

1 Senate BILL NO. 205
 2 INTRODUCED BY Shea

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTIONS
 5 25-605 AND 25-609.1, R.C.M. 1947, TO PROVIDE THAT THE COUNTY
 6 COMMISSIONERS SHALL FIX THE SALARIES OF JUSTICES OF THE
 7 PEACE ACCORDING TO THE STATUTORY SALARY SCHEDULE FOR CERTAIN
 8 COUNTY OFFICERS; AND TO REPEAL SECTION 93-413, R.C.M. 1947."

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

11 Section 1. Section 25-605, R.C.M. 1947, is amended to
 12 read as follows:

13 "25-605. Salaries of certain county officers. The
 14 salaries of county treasurers, clerk and recorder, clerk of
 15 the court, county attorneys, sheriffs, county
 16 superintendents of schools, justices of the peace, and of
 17 county surveyors in counties where county surveyors now
 18 receive salaries as provided in section 16-3302, shall be
 19 based on the population and taxable valuation of the county
 20 in accordance with the following schedule:

Population	Salary	Taxable Valuation	Salary
of County	Col. A	of County	Col. B
Below 3,000....	\$3,520	Below \$2,000,000.....	\$3,520
3,000 to 3,999..	\$3,620	\$2,000,000 to 2,999,999	\$3,620
4,000 to 4,999..	\$3,700	3,000,000 to 3,999,999	\$3,700

1	5,000 to 5,999..	\$3,780	4,000,000 to 4,999,999	\$3,780
2	6,000 to 6,999..	\$3,880	5,000,000 to 5,999,999	\$3,880
3	7,000 to 7,999..	\$4,130	6,000,000 to 6,999,999	\$4,130
4	8,000 to 8,999..	\$4,200	7,000,000 to 7,999,999	\$4,200
5	9,000 to 9,999..	\$4,300	8,000,000 to 9,999,999	\$4,300
6	10,000 to 12,499..	\$4,370	10,000,000 to 11,999,999	\$4,370
7	12,500 to 14,999..	\$4,460	12,000,000 to 13,999,999	\$4,460
8	15,000 to 17,499..	\$4,550	14,000,000 to 15,999,999	\$4,550
9	17,500 to 19,999..	\$4,630	16,000,000 to 17,999,999	\$4,630
10	20,000 to 24,999..	\$4,720	18,000,000 to 19,999,999	\$4,720
11	25,000 to 29,999..	\$4,800	20,000,000 to 22,499,999	\$4,800
12	30,000 to 39,999..	\$4,890	22,500,000 to 24,999,999	\$4,890
13	40,000 to 49,999..	\$5,010	25,000,000 to 29,999,999	\$5,010
14	50,000 to 59,999..	\$5,190	30,000,000 to 34,999,999	\$5,190
15	60,000 to 69,999..	\$5,370	35,000,000 to 39,999,999	\$5,370
16	70,000 to 79,999..	\$5,520	40,000,000 to 44,999,999	\$5,520
17	80,000 to 89,999..	\$5,690	45,000,000 to 49,999,999	\$5,690
18	90,000 to 99,999..	\$5,870	50,000,000 to 54,999,999	\$5,870
19	100,000 and over..	\$6,050	55,000,000 to 59,999,999	\$6,050
20			60,000,000 to 64,999,999	\$6,050
21			65,000,000 to 69,999,999	\$6,050
22			70,000,000 to 74,999,999	\$6,050
23			75,000,000 to 79,999,999	\$6,050
24			80,000,000 to 84,999,999	\$6,050
25			85,000,000 to 89,999,999	\$6,050

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1 90,000,000 to 94,999,999 \$6,050
 2 95,000,000 to 99,999,999 \$6,050
 3 100,000,000 and over.....\$6,050

4 The total salary paid to county treasurers, clerk and
 5 recorder, clerk of the court, county attorneys, sheriffs,
 6 justices of the peace, county superintendents of schools and
 7 county sheriffs, and county surveyors in counties where
 8 county surveyors receive salaries, as provided in section
 9 16-3302, shall be the sum of the salary shown in column A
 10 based on population when added to the salary shown in column
 11 B based on taxable valuation; provided, however, that county
 12 superintendent of schools shall receive, in addition to the
 13 salary based upon the totals of columns A and B above, the
 14 sum of four hundred dollars (\$400) per year and county
 15 sheriffs and county attorneys shall receive, in addition to
 16 the salary based upon the totals of columns A and B above,
 17 the sum of one thousand two hundred dollars (\$1,200) per
 18 year. Notwithstanding the above, in each county with a
 19 population in excess of thirty thousand (30,000) the county
 20 attorney shall receive a salary of sixteen thousand dollars
 21 (\$16,000) per year."

22 Section 2. Section 25-609.1, R.C.M. 1947, is amended
 23 to read as follows:

24 "25-609.1. Commissioners to fix salaries according to
 25 salary schedule. The county commissioners shall, by

1 resolution on or before July 1 of each year, fix the
 2 salaries of the county treasurer, county clerk, county
 3 assessor, county school superintendent, county sheriff,
 4 county attorney, clerk of the district court, and justices
 5 of the peace for the following fiscal year in conformity
 6 with the appropriate statutory salary schedule pertaining to
 7 each office. The salary schedule used for each office shall
 8 be the statutory schedule in effect on the first day of the
 9 following fiscal year."

10 Section 3. Section 93-413, R.C.M. 1947, is repealed.

-End-

STATE OF MONTANA

REQUEST NO. 91-75

FISCAL NOTE

Form BD-15

In compliance with a written request received January 24, 19 75, there is hereby submitted a Fiscal Note for Senate Bill 205 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to provide that the county commissioners shall fix the salaries of justices of the peace according to the statutory schedule for certain county officers.

ASSUMPTIONS:

1. The number of justices of the peace was 154 in January, 1974. This number will remain constant through the 1976-77 biennium.
2. There is no impact on state expenditures under proposed law.
3. Population figures from 1970 and taxable valuation figures from 1974 were used to compute salaries under proposed law.

LOCAL IMPACT:

Total salaries for 154 justices of the peace under the proposed law would be an estimated \$1,369,000. The current law (repealed under proposed law) provides that justices of the peace will receive a monthly salary not less than 1/18 of total fees if on a fee basis or not less than the highest salary earned for 1971 and 1972. Since the current salaries of all justices of the peace cannot be determined in the time allowed, no estimate can be made for the increase in costs under the proposed law. The impact on any one county will depend on the number of J.P.s and their current salaries. The number of J.P.s ranges from one in eight of the counties to nine in Lake County.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: January 29, 1975