

SENATE BILL 206

IN THE SENATE

January 23, 1979	Introduced and referred to Committee on Local Government.
February 19, 1979	Committee recommend bill, do not pass.  On motion, Senate reconsider its action taken on Adverse Committee report and order printed and placed on second reading. Motion adopted.
February 20, 1979	Printed and placed on members' desks.
February 21, 1979	Second reading, as amended.
February 22, 1979	Considered correctly engrossed.
February 23, 1979	Third reading, not passed.

1 *Senate* BILL NO. *206*  
 2 INTRODUCED BY *Byrd McCallum J. Braun*  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE METHOD OF  
 5 ESTABLISHING SALARIES FOR COUNTY ELECTED OFFICIALS AND OTHER  
 6 COUNTY EMPLOYEES; PROVIDING FOR CERTAIN CONDITIONS; AMENDING  
 7 SECTIONS 7-4-2108, 7-14-2610, AND 7-32-104, MCA; AND  
 8 REPEALING SECTIONS 7-4-2107 AND 7-4-2503 THROUGH 7-4-2505,  
 9 MCA."

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

12 NEW SECTION. Section 1. County governing body to set  
 13 salaries -- increases to be uniform. (1) The governing body  
 14 of a county must establish the salary of each elected county  
 15 official and other county employees annually by adopting a  
 16 resolution. This resolution must be adopted no later than  
 17 March 31.

18 (2) The salaries established as provided in subsection  
 19 (1) are effective July 1 of each year.

20 (3) The salary of an elected official or any other  
 21 county employee may not be reduced from the level of  
 22 compensation authorized for that position on [the effective  
 23 date of this act] and may be increased subject to the  
 24 requirements of subsection (4).

25 (4) If the governing body decides to raise the

1 salaries of county elected officials and employees, the  
 2 governing body must set the salaries of all county officers  
 3 and employees using the same factor for all county salaries  
 4 in a uniform manner that will insure that the relative  
 5 relationship between and among salaries remains the same as  
 6 the level of compensation authorized on [the effective date  
 7 of this act]. The ratio of the current salaries, one to  
 8 another, must remain the same as the ratio of the salaries  
 9 prior to the increase authorized by the governing body.

10 NEW SECTION. Section 2. Public hearing and notice  
 11 required. Before the governing body may establish salaries  
 12 for county elected officials and employees, the governing  
 13 body must hold a public hearing. Notice of the purpose of  
 14 the public hearing must be published in a newspaper of  
 15 general circulation in the county at least once a week for  
 16 the 2 successive weeks before the public hearing.

17 Section 3. Section 7-4-2108, MCA, is amended to read:  
 18 "7-4-2108. Mileage allowance for county commissioners.  
 19 (1) In addition to the salary provided by ~~7-4-2107(1)~~  
 20 [section 1], each member of the board of county  
 21 commissioners in counties of the first, second, third, and  
 22 fourth class shall receive a mileage allowance as provided  
 23 in 2-18-503 for the distance necessarily traveled in going  
 24 to and returning from the county seat and his place of  
 25 residence, each day that such trip is actually made and

1 while engaged in the performance of his official duties.

2 (2) Each member of the board in all other counties is  
3 entitled to a mileage allowance as provided in 2-18-503 for  
4 the distance necessarily traveled in going to and returning  
5 from the county seat and his place of residence each day  
6 that such trip is actually made. Any county commissioner  
7 whose place of residence is 50 miles or more from the county  
8 seat, as measured by the usual route of travel, may elect to  
9 receive mileage as provided in this section or a sum of \$10  
10 per day as expenses in lieu of mileage for each day's  
11 attendance on sessions of the board while engaged in the  
12 performance of his official duties, and no other  
13 compensation must be allowed.

14 (3) This section does not apply to counties that have  
15 adopted charter form of government."

16 Section 4. Section 7-14-2610, MCA, is amended to read:

17 "7-14-2610. Payment of damages and expenses. All  
18 awards of damages estimated by the board or made by the  
19 proper court and all expenses ~~including those of the~~  
20 ~~members of the board and their per diem authorized by~~  
21 ~~7-4-2107 and 7-4-2108,~~ shall be paid out of the county road  
22 fund on the order of the board."

23 Section 5. Section 7-32-104, MCA, is amended to read:

24 "7-32-104. Salaries. The provisions ~~of 7-4-2503~~  
25 ~~notwithstanding,~~ the salaries of the director and employees

1 of the department of public safety shall be established by  
2 the public safety commission ~~and in a municipality or by the~~  
3 ~~governing body of a county as provided in [sections 1 and~~  
4 ~~2]. These salaries shall be paid by the city or town with~~  
5 ~~the board of county commissioners. Said salaries in any~~  
6 ~~event shall not be less than those specified in 7-4-2503 the~~  
7 ~~county."~~

8 Section 6. Repealer. Sections 7-4-2107 and 7-4-2503  
9 through 7-4-2505, MCA, are repealed.

10 Section 7. Codification. Sections 1 and 2 are intended  
11 to be codified as an integral part of Title 7, chapter 4,  
12 and the provisions contained in Title 7 apply to sections 1  
13 and 2.

-End-

Local Government  
 Reconsider  
 Adverse Comm. Report.

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 21 county employee may not be reduced from the level of  
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 23 date of this act] and may be increased subject to the  
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25 (4) If the governing body decides to raise the

1 salaries of county elected officials and employees, the  
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 20 [section 1], each member of the board of county  
 21 commissioners in counties of the first, second, third, and  
 22 fourth class shall receive a mileage allowance as provided  
 23 in 2-18-503 for the distance necessarily traveled in going  
 24 to and returning from the county seat and his place of  
 25 residence, each day that such trip is actually made and

1 while engaged in the performance of his official duties.

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17 "7-14-2610. Payment of damages and expenses. All  
18 awards of damages estimated by the board or made by the  
19 proper court and all expenses--including--those--of--the  
20 members-of-the--board--and--their--per--dies--authorized--by  
21 7-4-2187--and--7-4-2188, shall be paid out of the county road  
22 fund on the order of the board."

23 Section 5. Section 7-32-104, MCA, is amended to read:  
24 "7-32-104. Salaries. The provisions---of--7-4-2583  
25 notwithstanding the salaries of the director and employees

1 of the department of public safety shall be established by  
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(2) The salaries established as provided in subsection (1) are effective July 1 of each year.

(3) The salary of an elected official or any other county-employee THEIR DEPUTIES may not be reduced from the level of compensation authorized for that position on [the effective date of this act] and may be increased subject to the requirements of subsection (4).

(4) If the governing body decides to raise the

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