

1 *Senate* BILL NO. 71
 2 INTRODUCED BY Senate State Administration Committee by request
 3 *Don Cox, chm.*

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS
 5 23-4785, 25-501, AND 93-303, R.C.M. 1947, RELATING TO
 6 SALARIES OF CERTAIN STATE OFFICIALS."

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 23-4785, R.C.M. 1947, is amended to
 10 read as follows:

11 *23-4785. Commissioner — how appointed,
 12 qualifications, and offices. (1) There is ~~hereby created the~~
 13 ~~position of~~ a commissioner of campaign finances and
 14 practices, who ~~shall be~~ is appointed by a majority of a
 15 four- ~~(4)~~ member selection committee which ~~shall be~~ is
 16 comprised of the speaker of the house, the president of the
 17 senate, and the minority floor leaders of both houses of the
 18 ~~Montana~~ legislature. However, if a majority of the members
 19 of the selection committee cannot agree upon the selection
 20 of a commissioner within ~~thirty (30)~~ days after ~~the passage~~
 21 ~~and approval of this act~~ a vacancy occurs, the Montana
 22 supreme court shall appoint a fifth public member to the
 23 selection committee. The majority of the five ~~(5)~~ members
 24 of the selection committee shall then select the
 25 commissioner.

1 (2) The individual selected to serve as the
 2 commissioner of campaign finances and practices ~~shall be~~ is
 3 appointed for a ~~five (5) year~~ 5-year term, but he ~~shall~~ is
 4 thereafter be ineligible to serve as the commissioner of
 5 campaign finances and practices and ~~shall be~~ is precluded
 6 from being a candidate for public office as defined in this
 7 act for a period of ~~five (5)~~ years from the time that his
 8 term as commissioner expires.

9 (3) If for any reason a vacancy ~~should occur~~ occurs in
 10 the position of commissioner, a successor shall be appointed
 11 within ~~thirty (30)~~ days as provided in subsection (1) to
 12 serve out the unexpired term. An individual who is selected
 13 to serve out the unexpired term of a preceding commissioner
 14 ~~shall be~~ is entitled to be reappointed for a ~~five (5) year~~
 15 5-year term as provided in subsection (1).

16 (4) The commissioner may be removed from office by
 17 impeachment as provided in ~~sections~~ 95-2801 and 95-2802,
 18 ~~R.C.M. 1947~~. He may also be prosecuted by the appropriate
 19 county attorney for official misconduct as specified in
 20 ~~section~~ 94-7-401, ~~R.C.M. 1947~~.

21 (5) The commissioner of campaign finances and
 22 practices ~~shall receive~~ is entitled to receive an annual
 23 salary of ~~twenty-one thousand dollars (\$21,000) and \$22,500.~~
 24 ~~the~~ The salary commission may recommend salary increases to
 25 the legislature.

INTRODUCED BILL

1 (6) The office of the commissioner shall be attached
 2 to the office of the secretary of state for administrative
 3 purposes only as specified in ~~section~~ 82A-108, except that
 4 the provisions of subsections (1) (b), (1) (c), (2) (a),
 5 (2) (b), (2) (d), (2) (e), and (3) (a) of ~~section~~ 82A-108,
 6 ~~R.C.M. 1947~~, do not apply."

7 Section 2. Section 25-501, R.C.M. 1947, is amended to
 8 read as follows:

9 "25-501. Salaries of certain elected state officials.
 10 The annual salaries paid to certain elected officials of the
 11 state of Montana ~~shall be as follows are:~~

12	Governor.....	\$20,000	<u>42,500</u>
13	Lieutenant governor.....	\$20,500	<u>30,000</u>
14	Chief justice of the supreme court.....	\$28,000	<u>42,000</u>
15	Justices of the supreme court, each.....	\$27,000	<u>41,500</u>
16	Attorney general.....	\$25,000	<u>40,000</u>
17	State auditor.....	\$18,000	<u>25,000</u>
18	Superintendent of public instruction.....	\$20,000	<u>38,000</u>
19	Public service commissioners.....	\$18,000	<u>25,000</u>
20	State treasurer.....	\$18,000	
21	Secretary of state.....	\$18,000	<u>25,000</u>
22	Clerk of the supreme court.....	\$14,000	<u>25,000</u> "

23 Section 3. Section 93-303, R.C.M. 1947, is amended to
 24 read as follows:

25 "93-303. Salaries of district judges. The annual

1 salary of each district judge ~~shall be twenty-five thousand~~
 2 ~~dollars (\$25,000)~~ is \$40,000."

-End-

STATE OF MONTANA

REQUEST NO. 53-77

FISCAL NOTE

Form BD-15

In compliance with a written request received January 11, 19 77, there is hereby submitted a Fiscal Note for Senate Bill 71 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:

This bill will increase the salaries of certain elected officials and the Commissioner of Campaign Finances and Practices.

ASSUMPTIONS:

1. The proposed salary schedule will be effective on July 1, 1977.
2. The number of elected officials will remain the same as in FY 77.

FISCAL IMPACT:

	<u>FY 78</u>	<u>FY 79</u>	<u>TOTAL</u>
Proposed Law	\$1,701,000	\$1,701,000	\$3,402,000
Present Law	<u>1,092,500</u>	<u>1,092,500</u>	<u>2,185,000</u>
Biennium Increase:	<u>\$ 608,500</u>	<u>\$ 608,500</u>	<u>\$1,217,000</u>

Richard L. ...
BUDGET DIRECTOR
Office of Budget and Program Planning

Date: 1-11-77

STATE OF MONTANA

REQUEST NO. 53-77

FISCAL NOTE

(Amended)

Form BD-15

In compliance with a written request received March 16, 19 77, there is hereby submitted a Fiscal Note for Amended Senate Bill 71 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 relating to salaries of certain state officials.

ASSUMPTIONS:

1. The number of elected officials will remain the same in the 1979 biennium as in FY 77.
2. Employee benefits for the applicable elected officials is 12% of salaries.

FISCAL IMPACT:

Salaries per year under proposed law	\$1,525,500
Less: Salaries per year under current law	<u>1,092,500</u>
Total salary increase	433,000
Add: Benefits	<u>51,960</u>
Total additional cost of proposed legislation per year	<u>\$ 484,960</u>

Richard L. Drayton
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 3-18-77

Approved by Committee
on State Administration

SENATE BILL NO. 71
INTRODUCED BY REQUEST OF
SENATE STATE ADMINISTRATION COMMITTEE
TOM TOWE, CHAIRMAN

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS
23-4785, 25-501, AND 93-303, R.C.M. 1947, RELATING TO
SALARIES OF CERTAIN STATE OFFICIALS."

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

Section 1. Section 23-4785, R.C.M. 1947, is amended to
read as follows:

"23-4785. Commissioner — how appointed,
qualifications, and offices. (1) There is ~~hereby created the~~
~~position of~~ a commissioner of campaign finances and
practices, who ~~shall be~~ is appointed by a majority of a
four- ~~(4)~~ member selection committee which ~~shall be~~ is
comprised of the speaker of the house, the president of the
senate, and the minority floor leaders of both houses of the
Montana legislature. However, if a majority of the members
of the selection committee cannot agree upon the selection
of a commissioner within ~~thirty (30)~~ days after ~~the passage~~
~~and approval of this act~~ a VACANCY OCCURS, the Montana
supreme court shall appoint a fifth public member to the
selection committee. The majority of the five ~~(5)~~ members

of the selection committee shall then select the
commissioner.

(2) The individual selected to serve as the
commissioner of campaign finances and practices ~~shall be~~ is
appointed for a ~~five (5) year~~ 5-year term, but he ~~shall~~ is
thereafter ~~be~~ ineligible to serve as the commissioner of
campaign finances and practices and ~~shall be~~ is precluded
from being a candidate for public office as defined in this
act for a period of ~~five (5)~~ years from the time that his
term as commissioner expires.

(3) If for any reason a vacancy ~~should occur~~ occurs in
the position of commissioner, a successor shall be appointed
within ~~thirty (30)~~ days as provided in subsection (1) to
serve out the unexpired term. An individual who is selected
to serve out the unexpired term of a preceding commissioner
~~shall be~~ is entitled to be reappointed for a ~~five (5) year~~
5-year term as provided in subsection (1).

(4) The commissioner may be removed from office by
impeachment as provided in ~~sections~~ 95-2801 and 95-2802,
~~R.C.M. 1947~~. He may also be prosecuted by the appropriate
county attorney for official misconduct as specified in
~~section 94-7-001, R.C.M. 1947~~.

(5) The commissioner of campaign finances and
practices ~~shall receive~~ is entitled to receive an annual
salary of ~~twenty-one thousand dollars (\$21,000) and \$22,500~~

1 ~~\$21,000, the~~ The salary commission may recommend salary
2 increases to the legislature.

3 (6) The office of the commissioner shall be attached
4 to the office of the secretary of state for administrative
5 purposes only as specified in ~~section~~ 82A-108, except that
6 the provisions of subsections (1) (b), (1) (c), (2) (a),
7 (2) (b), (2) (d), (2) (e), and (3) (a) of ~~section~~ 82A-108,
8 ~~R.C.M. 1947,~~ do not apply."

9 Section 2. Section 25-501, R.C.M. 1947, is amended to
10 read as follows:

11 "25-501. Salaries of certain elected state officials.
12 The annual salaries paid to certain elected officials of the
13 state of Montana ~~shall be as follows are:~~

14	Governor.....	\$30,000	42,500	<u>35,000</u>
15	Lieutenant governor.....	\$20,500	30,000	<u>30,000</u>
16	Chief justice of the supreme court	\$28,000	42,000	<u>40,000</u>
17	Justices of the supreme court, each.....			
18	.....	\$27,000	41,500	<u>39,000</u>
19	Attorney general.....	\$25,000	40,000	<u>32,500</u>
20	State auditor.....	\$18,000	25,000	<u>25,000</u>
21	Superintendent of public instruction.....			
22	.....	\$20,000	38,000	<u>30,000</u>
23	Public service commissioners.....	\$18,000	25,000	<u>25,000</u>
24	State treasurer.....	\$18,000	25,000	<u>25,000</u>
25	Secretary of state.....	\$18,000	25,000	<u>25,000</u>

1 Clerk of the supreme court.....~~\$14,000~~ ~~25,000~~ 19,500"

2 Section 3. Section 93-303, R.C.M. 1947, is amended to
3 read as follows:

4 "93-303. Salaries of district judges. The annual
5 salary of each district judge ~~shall be twenty-five thousand~~
6 ~~dollars (\$25,000)~~ is \$40,000 35,000."

-End-

1 SENATE BILL NO. 71

2 INTRODUCED BY REQUEST OF

3 SENATE STATE ADMINISTRATION COMMITTEE

4 TOM TOWE, CHAIRMAN

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS
7 23-4785, 25-501, AND 93-303, R.C.M. 1947, RELATING TO
8 SALARIES OF CERTAIN STATE OFFICIALS."

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11 Section 1. Section 23-4785, R.C.M. 1947, is amended to
12 read as follows:

13 "23-4785. Commissioner -- how appointed,
14 qualifications, and offices. (1) There is hereby ~~created the~~
15 ~~position of~~ a commissioner of campaign finances and
16 practices, who ~~shall be~~ is appointed by a majority of a
17 four ~~(4)~~ member selection committee which ~~shall be~~ is
18 comprised of the speaker of the house, the president of the
19 senate, and the minority floor leaders of both houses of the
20 Montana legislature. However, if a majority of the members
21 of the selection committee cannot agree upon the selection
22 of a commissioner within ~~thirty (30)~~ days after the ~~passage~~
23 ~~and approval of this act~~ a vacancy occurs, the Montana
24 supreme court shall appoint a fifth public member to the
25 selection committee. The majority of the five ~~(5)~~ members

1 of the selection committee shall then select the
2 commissioner.

3 (2) The individual selected to serve as the
4 commissioner of campaign finances and practices ~~shall be~~ is
5 appointed for a ~~five (5)-year~~ 2-year term, but he ~~shall~~ is
6 thereafter be ineligible to serve as the commissioner of
7 campaign finances and practices and ~~shall be~~ is precluded
8 from being a candidate for public office as defined in this
9 act for a period of ~~five (5)~~ years from the time that his
10 term as commissioner expires.

11 (3) If for any reason a vacancy ~~should occur~~ occurs in
12 the position of commissioner, a successor shall be appointed
13 within ~~thirty (30)~~ days as provided in subsection (1) to
14 serve out the unexpired term. An individual who is selected
15 to serve out the unexpired term of a preceding commissioner
16 ~~shall be~~ is entitled to be reappointed for a ~~five (5)-year~~
17 2-year term as provided in subsection (1).

18 (4) The commissioner may be removed from office by
19 impeachment as provided in ~~sections~~ 95-2801 and 95-2802,
20 R.C.M. 1947. He may also be prosecuted by the appropriate
21 county attorney for official misconduct as specified in
22 ~~section~~ 94-7-401, R.C.M. 1947.

23 (5) The commissioner of campaign finances and
24 practices ~~shall receive~~ is entitled to receive an annual
25 salary of ~~twenty-one thousand dollars (\$21,000)~~ and \$27,500

1 ~~\$21,000,~~ the ~~Ih~~ salary commission may recommend salary
2 increases to the legislature.

3 (5) The office of the commissioner shall be attached
4 to the office of the secretary of state for administrative
5 purposes only as specified in section 82A-108, except that
6 the provisions of subsections (1)(b), (1)(c), (2)(a),
7 (2)(b), (2)(d), (2)(e), and (3)(a) of section 82A-108,
8 ~~Revised-1947,~~ do not apply."

9 Section 2. Section 25-501, R.C.M. 1947, is amended to
10 read as follows:

11 "25-501. Salaries of certain elected state officials.
12 The annual salaries paid to certain elected officials of the
13 state of Montana shall be as follows are:

14	Governor.....	\$30,000	42,500	35,000	<u>41,000</u>
15	Lieutenant governor.....	\$20,500			<u>30,000</u>
16	Chief justice of the supreme court.....				
17	.....	\$20,000	42,000	40,000	
18					<u>39,500</u>
19	Justices of the supreme court, each.....				
20	.....	\$27,000	41,500	39,000	<u>38,500</u>
21	Attorney general.....				
22	.....	\$25,000	40,000	32,500	37,500
23	State auditor.....	\$10,000			<u>25,000</u>
24	Superintendent of public instruction.....				
25	.....	\$20,000	38,000	30,000	<u>30,000</u>

1 Public service commissioners.....~~\$10,000~~ 25,000
2 State-treasurer.....~~\$10,000~~
3 Secretary of state.....~~\$10,000~~ 25,000
4 Clerk of the supreme court~~\$14,000~~ 25,000 ~~12,500~~ 20,000"
5 Section 3. Section 93-303, R.C.M. 1947, is amended to
6 read as follows:
7 "93-303. Salaries of district judges. The annual
8 salary of each district judge shall be twenty-five thousand
9 dollars-~~(25,000)~~ is 10,000 25,000."

-End-

HOUSE COMMITTEE ON STATE ADMINISTRATION AMENDMENTS TO SENATE BILL No. 71

1. Amend page 3, section 2, line 14.

Following: "~~35,000~~"

Strike: "41,000"

Insert: "35,000"

2. Amend page 3, section 2, line 15.

Following: "~~20,500~~"

Strike: "30,000"

Insert: "25,000"

3. Amend page 3, section 2, line 18.

Following: line 17

Strike: "39,500"

Insert: "36,000"

4. Amend page 3, section 2, line 20.

Following: "~~39,000~~"

Strike: "38,500"

Insert: "35,000"

5. Amend page 3, section 2, line 22.

Following: "~~32,500~~"

Strike: "35,000"

Insert: "32,500"

6. Amend page 3, section 2, line 23.

Following: "~~18,000~~"

Strike: "25,000"

Insert: "22,500"

7. Amend page 3, section 2, line 25.

Following: "~~38,000~~"

Strike: "30,000"

Insert: "27,500"

8. Amend page 4, section 2, line 1.

Following: "~~18,000~~"

Strike: "25,000"

Insert: "22,500"

9. Amend page 4, section 2, line 3.

Following: "18,000"

Strike: "25,000"

Insert: "22,500"

10. Amend page 4, section 3, line 9.

Following: "~~40,000~~"

Strike: "35,000"

Insert: "32,500"

AS AMENDED

BE CONCURRED IN

APRIL 5, 1977

Committee of the Whole Amendments to SENATE BILL NO. 71, third reading copy, as follows:

1. Amend amendment no. 3.

Strike: "36,000"

Insert: "37,000"

2. Amend amendment no. 4.

Strike: "35,000"

Insert: "36,000"

3. Amend amendment no. 10.

Strike: "32,500"

Insert: "35,000"

AS AMENDED BE
CONCURRED IN

HOUSE OF REPRESENTATIVES

April 5, 1977

COMMITTEE OF THE WHOLE amendment to HOUSE COMMITTEE ON STATE ADMINISTRATION amendments to SENATE BILL NO. 71, as follows:

1. Amend amendment no. 8.
Strike: "22,500"
Insert: "25,000"

AS AMENDED BE CONCURRED IN

1 SENATE BILL NO. 71

2 INTRODUCED BY REQUEST OF

3 SENATE STATE ADMINISTRATION COMMITTEE

4 TOM TONE, CHAIRMAN

5
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17 ~~four-~~ (4) member selection committee which ~~shall be is~~
18 comprised of the speaker of the house, the president of the
19 senate, and the minority floor leaders of both houses of the
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19 impeachment as provided in ~~sections~~ 95-2801 and 95-2802,
20 ~~R.C.M.--1947~~. He may also be prosecuted by the appropriate
21 county attorney for official misconduct as specified in
22 ~~section 94-7-401, R.C.M.-1947~~.

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24 practices ~~shall receive is entitled to receive~~ an annual
25 salary of ~~twenty-one thousand dollars-(21,000)-and~~ \$22,500

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15	Lieutenant governor.....	\$20,500	30,000	25,000	28,000	25,000
16	Chief justice of the supreme court	\$20,000	42,000	40,000	40,000	37,000
17		39,500	36,000	37,000		
18	Justices of the supreme court, each.....					
19	.....	\$27,000	41,500	39,000	30,500	35,000 36,000
20	Attorney general.....					
21	.....	\$25,000	40,000	32,500	37,500	32,500 35,000 32,500
22	State auditor.....	\$10,000	25,000	22,500	22,500	22,500
23	Superintendent of public instruction.....					
24	.....	\$20,000	30,000	30,000	30,000	27,500
25	Public service commissioners.....	\$10,000	25,000	22,500	22,500	

1 25,000

2 State-treasurer.....~~\$18,000~~

3 Secretary of state.....~~\$18,000~~ ~~25,000~~ 22,500

4 Clerk of the supreme court~~\$14,000~~ ~~25,000~~ ~~19,500~~ 20,000"

5 Section 3. Section 93-303, R.C.M. 1947, is amended to
6 read as follows:

7 "93-303. Salaries of district judges. The annual
8 salary of each district judge ~~shall be twenty-five thousand~~
9 ~~dollars~~ ~~(25,000)~~ ~~is~~ ~~14,000~~ ~~35,000~~ ~~32,500~~ 35,000."

-End-