

SENATE BILL 417

IN THE SENATE

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

1
 2 INTRODUCED BY *Jack* BILL NO. *417*
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 22,499,999..... | \$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 1 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 (a) ~~sheriff~~
- 21 (b) (a) clerk and recorder;
- 22 (c) (b) clerk of the district court;
- 23 (d) (c) treasurer;
- 24 (e) (d) assessor;
- 25 (f) (e) county attorney;

1 (g) (f) auditor.
 2 (2) ~~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 (2) (3) (a) Except as provided in subsection (2) (3) (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 sheriff 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 sheriff 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 sheriff 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

1 paid the deputy clerk and recorder."

-End-

STATE OF MONTANA

Request No. 299-79

FISCAL NOTE

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

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