

SENATE BILL 417

IN THE SENATE

February 8, 1979	Introduced and referred to Committee on Local Government.
February 9, 1979	Fiscal note requested.
February 16, 1979	Fiscal note returned.
April 20, 1979	Died in Committee.

1  
2 INTRODUCED BY J. Brown Mark Rasmussen  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING THE SALARY  
5 SCHEDULES FOR COUNTY SHERIFFS AND AUTHORIZING SHERIFFS TO  
6 FIX THE SALARIES OF THEIR DEPUTIES OR ASSISTANTS; AMENDING  
7 SECTIONS 7-4-2503 THROUGH 7-4-2505, MCA."

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

10 Section 1. Section 7-4-2503, MCA, is amended to read:  
11 "7-4-2503. Salaries of certain county officers. (1)  
12 Except as provided in subsection (2), the total salary paid  
13 to the county treasurer, county clerk and recorder, clerk of  
14 the district court, county attorney, county assessor, and  
15 county superintendent of schools, and county sheriff; the  
16 county surveyor in counties where county surveyors receive  
17 salaries as provided in 7-4-2812; and the county auditor in  
18 all counties wherein such office is authorized shall be the  
19 sum of the salary shown in column A, based on population as  
20 of January 1, 1977, when added to the salary shown in column  
21 B, based on taxable valuation as of January 1, 1977, as  
22 follows:

23 (a) Population of County Column A  
24 Below 3,000..... \$4,494  
25 3,000 to 3,999..... \$4,729

1	4,000 to 4,999.....	\$4,833
2	5,000 to 5,999.....	\$4,938
3	6,000 to 6,999.....	\$5,058
4	7,000 to 7,999.....	\$5,394
5	8,000 to 8,999.....	\$5,487
6	9,000 to 9,999.....	\$5,617
7	10,000 to 12,499.....	\$5,708
8	12,500 to 14,999.....	\$5,826
9	15,000 to 17,499.....	\$5,943
10	17,500 to 19,999.....	\$6,048
11	20,000 to 24,999.....	\$6,165
12	25,000 to 29,999.....	\$6,270
13	30,000 to 39,999.....	\$6,387
14	40,000 to 49,999.....	\$6,544
15	50,000 to 59,999.....	\$6,779
16	60,000 to 69,999.....	\$7,014
17	70,000 to 79,999.....	\$7,275
18	80,000 to 89,999.....	\$7,432
19	90,000 to 99,999.....	\$7,676
20	100,000 and over.....	\$7,902
21	(b) Taxable Valuation of County Column B	
22	Below \$2,000,000.....	\$4,598
23	2,000,000 to 2,999,999.....	\$4,729
24	3,000,000 to 3,999,999.....	\$4,833
25	4,000,000 to 4,999,999.....	\$4,938

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INTRODUCED BILL

1	5,000,000 to	5,999,999.....	\$5,069
2	6,000,000 to	6,999,999.....	\$5,394
3	7,000,000 to	7,999,999.....	\$5,487
4	8,000,000 to	9,999,999.....	\$5,617
5	10,000,000 to	11,999,999.....	\$5,708
6	12,000,000 to	13,999,999.....	\$5,826
7	14,000,000 to	15,999,999.....	\$5,942
8	16,000,000 to	17,999,999.....	\$6,047
9	18,000,000 to	19,999,999.....	\$6,165
10	20,000,000 to	22,999,999.....	\$6,270
11	22,500,000 to	24,999,999.....	\$6,387
12	25,000,000 to	29,999,999.....	\$6,544
13	30,000,000 to	34,999,999.....	\$6,779
14	35,000,000 to	39,999,999.....	\$7,014
15	40,000,000 to	44,999,999.....	\$7,275
16	45,000,000 to	49,999,999.....	\$7,432
17	50,000,000 to	54,999,999.....	\$7,667
18	55,000,000 to	59,999,999.....	\$7,902
19	60,000,000 to	64,999,999.....	\$8,138
20	65,000,000 to	69,999,999.....	\$8,372
21	70,000,000 to	74,999,999.....	\$8,607
22	75,000,000 to	79,999,999.....	\$8,843
23	80,000,000 to	84,999,999.....	\$9,078
24	85,000,000 to	89,999,999.....	\$9,313
25	90,000,000 to	94,999,999.....	\$9,548

1        95,000,000 to 99,999,999..... \$9,783  
 2        100,000,000 to 109,999,999..... \$10,019  
 3        110,000,000 to 119,999,999..... \$10,195  
 4        120,000,000 to 129,999,999..... \$10,398  
 5        130,000,000 to 139,999,999..... \$10,606  
 6        140,000,000 to 149,999,999..... \$10,817  
 7        150,000,000 and over..... \$11,035  
 8        (2) (a) The county superintendent of schools shall  
 9        receive, in addition to the salary based upon the totals of  
 10      columns A and B above, the sum of \$400 per year.  
 11      (b) The--county--sheriff--shall--receive--in--addition--to  
 12      the--salary--based--upon--the--totals--of--columns--A--and--B--above--  
 13      the--sum--of--\$1,200--per--year-- In first-class counties, the  
 14      sheriff's minimum salary is \$25,000 a year. In second-class  
 15      counties, the sheriff's minimum salary is \$22,000 a year. In  
 16      third-class counties, the sheriff's minimum salary is  
 17      \$20,000 a year. In all other class counties, the sheriff's  
 18      minimum salary is \$18,000 a year.  
 19      (c) Except in counties of population greater than  
 20      30,000, the county attorney shall receive, in addition to  
 21      the salary based upon the totals of column A and B above,  
 22      the sum of \$1,200. In each county with a population in  
 23      excess of 30,000, the salary of the county attorney shall be  
 24      \$30,000 per year."  
 25      Section 2. Section 7-4-2504, MCA, is amended to read:

1       7-4-2504. Salaries to be fixed by resolution. The  
 2 county commissioners shall by resolution, on or before July  
 3 of each year, fix the salaries of the county treasurer,  
 4 county clerk, county assessor, county school superintendent,  
 5 county sheriff, and county attorney and the clerk of the  
 6 district court for the following fiscal year in conformity  
 7 with the appropriate statutory salary schedule pertaining to  
 8 each office, except that they may increase the salary of the  
 9 county sheriff above the amounts specified in  
 10 7-4-2503(2)(b). The salary schedule used for each office  
 11 shall be the statutory schedule in effect on the first day  
 12 of the following fiscal year."

13       Section 3. Section 7-4-2505, MCA, is amended to read:  
 14       7-4-2505. Amount of compensation for deputies and  
 15 assistants. (1) Except as provided in subsection subsections  
 16 (2) and (3), the boards of county commissioners in the  
 17 several counties in the state shall have the power to fix  
 18 the compensation allowed any deputy or assistant of the  
 19 following officers:

20       7-4-2505  
 21       7-4-2505 clerk and recorder;  
 22       7-4-2505 clerk of the district court;  
 23       7-4-2505 treasurer;  
 24       7-4-2505 assessor;  
 25       7-4-2505 county attorney;

1       7-4-2505 auditor.  
 2       7-4-2505 The county sheriffs in the several counties in the  
 3 state shall have the power to fix the compensation allowed  
 4 their deputies or assistants  
 5       7-4-2505 (a) Except as provided in subsection 7-4-2505(b),  
 6 the salary of no deputy or assistant shall be more than 90%  
 7 of the salary of the officer under whom such deputy or  
 8 assistant is serving.  
 9       (b) In fixing the compensation allowed the  
 10 undersheriff, the board 7-4-2505 must fix the same at 95% of  
 11 the salary of the officers under whom such undersheriff is  
 12 serving. In fixing the compensation allowed the deputy  
 13 sheriffs, the board 7-4-2505 must fix the same at 90% of the  
 14 salary of the officer under whom such deputy sheriff is  
 15 serving, except in counties of the first, second, or third  
 16 class, in which the board 7-4-2505 must fix the same at not  
 17 less than 75% or more than 90% of the salary of the officer  
 18 under whom such deputy sheriff is serving.  
 19       (c) Where any deputy or assistant is employed for a  
 20 period of less than 1 year, the compensation of such deputy  
 21 or assistant shall be for the time so employed, provided the  
 22 rate of such compensation shall not be in excess of the  
 23 rates now provided by law for similar deputies and  
 24 assistants except as provided herein.  
 25       (d) Deputy assessors' salaries shall be the same as

LC 1690/01

I paid the deputy clerk and recorder."

-End-

## STATE OF MONTANA

## FISCAL NOTE

Request No. 299-79

Form BD-15

In compliance with a written request received February 2, 1979, there is hereby submitted a Fiscal Note for Senate Bill 417 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 417 would fix salaries of county officials based on population and taxable value except for sheriffs. Their salary would be based on class of county. Also, the sheriff would be allowed to fix the salaries of deputies and assistants.

## ASSUMPTIONS:

No data is available for figuring the impact on salaries of sheriff's deputies. Historically the salaries of deputies has increased with increases in the sheriff's salary. Consequently, increases in total sheriff's personal services expenses of approximately 60% could be expected under the provisions of the proposed legislation.

## LOCAL IMPACT:

	<u>1980-81 Biennium</u>
Estimated salaries under proposed law	<u>\$1,156,641</u>
Estimated salaries under current law	<u>721,594</u>
Increase under proposed law	<u><u>\$ 435,047*</u></u>

## \*Proposed Impact Increase by Class of County:

1st	-	\$ 53,681
2nd	-	34,408
3rd	-	85,478
4th and others	-	<u>261,480</u>
		<u><u>\$435,047</u></u>

*Richard L. Dunn Jr.*  
BUDGET DIRECTOR  
Office of Budget and Program Planning  
Date: 2/16/79