

1 *Senate* BILL NO. 330
 2 INTRODUCED BY *Murray Lou*
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
 5 82A-1016, R.C.M. 1947, REGARDING THE CREATION OF THE OFFICE
 6 OF AND APPOINTMENT OF WORKERS' COMPENSATION JUDGE."

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

9 Section 1. Section 82A-1016, R.C.M. 1947, is amended
 10 to read as follows:

11 "82A-1016. Creation of office of workers' compensation
 12 judge -- allocation. (1) There is created the office of
 13 workers' compensation judge. The office is allocated to the
 14 department of administration for administrative purposes
 15 only as prescribed in section 82A-108, R.C.M. 1947.

16 (2) The governor shall appoint the workers'
 17 compensation judge, subject to the confirmation of the
 18 senate, for a term of six (6) years ~~in the same manner~~
 19 ~~provided by section 93-705 through 93-717, R.C.M. 1947~~ for
 20 ~~the appointment of supreme or district court judges and~~
 21 until his successor is appointed and confirmed. A vacancy
 22 shall be filled in the same manner as the original
 23 appointment.

24 (3) To be eligible for workers' compensation judge, a
 25 person must:

1 ~~(a) have the qualifications necessary for district~~
 2 ~~court judges found in Article VII, section 9 of the Montana~~
 3 ~~constitution;~~

4 ~~(b) devote full time to the duties of workers'~~
 5 ~~compensation judge and not engage in the private practice of~~
 6 ~~law.~~

7 (4) The workers' compensation judge is entitled to the
 8 ~~same salary and other emoluments as that of a district judge~~
 9 ~~but shall be accorded retirement benefits under the public~~
 10 ~~employees' retirement system as the administrator of the~~
 11 workers' compensation division."

12 Section 2. Effective date. This act is effective upon
 13 passage and approval.

-End-

STATE OF MONTANA

REQUEST NO. 295-77

FISCAL NOTE

Form BD-15

In compliance with a written request received January 31, 19 77, there is hereby submitted a Fiscal Note for Senate Bill 330 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:

Senate Bill 330 regards the appointment of the Workers' Compensation Judge and authorizes the same salary level for the position as that of the Administrator of the Workers' Compensation Division.

ASSUMPTIONS:

1. Incumbent will be paid the rate of Grade 20, Step 2 in FY 78 and Grade 20, Step 3 in FY 79. This is in accordance with the provisions in this bill.
2. The salary of a District Judge will remain at \$25,000 a year.
3. There will be no increase in the salary of District Court Judges.

FISCAL IMPACT:

	<u>FY 78</u>	<u>FY 79</u>
Additional cost of proposed legislation	<u>\$347</u>	<u>\$719</u>

Carolyn Dearing for
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: February 4, 1977