTY SHERIFF DEPARTMENT, BOZEMAN, MONTANA

TO CLARK SHERIFF DEPARTMENT, HELENA, MONTANA

IN: CHUCK O'REILLY

13 FULLTIME CIVILIAN DETENTION OFFICERS AND ONE HALF TIME THAT
WITH THE DUI PROGRAM.

TON CUTTING, SHERIFF GALLATIN COUNTY BOZEMAN MONTANA

SENATE LOCAL GOVERNMENT
EXHIBIT NO. 2
DATE 6-18-86
BILL NO. 361

FOR J058

MT01500000.J07S.*BROOKS

MESSAGE NBR. 0126

FLATHEAD COUNTY SHERIFF

LEWIS AND CLARK SHERIFF

HELENA, MT.

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FOR J058

MT01500000.J07S.*BROOKS

TX MESSAGE NBR. 0126

051986

FLATHEAD COUNTY SHERIFF

KALISPELL, MT.

LEWIS AND CLARK SHERIFF

HELENA, MT.

THIS OFFICE EMPLOYS 10 CIVILIAN JAILERS.

AS SO, WE ARE BUILDING A NEW JUSTICE CENTER AND IT SHOULD BE DONE IN APPROX.

1 YEAR AND WE ARE EXPECTING TO HIRE ABOUT 5 MORE WHEN WE MOVE INTO OUR

NEW CENTER.

ATTN: CHUCK O'REILLY.

ATH/CHUCK RHODES SHERIFF

10 49 HRS

OUTPUT MSG 107.

FROM J07S

FOR J058

MT0140100.K08P.*LB

TX MESSAGE NBR. 731

051986

FERGUS COUNTY SO LEWISTOWN, MT

LEWIS AND CLARK COUNTY SO

HELENA, MT

FERGUS COUNTY HAS 4 FULL TIME CIVILIAN JAILERS AND 2 PART-TIME CIVILIAN

JAILERS

RUSS DUNNINGTON COP LB 1006 HRS MDT

6-18-86

058
5300000.J058.*RITA
MESSAGE NBR. 643 051986
W EMPLOYEES 4 FULL TIME CIVILIAN JAILERS.
SHERIFF DANIEL R TAYLOR

43
MSG 121.
FROM J206

38
500000.K14P.*SOUTH
MESSAGE NBR. 2507 051986
CUSTER COUNTY SHERIFF
BUCK O'REILLY

COUNTY EMPLOYS TWO CIVILIAN JAIL PERSONNEL. IT WOULD INCREASE
BUDGETARY COSTS APPROXIMATELY \$15,000. PER YEAR.

MINY HARBAUGH, SHERIFF
C COUNTY, MILES CITY

MSG 115.
FROM J14P

058
5500000.J038.*DARLENE
MESSAGE NBR. 002 051986
YELLOWSTONE CO SO. BILLINGS, MONTANA
LEWIS AND CLARK SO. HELENA, MONTANA
CIVILIAN JAILERS
DEPT DOES EMPLOY 17 CIVILIAN JAILERS.
MICHAEL A. SCHAFER, SHERIFF YELLOWSTONE CO. BILLINGS, MONTANA

MSG 108.
FROM J038

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2

DATE 6-18-86

BILL NO. SB1

FOR J058
AM.MT04300000.K175.*MARILYN
TX MESSAGE NBR. 278 051986
ROOSEVELT CO SHERIFF DEPT
ATT: CHUCK O'REILLY
RE ADVISED WE EMPLOY THREE CIVILIAN JAILERS AT THIS TIME
AUTH: DEAN MAHLUM SHERIFF ROOSEVELT CO S.O.
JOLFPPOINT MT

1112 HRS

OUTPUT MSG 122. FROM J175

FOR J058
AM.MT01000000.J058.*ANNIE
TX MESSAGE NBR. 566 051986
ATT: CHUCK O' REILLY
ALL PRISONERS ARE BOOKED IN AND RELEASED BY OFFICERS. DISPATCHERS ARE
ACTING JAILERS WHEN AN OFFICER IS NOT PRESENT. IF PROBLEM ARISES WE CALL TWO
OFFICERS.
AUTH: L. WARNER HARRISON SHERIFF DANIELS CO

1139 HRS

OUTPUT MSG 120. FROM J375

4.MT05500000.K525.*MUCKLE
TX MESSAGE NBR. 0590 051986
WIBAUX COUNTY SHERIFFS' OFFICE WIBAUX, MONTANA 05-19-86
EXIS & CLARK COUNTY SHERIFFS' OFFICE HELENA, MONTANA

ATTENTION: CHARLES O'REILLY, SHERIFF.
E: CIVILIAN JAILERS.

DISPATCHER'S DO THE JAILING FOR US. THE SHERIFF OR MY SELF DO THE BOOKI
IN AND OUT.

M MUCKLE, UNDERSHERIFF.

TH: SO WIBAUX CO - WIBAUX, MONTANA

TOM/OPR

1325 HRS

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2

DATE: 6-18-86

FRS

MSG 113.

FROM J068

J058

0240000.J058.*RICH

MESSAGE NBR. 949 051986

LAKE COUNTY SHERIFFS OFFICE-POLSON MT

MIS AND CLARK SHERIFF-HELENA MT

CHUCK O'REILLY

AGENCY EMPLOYS 4 CIVILIAN JAILERS.

PAT KIRWAN: UNDERSHERIFF

JCE GELDRICH, SHERIFF, LAKE COUNTY, POLSON MT

FRS

MSG 114.

FROM J158

TE

0100.K16P.*PAT

MESSAGE NBR. 001

051986

MONSON COUNTY SHERIFF

ONE CIVILIAN JAILER

FOCUS

COUNTY SHERIFF

E. MT 59330

MSG 119.

FROM J16P

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2

DATE 6-18-86

BILL NO. 381

FOR J058
MT0510000.K218.*DANNA
TX MESSAGE NBR. 003 051986
TO LEWIS AND CLARK OFFICES
FROM TOOLE COUNTY SHERIFF OFFICE

REFERENCE TO EMPLOYED JAILORS:
WE EMPLOY TWO CIVILIAN JAILERS AT THIS TIME.

AUTH: VERN L ANDERSON, TOOLE COUNTY SHERIFF DMA 1055 MST

052 HRS

OUTPUT MSG 109.

FROM J248

FOR J058
MT0420000.K275.*LIZ
TX MESSAGE NBR. 139 3 051986
TO LAND SO SIDNEY MT
LEWIS AND CLARK SO HELENA MT

ATTN/CHUCK O'REILLY
YES WE EMPLOY 5 CIVILIAN JAILERS.
SUPER/MARVIN JOHNSON, UNDERSHERIFF
AUTH/HN GRINOLDS, SHERIFF

057 HRS

OUTPUT MSG 110.

FROM J275

FOR J058
MT0030000.J058.*MOLLIE
TX MESSAGE NBR. 001 051986
BLAINE COUNTY SHERIFFS DEPT. CHINOOK MT 051986
LEWIS AND CLARK SO. HELENA, MT
SPECIAL ATT: CHUCK O'REILLY

WE EMPLOY CIVILIAN JAILER. THERE ARE FIVE OF THEM
AUTH: GLENN HUESTIS, SHERIFF BLAINE COUNTY CHINOOK, MT ME 10:52 MDT

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2

DATE 6-18-86

BILL NO. 581

130100.J058.*393
MESSAGE NBR. 001 051986
COUNTY SHERIFFS OFFICE
AND CLARK COUNTY SHERIFFS OFFICE

EMPLOY 7 CIVILIAN JAILERS AT OUR DEPT.

ELAND GUNDLACH, SHERIFF BAKER, MT KS

RS

MSG 023. FROM J39P

58
00000.J22S.*PAT
MESSAGE NBR. 102 051986
SO

CHUCK O'REILLY

ADIN SHERIFF OFFICE EMPLOYS 5 FULL TIME JAILERS AND 2 PART TIME JAILER
ARE CIVILIAN

LIAM H JOY SHERIFF OPR PAT

MSG 133. FROM J22S

58

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2

DATE 6-18-86

BILL NO. 301

MT0210000.J058.*SMITH

XT MESSAGE NBR. 002

051986

LEWIS AND CLARK SHERIFF

HELENA.MT

5-19-86

OF JAILERS

E HAVE 4 FULL TIME AND 2 PART TIME CIVILIAN JAILERS EMPLOYED WITH OUR
DEPARTMENT.

UT: HOWARD C. TAYLOR, SHERIFF

HAVRE.MT

GS

1043

45 HRS

UT: MSG 105.

FROM J125

M. T02000000.J058.*CHAR

XT MESSAGE NBR. 001

051986

C/LEWIS AND CLARK COUNTY SHERIFF

ROM/GRANITE COUNTY SHERIFF'S OFFICE

E D EMPLOY CIVILIAN JAILERS FOR THIS DEPARTMENT. AT THE PRESENT TIME
E HAVE 5 EMPLOYEES.

UT: MARVIN W. DAGEL SHERIFF

011 HRS

UT: MSG 031.

FROM J465

STATE GOVERNMENT

2

6-18-86

ED WITH OUR

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2

DATE 6-18-86

BILL NO. SB1

21 HRS

OUTPUT MSG 126.

FROM J455

FD J058

AM.MT0470000.J058.*VDOO

XT MESSAGE NBR. 002 051986

OUT E SILVER BOW LEA

LEWIS & CLARK SHERIFF OFFICE

RE: CIVILIAN/UNIFORMED JAILERS

RE LEAVE 6 CIVILIAN JAILERS

OUT: R.BUTOROVICH, SHERIFF, BSBLEA

22 HRS

OUTPUT MSG 127.

FROM J01F

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2

DATE 6-18-86

BILL NO. SB1

Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	

10. The following table shows the number of people who have been convicted of a crime in the United States since 1970, by race and sex. The data are from the U.S. Department of Justice, Bureau of the Census, and the U.S. Department of Education, Office of Education Statistics.

Figure 1. Schematic representation of the experimental design. The subjects were divided into two groups: the control group (CG) and the experimental group (EG). The CG was divided into two subgroups: the control group (CG) and the control group (CG). The EG was divided into two subgroups: the experimental group (EG) and the experimental group (EG). The CG was divided into two subgroups: the control group (CG) and the control group (CG). The EG was divided into two subgroups: the experimental group (EG) and the experimental group (EG).

Genotype	Age (yr)	Sex	Height (cm)	Weight (kg)	BMI (kg/m ²)	SBP (mmHg)	DBP (mmHg)	HR (b/min)	ln C-peptide (pmol/mol)	ln HbA _{1c} (%)	ln FPG (mmol/L)	ln OGTT (mmol/L)	ln 2h OGTT (mmol/L)	ln 3h OGTT (mmol/L)	ln 4h OGTT (mmol/L)	ln 5h OGTT (mmol/L)	ln 6h OGTT (mmol/L)	ln 7h OGTT (mmol/L)	ln 8h OGTT (mmol/L)	ln 9h OGTT (mmol/L)	ln 10h OGTT (mmol/L)	ln 11h OGTT (mmol/L)	ln 12h OGTT (mmol/L)	
1	25	M	175	75	24.5	115	75	75	1.5	8.5	5.5	10.5	15.5	20.5	25.5	30.5	35.5	40.5	45.5	50.5	55.5	60.5	65.5	70.5
2	28	F	165	65	23.8	110	70	70	1.5	8.5	5.5	10.5	15.5	20.5	25.5	30.5	35.5	40.5	45.5	50.5	55.5	60.5	65.5	70.5
3	30	M	180	80	25.0	120	80	75	1.5	8.5	5.5	10.5	15.5	20.5	25.5	30.5	35.5	40.5	45.5	50.5	55.5	60.5	65.5	70.5
4	32	F	170	70	24.2	115	75	75	1.5	8.5	5.5	10.5	15.5	20.5	25.5	30.5	35.5	40.5	45.5	50.5	55.5	60.5	65.5	70.5
5	35	M	185	85	25.4	125	85	75	1.5	8.5	5.5	10.5	15.5	20.5	25.5	30.5	35.5	40.5	45.5	50.5	55.5	60.5	65.5	70.5
6	38	F	175	75	24.5	120	80	75	1.5	8.5	5.5	10.5	15.5	20.5	25.5	30.5	35.5	40.5	45.5	50.5	55.5	60.5	65.5	70.5
7	40	M	190	90	25.6	130	90	75	1.5	8.5	5.5	10.5	15.5	20.5	25.5	30.5	35.5	40.5	45.5	50.5	55.5	60.5	65.5	70.5
8	42	F	180	80	25.0	135	95	75	1.5	8.5	5.5	10.5	15.5	20.5	25.5	30.5	35.5	40.5	45.5	50.5	55.5	60.5	65.5	70.5
9	45	M	195	95	26.2	140	100	75	1.5	8.5	5.5	10.5	15.5	20.5	25.5	30.5	35.5	40.5	45.5	50.5	55.5	60.5	65.5	70.5
10	48	F	200	100	25.0	145	105	75	1.5	8.5	5.5	10.5	15.5	20.5	25.5	30.5	35.5	40.5	45.5	50.5	55.5	60.5	65.5	70.5
11	50	M	205	105	25.4	150	110	75	1.5	8.5	5.5	10.5	15.5	20.5	25.5	30.5	35.5	40.5	45.5	50.5	55.5	60.5	65.5	70.5
12	52	F	210	110	25.0	155	115	75	1.5	8.5	5.5	10.5	15.5	20.5	25.5	30.5	35.5	40.5	45.5	50.5	55.5	60.5	65.5	70.5
13	55	M	215	115	25.4	160	120	75	1.5	8.5	5.5	10.5	15.5	20.5	25.5	30.5	35.5	40.5	45.5	50.5	55.5	60.5	65.5	70.5
14	58	F	220	120	25.0	165	125	75	1.5	8.5	5.5	10.5	15.5	20.5	25.5	30.5	35.5	40.5	45.5	50.5	55.5	60.5	65.5	70.5
15	60	M	225	125	25.4	170	130	75	1.5	8.5	5.5	10.5	15.5	20.5	25.5	30.5	35.5	40.5	45.5	50.5	55.5	60.5	65.5	70.5
16	62	F	230	130	25.0	175	135	75	1.5	8.5	5.5	10.5	15.5	20.5	25.5	30.5	35.5	40						

Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains. The *Agrobacterium* strains were grown in YEA medium for 24 h at 28°C. The cell concentration was adjusted to 10⁸ cells/ml. The cells were then mixed with the plant tissue and incubated for 24 h at 28°C. The plant tissue was then cultured on the selective medium. The transformation efficiency was calculated as the number of transformants per 100 µg of plant tissue. The data are the mean ± SD of three independent experiments.

Figure 1. A schematic diagram of the experimental setup. The subject is seated in a chair, viewing a screen. The screen displays a target (a red dot) and a starting point (a black dot). The subject's hand is positioned at the starting point. The distance between the starting point and the target is labeled as 'Distance'. The subject is instructed to move their hand from the starting point to the target. The screen also displays a scale bar and a ruler.

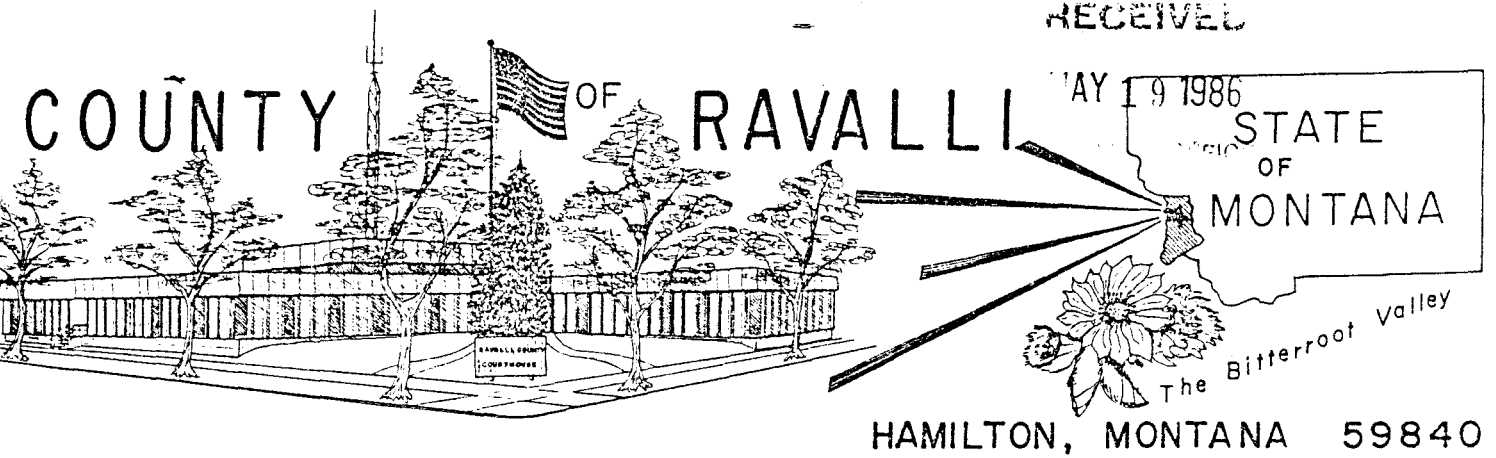
SENATE LOCAL GOVERNMENT

2

6-18-86

561

RECEIVED



May 15, 1986

Chuck O'Reilly, Sheriff
Past President, Montana Sheriffs & Peace Officers
Lewis & Clark County Courthouse
P.O. Box 1685
Helena, Montana 59601

Dear Chuck:

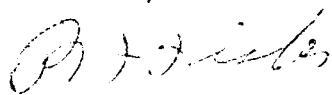
RE: Deputies as Jailers

Below is the information for Ravalli County if we had to conform with MCA 7-32-2123, and a recent Attorney General Opinion:

4 Jailers to Deputy 3rd Class	\$23,112.72
Employee Contributions at 20%	4,622.54
Vacation & Sick Replacements	4,133.14
Employee Contributions at 20%	826.63
Basic School at \$234.00 each	936.00
Travel to Basic	420.00
Replacements while at Basic	8,133.14
Employee Contributions at 20%	1,626.62
Uniforms-initial purchase-\$500 each	<u>2,000.00</u>
Total	\$45,810.79

Very truly yours,

DALE E. DYE, Sheriff "76" NA


By Ron F. Fisher, Undersheriff

RFF/ts

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2

DATE 6-18-86

RECEIVED

Valley County Sheriff's Department

MAY 15 1986

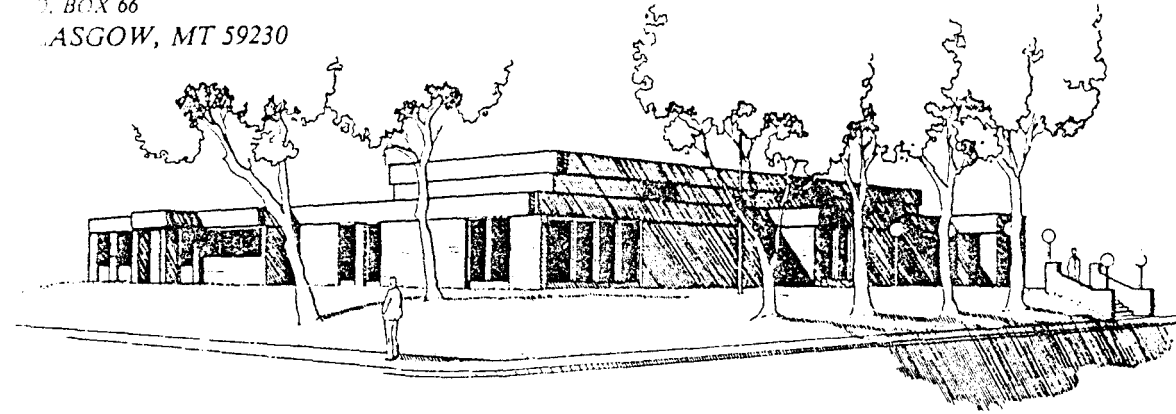
P.O. BOX 66

DASGOW, MT 59230

Daniel R. Taylor,
Sheriff

Clifton C. Cook,
Undersheriff

Telephone:
(406) 228-4333



Sir:

Additional costs to County to make 5 Civilian Jailer Positions
Deputy Sheriff's:

Jailers to Deputies	\$40,973.00
Longevity Payments	3,547.00
Employer Contribution	11,575.00
Presently have 4 jailers & part-time for	
All in--Law would not allow part-time Deputies.	

Overtime (increase in rate)	1,200.00
Employee contributions	312.00

Basic School (280.00)	1,400.00
Mileage to & from (153.72 @)	769.00
Replacements while at Basic (40 weeks)	13,663.00

Uniforms (\$500.00 @)	2,000.00
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Physical Exams (150.00 @)	750.00
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Employment background checks	
Salary of Deputy to do checks	2,000.00

Grand Total	\$78,189.00
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Present Jail Personnel Budget-----\$78,518.54

Daniel R. Taylor
Daniel R. Taylor, Sheriff

SENATE LOCAL GOVERNMENT
EXHIBIT NO. 2
DATE 6-18-86
BILL NO. SB1

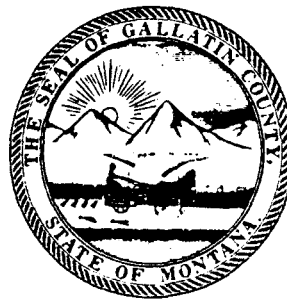
State of Montana

RECEIVED

MAY 22 1986

County of Gallatin

Bozeman



LAW AND JUSTICE CENTER
615 SOUTH SIXTEENTH
BOZEMAN, MONTANA 59715
(406)586-4971

Chuck O'Reilly, Sheriff
Past President
Sheriff's and Peace Officer's Association
Lewis and Clark County Sheriff's Department
Helena, MT 59601

Dear Sheriff O'Reilly:

Please find attached an estimate of costs to the Gallatin County Sheriff's Department if it becomes necessary for the jailers to become sworn deputy sheriff's. I feel that this proposal should be approached with great caution as it could cause a great financial strain for county governments. I feel that to most counties, the cost increases would be impossible to meet.

If I am able to be of further assistance, please do not hesitate to call upon me.

C. Ron Cutting

C. RON CUTTING, SHERIFF
GALLATIN COUNTY, MONTANA

CRC/sl

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2

DATE 6-18-86

FILE NO. SB1

Additional costs to Gallatin County to make 12 civilian jailer positions
deputy sheriff positions:

12 Jailers	\$ 86,400.
Longevity payments (none for first year)	
Employer Contributions	17,280.
Increase in vacation and sick pay	6,000.
Overtime increase	3,000..
Basic School	7,200.
Replacement while at basic school (there would be none)	
Uniforms	1,800.
Physical examinations	1,800.
Increase liability insurance	1,200.
Badges, brass etc	1,200.

Grand total \$ 125,880.

This is based on using the present personnel if they could qualify and pass all of the required testing, written, physical, etc. which is questionable. If we had to hire from the outside, the costs would be greater and there would be a question of liability to the present employees.

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2

DATE 6-18-86

BILL NO. SB2

AM.MT0440000.J058.*JH

TTT MESSAGE NBR. F9639 051986

ROSEBUD CO SO

LEWIS AND CLARK COUNTY SHERIFF

HEAD JAILER RON BROMLEY ADVISES HE EMPLOYES 4 CIVILIAN JAILERS

ARTH/ROBERT F. ASH SHERIFF

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2

DATE 6-18-86

BILL NO. SB1

STANDING COMMITTEE REPORT

June 18

1936

MR. PRESIDENT

LOCAL GOVERNMENT

We, your committee on

SENATE BILL

having had under consideration

No. 1

first

reading copy (white)
color

HOESWORN INDIVIDUALS AS JAILER

SENATE BILL

Respectfully report as follows: That

No. 1

DO PASS

DO NOT PASS

SENATOR DAVID FULLER,

Chairman.