

House Bill 211

In The House

January 14, 1981	Introduced and referred to Committee on State Administration.
January 16, 1981	Fiscal note requested.
January 22, 1981	Fiscal note returned.
January 29, 1981	Committee recommend bill do not pass.

1 HOUSE BILL NO. 211
2 INTRODUCED BY Reedy

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
5 7-4-2502, MCA, TO PROVIDE A METHOD OF PAYMENT OF SALARY OF A
6 DEPUTY OR ASSISTANT COUNTY ATTORNEY."

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

9 Section 1. Section 7-4-2502, MCA, is amended to read:

10 "7-4-2502. Payment of salaries of county officials and
11 assistants. (1) Except as provided in subsection (2), the
12 salaries of the county officers and their assistants may be
13 paid monthly, twice monthly, or every 2 weeks out of the
14 general fund of the county and upon the order of the board
15 of county commissioners.

16 (2) (a) The salary of the county attorney and his
17 deputies or assistants is payable monthly, with one-half
18 from the general fund of the county and the other one-half
19 from the state treasury upon the warrant of the state
20 auditor.

21 (b) The county commissioners of each county shall,
22 within 30 days after the election or appointment to fill a
23 vacancy for any cause in the office of county attorney or
24 within 30 days after the appointment of a deputy or
25 assistant county attorney, certify the election or

1 appointment to the state auditor, who shall thereafter draw
2 warrants for such salary in the same manner as for state
3 officers. In case of a vacancy, the county commissioners
4 shall immediately notify the state auditor, and the auditor
5 shall compute the salary due on the basis of the
6 notification.

7 (3) The board has jurisdiction and power, under such
8 limitations and restrictions as are prescribed by law, to
9 fix the compensation of all county officers not otherwise
10 fixed by law and to provide for the payment of the same."

-End-

-2- INTRODUCED BILL
HB 211

STATE OF MONTANA

REQUEST NO. 121-81

FISCAL NOTE

Form BD-15

In compliance with a written request received January 18, 19 81, there is hereby submitted a Fiscal Note for House Bill 211 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

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 amending section 7-4-2502, MCA, to provide a method of payment of salary of a Deputy or Assistant County Attorney.

Assumptions

1. Assume salaries & benefits of deputies are 90% of the County Attorneys' salaries (maximum allowed under Section 7-4-2505).
2. Assume 64 Deputy County Attorneys (or assistants). As of this date, there are 64.
3. Assume no increases in pay for the County Attorneys', if passed by the current Legislation, are reflected in Deputy's salaries.
4. Assumes an additional 0.5 clerical position will be needed in Department of Justice to process this payroll.

<u>Fiscal Impact</u>	<u>FY 1982</u>	<u>FY 1983</u>
See attachment	\$778,842	\$778,842
Employee benefits at 12.5%	97,355	97,355
.5 FTE for Central Services plus employee benefits (grade 9, step 2)	<u>6,571</u>	<u>6,571</u>
Total	\$882,768	\$882,768

The measure could cost the state \$1,765,536.

Comment

The figures given above assume that each Deputy or Assistant County Attorney will make 90% of the County Attorney's salary. This, of course, is not always the case. The figure is consequently higher than the bill would actually cost the state but the figure does represent the maximum that the measure could cost. In addition, it must be realized that, with the exception of the .5 FTE costs, the figure represents a savings to the counties.

David M. Leary

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-21-81

FISCAL NOTE REQUEST NO.
ATTACHMENT
HB 211

121-81

<u>Counties</u>	<u>Number of</u> <u>Deputies</u>	x	<u>Salaries</u>	=	<u>Total Amount</u>
Beaverhead	1		\$ 6,561		\$ 6,561
Bigh Horn	1		7,509		7,509
Blaine	1		6,573		6,573
Cascade	7		15,456		108,193
Custer	1		6,796		6,796
Daniels	1		5,882		5,882
Dawson	3		6,789		20,368
Deer Lodge	2		6,796		13,592
Fergus	2		6,910		13,821
Flathead	4		15,456		61,825
Gallatin	4		15,456		61,825
Glacier	1		7,052		7,052
Hill	2		7,227		14,454
Jefferson	1		6,291		6,291
Lake	1		15,456		15,456
Lewis and Clark	4		15,456		61,825
Liberty	1		5,874		5,874
Lincoln	1		6,910		6,910
Missoula	7		15,456		108,193
Park	1		15,456		15,456
Phillips	1		6,164		6,164
Powell	1		6,338		6,338
Ravalli	1		15,456		15,456
Richland	1		7,005		7,005
Roosevelt	1		6,850		6,850
Silver Bow	3		15,456		46,368
Stillwater	1		6,103		6,103
Toole	1		6,453		6,453
Valley	1		15,456		15,456
Yellowstone	7		15,456		108,193
					\$ 778,842