

HOUSE BILL NO. 801

INTRODUCED BY JENKINS, COMPTON, IVERSON

IN THE HOUSE

February 12, 1985	Introduced and referred to Committee on Judiciary.
February 18, 1985	Rereferred to Committee on State Administration.
February 22, 1985	Committee recommend bill do pass. Report adopted.  Bill printed and placed on members' desks.
February 25, 1985	Second reading, do pass.  Considered correctly engrossed.
February 26, 1985	Third reading, passed.  Transmitted to Senate.

IN THE SENATE

March 4, 1985	Introduced and referred to Committee on Judiciary.
March 16, 1985	Committee recommend bill be concurrent in as amended. Report adopted.
March 21, 1985	Second reading, concurred in.
March 23, 1985	Third reading, concurred in. Ayes, 46; Noes, 3.  Returned to House with amendments.

IN THE HOUSE

March 25, 1985	Received from Senate.
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April 8, 1985

Second reading, amendments  
concurrent in.

On motion, rules suspended and  
bill placed on third reading this  
day.

Third reading, amendments  
concurrent in.

Sent to enrolling.

Reported correctly enrolled.

HOUSE BILL NO. 801

INTRODUCED BY *J. J. ... Compton*

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT YOUTH COURT COSTS BE ALLOCATED AMONG THE COUNTIES IN THE DISTRICT IN PROPORTION TO THE WORKLOAD OF THE COURT ATTRIBUTABLE TO EACH COUNTY; AMENDING SECTIONS 41-5-104 AND 41-5-704, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 41-5-104, MCA, is amended to read:

"41-5-104. County commissioners authorized to provide funds. (1) The county commissioners of all counties are hereby authorized, empowered, and required to provide the necessary funds and to make all needful appropriations to carry out the provisions of this chapter.

(2) Each county shall pay its portion of the costs of the youth court based:

(a) on actual costs incurred in or on behalf of the county; or

(b) if actual costs cannot be identified, on each county's proportion of the total youth court workload in the judicial district during the calendar year preceding the setting of the budget.

(3) The youth court judge shall, in January of each

year, establish the proportion of the workload of the court to be attributed to each county in the ensuing budget year for purposes of any necessary application of subsection (2)(b)."

Section 2. 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. In addition to such salary, the court shall, on or before July 1 of each year, 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 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 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



1 ~~counties-for-the-same-year~~ cost allocation established under  
2 41-5-104, except where such officer is appointed for one  
3 county, such county shall pay the entire salary.

4 (2) In addition to the compensation provided in  
5 subsection (1), each chief probation officer with more than  
6 5 years of service is entitled to receive an annual 1%  
7 longevity allowance. Each longevity allowance must be based  
8 on the officer's current salary and begins on the officer's  
9 annual employment anniversary date. The allowance must be  
10 paid in equal monthly installments.

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

16 NEW SECTION. Section 3. Application in 1985. The  
17 youth court judge in each district shall calculate the cost  
18 allocation under the provisions of 41-5-104 based on the  
19 calendar year 1984 experience as soon as possible after [the  
20 effective date of this act] and forward it to the respective  
21 county commissioners for budgeting for fiscal year 1986.

22 NEW SECTION. Section 4. Effective date. This act is  
23 effective on passage and approval.

-End-

RE-REFERRED AND  
APPROVED BY COMMITTEE  
ON STATE ADMINISTRATION

1 HOUSE BILL NO. 801  
2 INTRODUCED BY Jacobs, Compton  
3 Law

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT YOUTH  
5 COURT COSTS BE ALLOCATED AMONG THE COUNTIES IN THE DISTRICT  
6 IN PROPORTION TO THE WORKLOAD OF THE COURT ATTRIBUTABLE TO  
7 EACH COUNTY; AMENDING SECTIONS 41-5-104 AND 41-5-704, MCA;  
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15 necessary funds and to make all needful appropriations to  
16 carry out the provisions of this chapter.

17 (2) Each county shall pay its portion of the costs of  
18 the youth court based:

19 (a) on actual costs incurred in or on behalf of the  
20 county; or

21 (b) if actual costs cannot be identified, on each  
22 county's proportion of the total youth court workload in the  
23 judicial district during the calendar year preceding the  
24 setting of the budget.

25 (3) The youth court judge shall, in January of each

1 year, establish the proportion of the workload of the court  
2 to be attributed to each county in the ensuing budget year  
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4 (2)(b)."

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(a) on actual costs incurred in or on behalf of the county; or

(b) if actual costs cannot be identified, on each county's proportion of the total youth court workload in the judicial district during the calendar year preceding the setting of the budget.

(3) The youth court judge shall, in January of each

year, establish the proportion of the workload of the court to be attributed to each county in the ensuing budget year for purposes of any necessary application of subsection (2)(b)."

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SENATE

STANDING COMMITTEE REPORT

..... March 15 ..... 19 85 .....

MR. PRESIDENT

We, your committee on ..... JUDICIARY .....

having had under consideration ..... HOUSE BILL ..... No. 801 .....

..... third ..... reading copy ( blue ..... )  
color

(Senator Kolstad)

ALLOCATING YOUTH COURT COSTS AMONG THE COUNTIES BASED ON COST EXPERIENCE

Respectfully report as follows: That ..... HOUSE BILL ..... No. 801 .....

be amended as follows:

Page 3, line 16.

Following: "3."

Strike: "Application in 1985."

Insert: "Applicability date. This act is applicable to fiscal years following June 30, 1985."

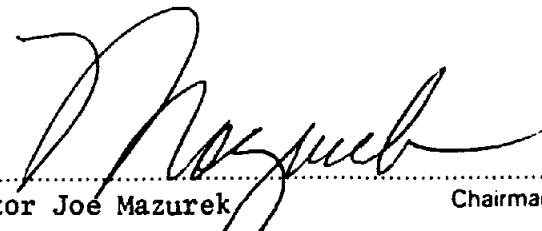
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AND AS AMENDED

BE CONCURRED IN

~~XXXXXX~~

~~XXXXXX~~

.....  .....  
Senator Joe Mazurek Chairman.

## 1 HOUSE BILL NO. 801

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