

SENATE BILL NO. 319

INTRODUCED BY STEPHENS

IN THE SENATE

January 28, 1983	Introduced and referred to Committee on State Administration.
January 31, 1983	Fiscal Note requested.
February 2, 1983	Fiscal Note returned.
February 9, 1983	Rereferred to Committee on Local Government.
February 18, 1983	Committee recommend bill do pass as amended. Report adopted.
February 19, 1983	Bill printed and placed on members' desks.
February 21, 1983	Second reading, do pass.
February 22, 1983	Correctly engrossed.
February 23, 1983	Third reading, passed. Ayes, 46; Noes, 3. Transmitted to House.

IN THE HOUSE

February 28, 1983	Introduced and referred to Committee on State Administration.
March 11, 1983	Committee recommend bill be concurred in as amended. Report adopted.
March 18, 1983	Second reading, concurred in.
March 19, 1983	Third reading, concurred in.

IN THE SENATE

March 21, 1983

Returned to Senate with  
amendments.

March 22, 1983

Second reading, amendments  
concurred in.

March 23, 1983

Third reading, amendments  
concurred in. Ayes, 50;  
Noes, 0.

Sent to enrolling.

Reported correctly enrolled.

1 *Senate* BILL NO. 319  
 2 INTRODUCED BY STEPHENS

3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE  
 5 COST-OF-LIVING INCREASE FOR CHIEF PROBATION OFFICERS AND  
 6 PROVIDING AN ANNUAL LONGEVITY ALLOWANCE FOR ALL PROBATION  
 7 OFFICERS; AMENDING SECTIONS 41-5-704 AND 41-5-705, MCA; AND  
 8 PROVIDING AN EFFECTIVE DATE."

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

11 Section 1. Section 41-5-704, MCA, is amended to read:

12 "41-5-704. Salary and expenses. (1) A chief probation  
 13 officer shall receive for his services a salary specified by  
 14 the court depending on the formal training and experience of  
 15 each respective officer, but such salary may be no lower  
 16 than \$17,000 a year and no higher than \$22,000 a year. The  
 17 ~~In addition to such salary, the~~ court shall, ~~on or before~~  
 18 ~~July 1, 1982, and~~ on or before July 1 of each year  
 19 thereafter, adjust and fix the salary of the chief probation  
 20 officer for a cost-of-living increase by adding to his  
 21 annual salary on July 1 ~~1981~~ ~~of that year~~ an increment of  
 22 70% of the last previous calendar year's consumer price  
 23 index for all urban consumers, U.S. department of labor,  
 24 bureau of labor statistics, or other index that the bureau  
 25 of business and economic research of the university of

1 Montana may in the future recognize as the successor to that  
 2 index. The cost-of-living increment for the fiscal year  
 3 beginning July 1, ~~1982, and for~~ of each subsequent fiscal  
 4 year shall be added to all cost-of-living increments granted  
 5 for previous years. The salary of such officer shall be  
 6 apportioned among and paid by each of the counties in which  
 7 such officer is appointed to act, in proportion to the  
 8 assessed valuation of such counties for the same year,  
 9 except where such officer is appointed for one county  
 10 whereby such county shall pay the entire salary.

11 ~~(2) In addition to the compensation provided in~~  
 12 ~~subsection (1), each chief probation officer is entitled to~~  
 13 ~~receive an annual 1% longevity allowance beginning at the~~  
 14 ~~completion of the officer's first year of employment. Each~~  
 15 ~~longevity allowance must be based on the officer's current~~  
 16 ~~salary and begins on the officer's annual employment~~  
 17 ~~anniversary date. The allowance must be paid in equal~~  
 18 ~~monthly installments.~~

19 ~~(2)(3)~~ For all authorized travel incident to his  
 20 official duties in connection with the investigation,  
 21 supervision, and transportation of youth, the chief  
 22 probation officer shall, in addition to his office salary,  
 23 be reimbursed as provided in 2-18-501 through 2-18-503."

24 Section 2. Section 41-5-705, MCA, is amended to read:

25 "41-5-705. Deputy probation officers -- salary. (1)

1 The judge having jurisdiction of juvenile matters may also  
2 appoint such additional persons, giving preference to  
3 persons having the qualifications suggested for appointment  
4 as the chief probation officer, to serve as deputy probation  
5 officers as the judge deems necessary, their salaries to be  
6 fixed by the judge. Such salaries shall not exceed 90% or  
7 be less than 60% of the salary of the chief probation  
8 officer.

9 (2) In addition to such salary, each deputy probation  
10 officer is entitled to receive an annual 1% longevity  
11 allowance beginning at the completion of the officer's first  
12 year of employment. Each longevity allowance must be based  
13 on the officer's current salary and begins on the officer's  
14 annual employment anniversary date. The allowance must be  
15 paid in equal monthly installments."

16 NEW SECTION. Section 3. Effective date. This act is  
17 effective July 1, 1983.

-End-

## STATE OF MONTANA

REQUEST NO. 289-83

## FISCAL NOTE

Form BD-15

In compliance with a written request received January 31, 19 83, there is hereby submitted a Fiscal Note for Senate Bill 319 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:

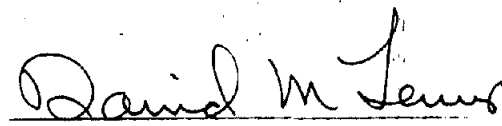
Senate Bill 319 clarifies the cost-of-living increase for chief probation officers and provides an annual longevity allowance for all probation officers; amends Sections 41-5-704 and 41-5-705, MCA; and provides an effective date."

ASSUMPTIONS:

- 1) Clarifying the cost-of-living increase will have no fiscal effect.
- 2) 15 chief probation officers' average length of service is 14 years at July 1, 1983.
- 3) 48 deputy probation officers' average length of service is 8 years at July 1, 1983.
- 4) All chief probation officers' salaries are at maximum plus cost-of-living added July 1, 1982.
- 5) Deputy probation officers statewide average 80% of chief probation officers salary.
- 6) CPI for 1983 and 1984 will be 6%.
- 7) The deputy probation officers are granted a cost-of-living increase commensurate with the chief probation officer.
- 8) Employee benefits at 16%.

Amounts needed to fund longevity increase:

	<u>FY 84</u>	<u>FY 85</u>	<u>FY 86</u>	<u>FY 87</u>
Chief Probation Officer	\$ 51,630	\$ 55,830	\$ 60,435	\$ 65,280
Deputy Probation Officer	75,552	86,160	97,344	109,104
Fringe Benefits	20,349	22,718	25,245	27,901
Total Cost	<u>\$147,531</u>	<u>\$164,708</u>	<u>\$183,024</u>	<u>\$202,285</u>

Continued

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-2-83

LOCAL IMPACT:

This bill would require additional expenditures by counties of approximately \$147,531 in FY 84 and \$164,708 in FY 85 unless House Bill 120 passes which provides for funding of juvenile probation officers by the state.

TECHNICAL NOTE:

As written, the deputy probation officers salary is based on the chief probation officer's salary including longevity. This is probably not intended and would have significant impact if applied.

FISCAL NOTE 10:H/2

SB 319

Rereferred and

Approved by Comm.  
on Local GovernmentSENATE BILL NO. 319  
INTRODUCED BY STEPHENS

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE COST-OF-LIVING INCREASE FOR CHIEF PROBATION OFFICERS AND PROVIDING AN ANNUAL LONGEVITY ALLOWANCE FOR ALL PROBATION OFFICERS; AMENDING SECTIONS 41-5-704 AND 41-5-705, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 41-5-704, MCA, is amended to read:

"41-5-704. Salary and expenses. (1) A chief probation officer shall receive for his services a salary specified by the court depending on the formal training and experience of each respective officer, but such salary may be no lower than \$17,000 a year and no higher than \$22,000 a year. The ~~In addition to such salary, the court shall, on or before~~ ~~duty--1-1-1982,--and~~ on or before July 1 of each year thereafter, adjust and fix the salary of the chief probation officer for a cost-of-living increase by adding to his annual salary on July 1, ~~1982, of that year~~ an increment of 70% of the last previous calendar year's consumer price index for all urban consumers, U.S. department of labor, bureau of labor statistics, or other index that the bureau of business and economic research of the university of

Montana may in the future recognize as the successor to that index. The cost-of-living increment for the fiscal year beginning July 1, ~~1982,--and for~~ of each subsequent fiscal year shall be added to all cost-of-living increments granted for previous years. The salary of such officer shall be apportioned among and paid by each of the counties in which such officer is appointed to act, in proportion to the assessed valuation of such counties for the same year, except where such officer is appointed for one county whereby such county shall pay the entire salary.

~~(2) In addition to the compensation provided in subsection (1), each chief probation officer WITH MORE THAN 5 YEARS OF SERVICE is entitled to receive an annual 1% longevity allowance beginning at the completion of the officer's first year of employment. Each longevity allowance must be based on the officer's current salary and begins on the officer's annual employment anniversary date. The allowance must be paid in equal monthly installments.~~

~~(2)(3)~~ For all authorized travel incident to his official duties in connection with the investigation, supervision, and transportation of youth, the chief probation officer shall, in addition to his office salary, be reimbursed as provided in 2-18-501 through 2-18-503."

Section 2. Section 41-5-705, MCA, is amended to read:

"41-5-705. Deputy probation officers -- salary. (1)

1 The judge having jurisdiction of juvenile matters may also  
 2 appoint such additional persons, giving preference to  
 3 persons having the qualifications suggested for appointment  
 4 as the chief probation officer, to serve as deputy probation  
 5 officers as the judge deems necessary, their salaries to be  
 6 fixed by the judge. Such salaries shall not exceed 90% or  
 7 be less than 60% of the salary of the chief probation  
 8 officer.

9 ~~(2) In addition to such salary, each deputy probation~~  
 10 ~~officer WITH MORE THAN 5 YEARS OF SERVICE is entitled to~~  
 11 ~~receive an annual 1% longevity allowance beginning at the~~  
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17 ~~NEW SECTION.~~ Section 3. Effective date. This act is  
 18 effective July 1, 1983.

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~~(2) In addition to the compensation provided in subsection (1), each chief probation officer WITH MORE THAN 5 YEARS OF SERVICE is entitled to receive an annual 1% longevity allowance beginning at the completion of the officer's first year of employment. Each longevity allowance must be based on the officer's current salary and begins on the officer's annual employment anniversary date. The allowance must be paid in equal monthly installments.~~

~~(2)(3)~~ For all authorized travel incident to his official duties in connection with the investigation, supervision, and transportation of youth, the chief probation officer shall, in addition to his office salary, be reimbursed as provided in 2-18-501 through 2-18-503."

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 6 fixed by the judge. Such salaries shall not exceed 90% or  
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 16 ~~monthly installments."~~

17 NEW SECTION. Section 3. Effective date. This act is  
 18 effective July 1, 1983.

-End-

House State Administration Committee amendments to Senate Bill 319,  
third reading copy, blue  
March 11, 1983

1. Page 3, line 8.

Following: "officer"

Insert: "excluding longevity payments provided in 41-5-704"

2. Page 3.

Following: line 16

Insert: "(3) If a deputy probation officer is promoted to chief probation officer, his salary may not be decreased by the appointment. He shall retain all longevity allowances earned during his service as a deputy.

NEW SECTION. Section 3. No retroactive application. This act does not apply retroactively, and no person is entitled to receive under this act a longevity allowance of more than 1% in any year."

Renumber: subsequent section

AND AS AMENDED BE CONCURRED IN

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 3 persons having the qualifications suggested for appointment  
 4 as the chief probation officer, to serve as deputy probation  
 5 officers as the judge deems necessary, their salaries to be  
 6 fixed by the judge. Such salaries shall not exceed 90% or  
 7 be less than 60% of the salary of the chief probation  
 8 officer EXCLUDING LONGEVITY PAYMENTS PROVIDED IN 41-5-704.

9 (21) In addition to such salary, each deputy probation  
 10 officer WITH MORE THAN 5 YEARS OF SERVICE is entitled to  
 11 receive an annual 1% longevity allowance beginning at the  
 12 completion of the officer's first year of employment. Each  
 13 longevity allowance must be based on the officer's current  
 14 salary and begins on the officer's annual employment  
 15 anniversary date. The allowance must be paid in equal  
 16 monthly installments.

17 (31) IF A DEPUTY PROBATION OFFICER IS PROMOTED TO CHIEF  
 18 PROBATION OFFICER, HIS SALARY MAY NOT BE DECREASED BY THE  
 19 APPOINTMENT. HE SHALL RETAIN ALL LONGEVITY ALLOWANCES EARNED  
 20 DURING HIS SERVICE AS A DEPUTY."

21 THERE IS A NEW MCA SECTION THAT READS:

22 Section 3. No retroactive application. This act does  
 23 not apply retroactively, and no person is entitled to  
 24 receive under this act a longevity allowance of more than 1%  
 25 in any year.

1 NEW SECTION. Section 4. Effective date. This act is  
 2 effective July 1, 1983.

-End-