

HOUSE BILL NO. 847

INTRODUCED BY DRISCOLL

BY REQUEST OF THE HOUSE STATE ADMINISTRATION COMMITTEE

IN THE HOUSE

February 15, 1983	Introduced and referred to Committee on State Administration.
February 18, 1983	Committee recommend bill do pass as amended. Report adopted.
February 19, 1983	Bill printed and placed on members' desks.  Second reading, do pass.
February 22, 1983	Considered correctly engrossed.  Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 1, 1983	Introduced and referred to Committee on State Administration.
March 18, 1983	Committee recommend bill be concurred in. Report adopted.
March 22, 1983	Second reading, pass consideration.
March 23, 1983	Second reading, pass consideration.
March 24, 1983	Second reading, concurred in.
March 28, 1983	Third reading, not concurred in. Ayes, 19; Noes, 28.

IN THE HOUSE

March 28, 1983

Returned to House.

March 30, 1983

On motion, request of Senate  
granted for return of HB 847  
for further consideration.

IN THE SENATE

March 30, 1983

Rereferred to Committee on  
Finance and Claims.

April 12, 1983

Committee recommend bill be  
concurrent in as amended.  
Report adopted.

April 14, 1983

Second reading, concurrent in  
as amended.

April 15, 1983

Third reading, concurrent in.  
Ayes, 38; Noes, 10.

IN THE HOUSE

April 15, 1983

Returned to House with  
amendments.

April 16, 1983

Second reading, amendments  
concurrent in.

Third reading, amendments  
concurrent in.

Sent to enrolling.

Reported correctly enrolled.

1 *House* BILL NO. 847  
 2 INTRODUCED BY *Enrolled*  
 3 BY REQUEST OF THE HOUSE STATE ADMINISTRATION COMMITTEE  
 4  
 5 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING SALARIES FOR  
 6 ELECTED STATE OFFICIALS, SUPREME COURT JUSTICES, DISTRICT  
 7 JUDGES, THE COMMISSIONER OF POLITICAL PRACTICES, AND THE  
 8 CHAIRMAN AND MEMBERS OF THE STATE TAX APPEAL BOARD; AMENDING  
 9 SECTIONS 2-16-405, 3-5-211, 13-37-106, AND 15-2-102, MCA;  
 10 AND PROVIDING AN EFFECTIVE DATE."

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

12 Section 1. Section 2-16-405, MCA, is amended to read:

13 "2-16-405. Salaries of certain elected state  
 14 officials. The salaries paid to certain elected officials of  
 15 the state of Montana for fiscal year 1982 ~~1984~~ and following  
 16 years are:

	Fiscal Year	Following
	1982	June 30, 1982
	1984	1984
21 Governor	\$437,360	\$477,023
22	\$471,963	\$481,923
23 Lieutenant governor	\$337,077	\$337,671
24	\$341,344	\$351,031
25 Chief justice of the		

	Fiscal Year	Following
	1982	June 30, 1982
	1984	1984
4 supreme court	\$447,447	\$487,204
5	\$49,168	\$50,151
6 Justices of the		
7 supreme court, each	\$437,360	\$477,023
8	\$471,963	\$481,923
9 Attorney general	\$337,555	\$427,807
10	\$437,745	\$447,620
11 State auditor	\$287,685	\$317,071
12	\$311,692	\$321,326
13 Superintendent of		
14 public instruction	\$347,120	\$367,979
15	\$371,719	\$381,473
16 Public service commissioners	\$317,077	\$337,671
17	\$347,344	\$357,031
18 Secretary of state	\$287,685	\$317,071
19	\$311,692	\$321,326
20 Clerk of the supreme court	\$277,070	\$307,185
21	\$301,732	\$311,404"

22 Section 2. Section 3-5-211, MCA, is amended to read:

23 "3-5-211. Salaries and expenses of district judges.

24 (1) The annual salary of each district judge is as follows:

25 (a) for the fiscal year beginning July 1, 1981 1981,

and ending June 30, 1982 ~~1984~~, \$42,273 ~~\$46,758~~;

(b) after June 30, 1982 ~~1984~~, \$45,841 ~~\$47,693~~.

(2) Actual and necessary expenses for each district judge shall be the travel expenses, as defined and provided in 2-18-501 through 2-18-503, incurred in the performance of his official duties."

Section 3. Section 13-37-106, MCA, is amended to read:

"13-37-106. Salary. (1) The commissioner of political practices is entitled to receive a salary of \$23,794 ~~\$25,252~~ in fiscal year 1982 ~~1984~~ and \$25,754 ~~\$26,794~~ after June 30, 1982 ~~1984~~.

(2) The salary commission must review the commissioner's salary and may recommend salary increases to the legislature."

Section 4. Section 15-2-102, MCA, is amended to read:

"15-2-102. Qualification and compensation. (1) To be appointed a member of the state tax appeal board, a person must possess knowledge of the subject of taxation and skill in matters pertaining thereto. No person so appointed may hold any other office under the laws of this state or any other state or any office under the government of the United States or under the government of any other state. He shall devote his entire time to the duties of the office and shall not hold any other position of trust or profit or engage in any occupation or business interfering or inconsistent with

his duties. The state tax appeal board is transferred to the department of administration for administrative purposes only as is specified in 2-15-121. However, the board may hire its own personnel, and 2-15-121(2)(d) does not apply.

(2) The member designated chairman as provided for in 15-2-103 shall receive a salary of \$23,554 ~~\$26,003~~ in fiscal 1982 ~~1984~~ and \$25,493 ~~\$26,523~~ in fiscal 1983 ~~1985~~. The remaining state tax appeal board members shall be paid a salary of \$22,924 ~~\$25,305~~ in fiscal 1982 ~~1984~~ and \$24,889 ~~\$25,811~~ in fiscal 1983 ~~1985~~. All members of the board shall receive travel expenses as provided for in 2-18-501 through 2-18-503, as amended, when away from the capital on official business.

(3) The salary commission must review the salary for members of the board and shall recommend an appropriate salary to the legislature."

~~NEW SECTION.~~ Section 5. Effective date. This act is effective July 1, 1983.

-End-

## STATE OF MONTANA

REQUEST NO. 455-83

## FISCAL NOTE

Form BD-15

In compliance with a written request received February 16, , 19 83 , there is hereby submitted a Fiscal Note for House Bill 847 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:

House Bill 847 increases salaries for certain elected officials and boards in fiscal year 1984 and 1985.

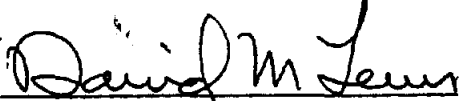
ASSUMPTIONS:

- 1) The additional costs associated with employer benefits have not been included in the cost projections.

FISCAL IMPACT:

	<u>FY 83</u>	<u>FY 84</u>	<u>FY 85</u>
Governor	\$ 47,023	\$ 47,963	\$ 48,923
Lt. Governor	33,671	34,344	35,031
Chief Justice	48,204	49,168	50,151
Justices (6)	282,138	287,778	293,538
Attorney General	42,887	43,745	44,620
State Auditor	31,071	31,692	32,326
Superintendent of Public Inst.	36,979	37,719	38,473
Public Service Commission (5)	168,355	171,720	175,155
Secretary of State	31,071	31,692	32,326
Clerk of Supreme Court	30,185	30,789	31,404
District Judges (32)	1,466,912	1,496,256	1,526,176
Commissioner Political Practices	25,754	26,269	26,794
Chairman Tax Appeal Board	25,493	26,003	26,523
Tax Appeal Board (2)	49,778	50,610	51,622
Totals	<u>\$2,319,521</u>	<u>\$2,365,748</u>	<u>\$2,413,062</u>
Increased Cost FY 84		\$ 46,227	
Increased Cost FY 85		47,314	
Total Increased Cost For 85 Biennium		<u>\$ 93,541</u>	

FISCAL NOTE 14:Y/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-18-83

## STATE OF MONTANA

REQUEST NO. 525-83

## FISCAL NOTE

Form BD-15

n compliance with a written request received March 25, , 19 83 , there is hereby submitted a Fiscal Note or House Bill 847, Amended, 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:

House Bill 847, amended, increases salaries for certain elected officials and boards in fiscal year 1984 and 1985.

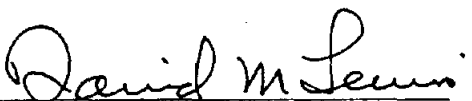
ASSUMPTIONS:

- 1) The additional costs associated with employer benefits have not been included in the cost projections.

FISCAL IMPACT:

	<u>FY 83</u>	<u>FY 84</u>	<u>FY 85</u>
Governor	\$ 47,023	\$ 47,963	\$ 48,923
Lt. Governor	33,671	34,344	35,031
Chief Justice	48,204	49,168	50,151
Justices (6)	282,138	287,778	293,538
Attorney General	42,887	43,745	44,620
State Auditor	31,071	31,692	32,326
Superintendent of Public Inst.	36,979	37,719	38,473
Public Service Chairman	33,671	35,544	36,255
Public Service Commission (4)	134,684	137,376	140,124
Secretary of State	31,071	31,692	32,326
Clerk of Supreme Court	30,185	30,789	31,404
District Judges (32)	1,466,912	1,496,256	1,526,176
Commissioner Political Practices	25,754	26,269	26,794
Chairman Tax Appeal Board	25,493	26,003	26,523
Tax Appeal Board (2)	49,778	50,610	51,622
Totals	<u>\$2,319,521</u>	<u>\$2,366,948</u>	<u>\$2,414,286</u>
Increased Cost FY 84		\$ 47,427	
Increased Cost FY 85		94,765	
Total Increased Cost For 85 Biennium		<u>\$142,192</u>	

FISCAL NOTE 14:Y/2



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 3-26-83

Approved by Committee  
on State Administration

1 HOUSE BILL NO. 847  
2 INTRODUCED BY DRISCOLL  
3 BY REQUEST OF THE HOUSE STATE ADMINISTRATION COMMITTEE  
4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING SALARIES FOR  
6 ELECTED STATE OFFICIALS, SUPREME COURT JUSTICES, DISTRICT  
7 JUDGES, THE COMMISSIONER OF POLITICAL PRACTICES, AND THE  
8 CHAIRMAN AND MEMBERS OF THE STATE TAX APPEAL BOARD; AMENDING  
9 SECTIONS 2-16-405, 3-5-211, 13-37-106, AND 15-2-102, MCA;  
10 AND PROVIDING AN EFFECTIVE DATE."  
11  
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
13 Section 1. Section 2-16-405, MCA, is amended to read:  
14 "2-16-405. Salaries of certain elected state  
15 officials. The salaries paid to certain elected officials of  
16 the state of Montana for fiscal year 1982 1984 and following  
17 years are:  
18  
19 Fiscal Year Following  
20 1982 June 30, 1982  
21 1984 1984  
22 Governor \$43,360 \$47,023  
23 Lieutenant governor \$31,077 \$33,671  
24 \$34,344 \$35,031  
25 Chief justice of the

	Fiscal Year	Following
	1982	June 30, 1982
	1984	1984
supreme court	\$44,447	\$48,204
	\$42,168	\$50,151
Justices of the		
supreme court, each	\$43,360	\$47,023
	\$47,963	\$48,923
Attorney general	\$39,555	\$42,007
	\$43,745	\$44,620
State auditor	\$20,605	\$31,071
	\$31,622	\$32,326
Superintendent of		
public instruction	\$34,120	\$36,979
	\$31,719	\$38,473
PUBLIC SERVICE		
COMMISSION CHAIRMAN	\$35,544	\$36,255
Public service commissioners	\$31,077	\$33,671
OTHER THAN CHAIRMAN	\$34,344	\$35,031
Secretary of state	\$20,605	\$31,071
	\$31,022	\$32,326
Clerk of the supreme court	\$27,870	\$30,185
	\$30,782	\$31,404
Section 2. Section 3-5-211, MCA, is amended to read: "3-5-211. Salaries and expenses of district judges.		

(1) The annual salary of each district judge is as follows:

(a) for the fiscal year beginning July 1, 1981 1983, and ending June 30, 1982 1984, \$42,273 ~~146,128~~;

(b) after June 30, 1982 1984, \$45,841 ~~147,693~~.

(2) Actual and necessary expenses for each district judge shall be the travel expenses, as defined and provided in 2-18-501 through 2-18-503, incurred in the performance of his official duties."

Section 3. Section 13-37-106, MCA, is amended to read:

"13-37-106. Salary. (1) The commissioner of political practices is entitled to receive a salary of \$23,794 ~~126,262~~ in fiscal year 1982 1984 and \$25,754 ~~126,194~~ after June 30, 1982 1984.

(2) The salary commission must review the commissioner's salary and may recommend salary increases to the legislature."

Section 4. Section 15-2-102, MCA, is amended to read:

"15-2-102. Qualification and compensation. (1) To be appointed a member of the state tax appeal board, a person must possess knowledge of the subject of taxation and skill in matters pertaining thereto. No person so appointed may hold any other office under the laws of this state or any other state or any office under the government of the United States or under the government of any other state. He shall devote his entire time to the duties of the office and shall

not hold any other position of trust or profit or engage in any occupation or business interfering or inconsistent with his duties. The state tax appeal board is transferred to the department of administration for administrative purposes only as is specified in 2-15-121. However, the board may hire its own personnel, and 2-15-121(2)(d) does not apply.

(2) The member designated chairman as provided for in 15-2-103 shall receive a salary of \$23,554 ~~126,003~~ in fiscal 1982 1984 and \$25,493 ~~126,523~~ in fiscal 1983 1985. The remaining state tax appeal board members shall be paid a salary of \$22,924 ~~125,305~~ in fiscal 1982 1984 and \$24,889 ~~125,611~~ in fiscal 1983 1985. All members of the board shall receive travel expenses as provided for in 2-18-501 through 2-18-503, as amended, when away from the capital on official business.

(3) The salary commission must review the salary for members of the board and shall recommend an appropriate salary to the legislature."

~~NEW SECTION.~~ Section 5. Effective date. This act is effective July 1, 1983.

-End-



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 2 INTRODUCED BY DRISCOLL  
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 5 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING SALARIES FOR  
 6 ELECTED STATE OFFICIALS, SUPREME COURT JUSTICES, DISTRICT  
 7 JUDGES, THE COMMISSIONER OF POLITICAL PRACTICES, AND THE  
 8 CHAIRMAN AND MEMBERS OF THE STATE TAX APPEAL BOARD; AMENDING  
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 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
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 15 officials. The salaries paid to certain elected officials of  
 16 the state of Montana for fiscal year 1982 1984 and following  
 17 years are:

	Fiscal Year	Following
	1982	June 30, 1982
	1984	1984
21 Governor	\$437,360	\$477,023
22	\$477,963	\$488,923
23 Lieutenant governor	\$317,077	\$337,671
24	\$348,344	\$358,031
25 Chief justice of the		

	Fiscal Year	Following
	1982	June 30, 1982
	1984	1984
4 supreme court	\$447,447	\$487,204
5	\$492,168	\$502,151
6 Justices of the		
7 supreme court, each	\$437,360	\$477,023
8	\$477,963	\$488,923
9 Attorney general	\$397,555	\$427,807
10	\$437,745	\$448,620
11 State auditor	\$287,685	\$317,071
12	\$317,622	\$328,326
13 Superintendent of		
14 public instruction	\$347,120	\$367,979
15	\$377,712	\$388,473
16 PUBLIC SERVICE		
17 COMMISSION CHAIRMAN	\$357,544	\$368,255
18 Public service commissioners,	\$317,077	\$337,671
19 OTHER THAN CHAIRMAN	\$348,344	\$358,031
20 Secretary of state	\$287,685	\$317,071
21	\$317,622	\$328,326
22 Clerk of the supreme court	\$277,070	\$307,105
23	\$307,782	\$318,404"
24 Section 2. Section 3-5-211, MCA, is amended to read:		
25 "3-5-211. Salaries and expenses of district judges.		

(1) The annual salary of each district judge is as follows:

(a) for the fiscal year beginning July 1, 1981 1983, and ending June 30, 1982 1984, \$42,273 \$46,158;

(b) after June 30, 1982 1984, \$45,041 \$47,623.

(2) Actual and necessary expenses for each district judge shall be the travel expenses, as defined and provided in 2-18-501 through 2-18-503, incurred in the performance of his official duties."

Section 3. Section 13-37-106, MCA, is amended to read:

"13-37-106. Salary. (1) The commissioner of political practices is entitled to receive a salary of \$23,794 \$24,262 in fiscal year 1982 1984 and \$25,754 \$26,194 after June 30, 1982 1984.

(2) The salary commission must review the commissioner's salary and may recommend salary increases to the legislature."

Section 4. Section 15-2-102, MCA, is amended to read:

"15-2-102. Qualification and compensation. (1) To be appointed a member of the state tax appeal board, a person must possess knowledge of the subject of taxation and skill in matters pertaining thereto. No person so appointed may hold any other office under the laws of this state or any other state or any office under the government of the United States or under the government of any other state. He shall devote his entire time to the duties of the office and shall

not hold any other position of trust or profit or engage in any occupation or business interfering or inconsistent with his duties. The state tax appeal board is transferred to the department of administration for administrative purposes only as is specified in 2-15-121. However, the board may hire its own personnel, and 2-15-121(2)(d) does not apply.

(2) The member designated chairman as provided for in 15-2-103 shall receive a salary of \$23,554 \$26,003 in fiscal 1982 1984 and \$25,493 \$26,523 in fiscal 1983 1985. The remaining state tax appeal board members shall be paid a salary of \$22,924 \$25,305 in fiscal 1982 1984 and \$24,689 \$25,611 in fiscal 1983 1985. All members of the board shall receive travel expenses as provided for in 2-18-501 through 2-18-503, as amended, when away from the capital on official business.

(3) The salary commission must review the salary for members of the board and shall recommend an appropriate salary to the legislature."

NEW SECTION. Section 5. Effective date. This act is effective July 1, 1983.

-End-

April 12, 1983

SENATE STANDING COMMITTEE REPORT  
(Finance & Claims)

That House Bill No. 847 be amended as follows:

1. Title, line 5.

Strike: "INCREASING"

Insert: "PROVIDING THAT"

2. Title, line 8.

Following: "BOARD"

Insert: "REMAIN AT CURRENT LEVEL"

3. Title, line 9.

Strike: "SECTIONS 2-16-405, 3-5-211, 13-37-106, AND"

Insert: "SECTION"

4. Page 1, line 13 through line 16 on page 3.

Strike: sections 1, 2, and 3 in their entirety

Renumber: subsequent sections

5. Page 4, lines 8 and 9.

Strike: "26,003 in fiscal 1984 and \$26,523 in fiscal 1985"

Insert: "\$25,493"

6. Page 4, lines 11 and 12.

Strike: "25,305" in fiscal 1984 and \$25,811 in fiscal 1985"

Insert: "\$24,809"

April 14, 1983

SENATE COMMITTEE OF THE WHOLE AMENDMENT

That House Bill No. 847 be amended as follows:

1. Strike amendments 1 through 6 in their entirety of Senate Finance & Claims dated April 12, 1983.

April 14, 1983

SENATE COMMITTEE OF THE WHOLE AMENDMENT

That House Bill No. 847 be amended as follows:

1. Page 4, line 9.  
Following: 1985  
Insert: "and thereafter"
2. Page 4, line 12.  
Following: "1985"  
Insert: "and thereafter"

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Section 4. Section 15-2-102, MCA, is amended to read:

"15-2-102. Qualification and compensation. (1) To be appointed a member of the state tax appeal board, a person must possess knowledge of the subject of taxation and skill in matters pertaining thereto. No person so appointed may hold any other office under the laws of this state or any other state or any office under the government of the United States or under the government of any other state. He shall devote his entire time to the duties of the office and shall

not hold any other position of trust or profit or engage in any occupation or business interfering or inconsistent with his duties. The state tax appeal board is transferred to the department of administration for administrative purposes only as is specified in 2-15-121. However, the board may hire its own personnel, and 2-15-121(2)(d) does not apply.

(2) The member designated chairman as provided for in 15-2-103 shall receive a salary of \$23,554 ~~\$26,002~~ in fiscal 1982 ~~1984~~ and \$25,493 ~~\$26,523~~ in fiscal 1983 ~~1985~~ AND ~~HEREAFTER~~. The remaining state tax appeal board members shall be paid a salary of \$22,924 ~~\$25,102~~ in fiscal 1982 ~~1984~~ and \$24,889 ~~\$25,811~~ in fiscal 1983 ~~1985~~ AND ~~HEREAFTER~~. All members of the board shall receive travel expenses as provided for in 2-18-501 through 2-18-503, as amended, when away from the capital on official business.

(3) The salary commission must review the salary for members of the board and shall recommend an appropriate salary to the legislature."

~~NEW SECTION.~~ Section 5. Effective date. This act is effective July 1, 1983.

-End-