

1 H BILL NO. HB4
 2 INTRODUCED BY Hoyer By REQUEST OF CRIMINAL JUSTICE
 3 BOARD
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH A
 5 FULL-TIME BOARD OF PARDONS; TO PROVIDE FOR THE TRANSITION
 6 FROM THE OLD TO THE NEW BOARD; TO PROVIDE INITIAL AND
 7 CONTINUING TRAINING REQUIREMENTS FOR BOARD MEMBERS; AND TO
 8 PROVIDE THAT BOARD MEMBERS ARE SUBJECT TO THE COMPENSATION
 9 AND CLASSIFICATION PROVISIONS OF TITLE 59 RELATING TO
 10 EXECUTIVE OFFICERS; AMENDING SECTION 59-904, R.C.M. 1947."
 11
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 13 Section 1. Transition from old to new board. The terms
 14 of office of the existing members of the board of pardons
 15 expire on the effective date of this act or when the first
 16 appointees under this act begin their terms. The first
 17 appointees under this act shall serve shortened terms, as if
 18 they were filling vacancies.
 19 Section 2. Board to be full time. Each member of the
 20 board shall devote his full time to the duties of the board.
 21 Section 3. Orientation and continuing training of
 22 members. (1) New members of the board shall have a thorough
 23 understanding of the board's functions, policies, processes,
 24 and activities before participating as board members. To
 25 insure that all new members meet these requirements, the

1 board shall adopt an orientation plan to assist and enable
 2 new members to meet them.
 3 (2) The board shall require its members to participate
 4 in continuing training on a local and national scale.
 5 (3) Funding for the orientation and the subsequent
 6 training shall be provided by the department of
 7 institutions.
 8 Section 4. Salary and expenses of members. The members
 9 of the board are subject to the provisions of Title 59
 10 regarding the compensation and classification of executive
 11 officers.
 12 Section 5. Section 59-904, R.C.M. 1947, is amended to
 13 read as follows:
 14 "59-904. Officers and employees excepted from
 15 provisions of act. This act does not apply to the following
 16 positions in state government:
 17 (1) elected officials and their chief deputy and
 18 executive secretary;
 19 (2) officers and employees of the legislative branch;
 20 (3) judges and employees of the judicial branch;
 21 (4) members of boards and commissions appointed by the
 22 governor, appointed by the legislature, or appointed by
 23 other elected state officials, except members of the board
 24 of pardons;
 25 (5) officers or members of the militia;

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- 1 (6) agency heads appointed by the governor;
2 (7) academic and professional administrative personnel
3 with individual contracts under the authority of the board
4 of regents of higher education;
5 (8) academic and professional administrative personnel
6 who have entered into individual contracts with the state
7 school for the deaf and blind under the authority of the
8 state board of public education;
9 (9) personal staff of the elected officials enumerated
10 in Article VI, section 1, of the constitution of Montana are
11 exempt from sections 59-909, 59-910, and 59-911 of this act,
12 and section 82A-1014."

-End-

STATE OF MONTANA

REQUEST NO. 215-77

FISCAL NOTE

Form BD-15

In compliance with a written request received January 26, 19 77, there is hereby submitted a Fiscal Note for House Bill 464 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 establish a full-time Board of Pardons; to provide for the transition from the old to the new board; to provide initial and continuing training requirements for board members; and to provide that board members are subject to the compensation and classification provisions of Title 59 relating to executive officers.

ASSUMPTIONS:

1. Section 5 intends that the board members will be subject to the wage and classification plan.
2. The board members would be classified at Grade 20.
3. Support staff for the Board would consist of two secretaries.
4. Operational expenses including travel would be comparable to the level recommended for the State Tax Appeals Board (a three member full-time board) in the Executive Budget.
5. The effective date of the proposed law would be July 1, 1977.

FISCAL IMPACT:

	<u>FY 78</u>	<u>FY 79</u>
Estimated cost of full-time Board of Pardons as proposed		
Personal Services	\$104,451	\$109,024
Operating expenses	87,339	97,498
Equipment	<u>1,500</u>	<u>1,500</u>
Total estimated cost of proposed full-time Board	193,290	208,022
Less: Current budget as recommended in Executive Budget	<u>69,257</u>	<u>70,542</u>
Additional cost of proposed legislation	<u>\$124,033</u>	<u>\$137,480</u>

Richard L. Drayton
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-1-77