

HOUSE BILL NO. 515

1/26 Introduced
1/26 Referred to State Administration
1/28 Fiscal Note Requested
2/01 Fiscal Note Received
2/11 Hearing
Died in Committee

1 HOUSE BILL NO. 515
2 INTRODUCED BY [Signature]

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING SALARIES FOR
5 THE CHIEF JUSTICE AND THE ASSOCIATE JUSTICES OF THE SUPREME
6 COURT AND FOR DISTRICT JUDGES; AMENDING SECTIONS 2-16-405,
7 3-2-104, AND 3-5-211, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

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

11 "2-16-405. Salaries of certain elected state
12 officials. The salaries paid to certain elected officials of
13 the state of Montana for fiscal year 1984 and following
14 years are:

	Fiscal Year	Following
	1984	June 30, 1984
17 Governor	\$47,963	\$48,923
18 Lieutenant governor	\$34,344	\$35,031
19 Chief-justice-of-the		
20 supreme-court	\$49,168	\$50,151
21 Justices-of-the		
22 supreme-court, each	\$47,963	\$48,923
23 Attorney general	\$43,745	\$44,620
24 State auditor	\$31,692	\$32,326
25 Superintendent of		

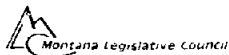
1 public instruction	\$37,719	\$38,473
2 Public service		
3 commission chairman	\$35,544	\$36,255
4 Public service commissioners,		
5 other than chairman	\$34,344	\$35,031
6 Secretary of state	\$31,692	\$32,326
7 Clerk of the supreme court	\$30,789	\$31,404"

8 Section 2. Section 3-2-104, MCA, is amended to read:

9 "3-2-104. Salaries -- expenses. (1) The salaries of
10 justices of the supreme court for fiscal year 1986 and
11 following years are provided-for-in-2-16-405:

	Fiscal Year	Following
	1986	June 30, 1986
14 Chief justice	\$62,500	\$65,000
15 Associate justice	\$60,000	\$62,500

16 (2) If any cause, motion, or other proceeding remains
17 pending and undecided for a period of 90 days after
18 submission for decision, the justice of the supreme court
19 who has been assigned to write the opinion, order, or
20 decision of the court shall submit an affidavit on or before
21 the 90th day to the chief justice setting forth the case
22 name, cause number, and the reason the matter has not been
23 decided. Copies of the affidavit must be furnished to all
24 parties to the matter pending. A cause, motion, or other
25 proceeding is considered submitted for decision when all



1 hearings have been held and final briefs have been submitted
 2 by all parties to the matter pending. Upon the filing of the
 3 affidavit, the justice shall have an additional 30 days to
 4 decide the matter which has been submitted. No cause,
 5 motion, or other proceeding may remain undecided for more
 6 than 120 days after submission for decision without the
 7 approval of a majority of the other members of the supreme
 8 court for good cause shown in an affidavit requesting
 9 additional time. If a justice of the supreme court violates
 10 the provisions of this section, any party to a matter
 11 pending in violation of this section or, by a majority vote,
 12 the other members of the supreme court may refer the matter
 13 to the judicial standards commission. If the court, acting
 14 upon the recommendation of the commission, determines the
 15 justice is not in compliance with this section, it shall
 16 order that the state auditor not issue a warrant for payment
 17 of services for 1 month, which pay is forfeited by the
 18 justice.

19 (3) Actual and necessary travel expenses of the
 20 justices of the supreme court shall be the travel expenses,
 21 as defined and provided in 2-18-501 through 2-18-503,
 22 incurred in the performance of their official duties."

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

24 "3-5-211. Salaries and expenses of district judges.

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

1 (a) for the fiscal year beginning July 1, ~~1983~~ 1985,
 2 and ending June 30, ~~1984~~ 1986, ~~\$46,750~~ \$55,000;

3 (b) after June 30, ~~1984~~ 1986, ~~\$47,693~~ \$60,000.

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

8 NEW SECTION. Section 4. Effective date. This act is
 9 effective July 1, 1985.

-End-

STATE OF MONTANA
FISCAL NOTE

REQUEST NO. FTN 265-85

Form BD-15

In compliance with a written request received January 28, 1985, there is hereby submitted a Fiscal Note for HB 515 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 515 is an act increasing salaries for the Chief Justice and the Associate Justices of the Supreme Court and for District Judges.

FISCAL IMPACT:

	<u>FY86</u>	<u>FY87</u>
Additional Expense to the State General Fund	\$387,752	\$612,032

David L. Hunter
BUDGET DIRECTOR
Office of Budget and Program Planning

Date: Feb 1, 1985
HB 515