

SENATE BILL NO. 370

INTRODUCED BY VAN VALKENBURG, MCCALLUM

BY REQUEST OF THE MONTANA SALARY COMMISSION

IN THE SENATE

February 9, 1985	Introduced and referred to Committee on Finance and Claims.
February 12, 1985	Fiscal Note requested.
February 14, 1985	Fiscal Note returned.
February 25, 1985	Committee recommend bill do pass as amended. Report adopted. Bill printed and placed on members' desks.
February 26, 1985	Second reading, do pass. Considered correctly engrossed.
February 27, 1985	Third reading, passed. Ayes, 33; Noes, 17. Transmitted to House.

IN THE HOUSE

March 7, 1985	Introduced and referred to Committee on Appropriations.
April 1, 1985	Committee recommend bill be concurrred in as amended. Report adopted. Second reading, not concurrred in. Returned to Senate.

IN THE SENATE

April 1, 1985 Received from House.
April 17, 1985 On motion, request of House
granted for return of Senate Bill
No. 370 for further
consideration.

IN THE HOUSE

April 18, 1985 Bill returned to House and placed
on second reading.
April 19, 1985 Second reading, concurred in as
amended.
April 22, 1985 Third reading, concurred in.
Returned to Senate with
amendments.

IN THE SENATE

April 22, 1985 Received from House.
April 24, 1985 On motion, rules suspended to
receive and accept. Motion
adopted.
Second reading, amendments
concurred in.
April 25, 1985 Third reading, amendments
concurred in.
Sent to enrolling.
Reported correctly enrolled.

1 *Senate* BILL NO. 370
 2 INTRODUCED BY *V. Valkenburg*
 3 BY REQUEST OF THE MONTANA SALARY COMMISSION

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING
 6 COMPENSATION FOR ELECTED STATE OFFICIALS, MEMBERS OF THE
 7 JUDICIARY, LEGISLATORS, THE COMMISSIONER OF POLITICAL
 8 PRACTICES, AND MEMBERS OF THE STATE TAX APPEAL BOARD;
 9 AMENDING SECTIONS 2-16-405, 3-5-211, 5-2-301, 13-37-106, AND
 10 15-2-102, MCA; 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 ~~1984~~ 1986 and following
 17 years are:

	Fiscal Year Following		
	1984	June-30-1984	
18 Governor	\$477,963	\$487,923	<u>\$70,000</u>
19 Lieutenant governor	\$347,344	\$357,031	<u>\$47,500</u>
20 Chief justice of the			
21 supreme court	\$497,160	\$507,151	<u>\$62,500</u>
22 Justices of the supreme			
23 court, each	\$477,963	\$487,923	<u>\$60,000</u>

1 Attorney general	\$437,745	\$447,620	<u>\$55,000</u>
2 State auditor	\$317,692	\$327,326	<u>\$42,500</u>
3 Superintendent of			
4 public instruction	\$377,719	\$387,473	<u>\$46,000</u>
5 Public service			
6 commission chairman	\$357,544	\$367,255	<u>\$43,500</u>
7 Public service			
8 commissioners, other			
9 than chairman	\$347,344	\$357,031	<u>\$42,500</u>
10 Secretary of state	\$317,692	\$327,326	<u>\$42,500</u>
11 Clerk of the supreme			
12 court	\$307,789	\$317,404	<u>\$32,500</u> "

13 Section 2. Section 3-5-211, MCA, is amended to read:
 14 "3-5-211. Salaries and expenses of district judges.
 15 (1) The annual salary of each district judge is ~~as follows:~~
 16 (a) ~~for the fiscal year beginning July 1, 1983, and~~
 17 ~~ending June 30, 1984, \$467,750;~~
 18 (b) ~~after June 30, 1984, \$477,693~~ \$55,000.

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

23 Section 3. Section 5-2-301, MCA, is amended to read:
 24 "5-2-301. Compensation and expenses for members while
 25 in session. (1) Legislators are entitled to a salary



1 commensurate to that of the daily rate of a grade 8 16, step
 2 2, classified state employee for those days during which the
 3 legislature is in session. The president of the senate and
 4 the speaker of the house shall receive an additional \$5 a
 5 day in salary for those days during which the legislature is
 6 in session.

7 (2) Legislators are entitled to \$45 \$50 a day, 7 days
 8 a week, during a legislative session, as reimbursement for
 9 expenses incurred in attending a session. Expense payments
 10 shall stop when the legislature recesses for more than 3
 11 days and shall resume when the legislature reconvenes.

12 (3) Legislators are entitled to a mileage allowance as
 13 provided in 2-18-503 for each mile of travel:

14 (a) to the place of the holding of the session and to
 15 return to their place of residence at the conclusion of the
 16 session; and

17 (b) for one additional round trip to their place of
 18 residence during each session.

19 (4) In addition to the mileage allowance provided for
 20 in subsection (3), legislators are entitled to two
 21 additional round trips to their place of residence during
 22 each regular session upon submittal of an appropriate claim
 23 for such mileage reimbursement to the office of legislative
 24 council.

25 (5) Legislators are not entitled to any additional

1 mileage allowance under subsection (3)(a) or (3)(b) for a
 2 special session if it is convened within 7 days of a regular
 3 session."

4 Section 4. Section 13-37-106, MCA, is amended to read:

5 "13-37-106. Salary. (1) The commissioner of political
 6 practices is entitled to receive a salary of ~~\$26,269--in~~
 7 ~~fiscal--year--1984--and--\$26,794--after--June--30,--1984~~ \$28,500 a
 8 year.

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

12 Section 5. Section 15-2-102, MCA, is amended to read:

13 "15-2-102. Qualification and compensation. (1) To be
 14 appointed a member of the state tax appeal board, a person
 15 must possess knowledge of the subject of taxation and skill
 16 in matters pertaining thereto. No person so appointed may
 17 hold any other office under the laws of this state or any
 18 other state or any office under the government of the United
 19 States or under the government of any other state. He shall
 20 devote his entire time to the duties of the office and shall
 21 not hold any other position of trust or profit or engage in
 22 any occupation or business interfering or inconsistent with
 23 his duties. The state tax appeal board is transferred to the
 24 department of administration for administrative purposes
 25 only as is specified in 2-15-121. However, the board may

1 hire its own personnel, and 2-15-121(2)(d) does not apply.

2 (2) The member designated chairman as provided for in
3 15-2-103 shall receive a salary of ~~\$26,000 in fiscal 1984~~
4 ~~and \$26,523 in fiscal 1985 and thereafter \$40,000 a year.~~

5 The remaining state tax appeal board members shall be paid a
6 salary of ~~\$25,305 in fiscal 1984 and \$25,811 in fiscal 1985~~
7 ~~and thereafter \$37,500 a year.~~ All members of the board
8 shall receive travel expenses as provided for in 2-18-501
9 through 2-18-503, as amended, when away from the capital on
10 official business.

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

14 NEW SECTION. Section 6. Effective date. This act is
15 effective July 1, 1985.

-End-

STATE OF MONTANA

FISCAL NOTE

REQUEST NO. FNN413-85

Form BD-15

In compliance with a written request received February 12 19 85, there is hereby submitted a Fiscal Note for S.B. 370 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 to increase compensation for elected officials, members of the Judiciary, Legislators, The Commissioner of Campaign Practices and members of the State Tax Appeals Board.

ASSUMPTIONS:

1. All positions effected by the legislation will be filled.
2. All positions effected are funded by the General Fund.
3. No special legislative session will occur.
4. Governor's Pay Plan proposal will be adopted for Grade 8, step 2 positions and Grade 16, step 2 positions.

FISCAL IMPACT:

	<u>1986</u>	<u>1987</u>
<u>Expenditures</u>		
<u>Executive Branch</u>		
Current Law	\$ 513,017	\$ 513,017
Proposed Law	660,500	660,500
Increased Cost	<u>\$ 147,483</u>	<u>\$ 147,483</u>
<u>Judicial Branch</u>		
Current Law	\$1,996,655	\$1,996,655
Proposed Law	2,325,000	2,325,000
Increased Cost	<u>\$ 328,345</u>	<u>\$ 328,345</u>

David L. Hunter

BUDGET DIRECTOR
Office of Budget and Program Planning

Date: Feb 14, 1985

SB370

FISCAL IMPACT (Continued):

	<u>1986</u>	<u>1987</u>
Legislative Branch		
Current Law	\$ 0	\$ 1,519,020
Proposed Law	<u>0</u>	<u>2,226,840</u>
Increased Cost	\$ 0	\$ 707,820
State Total		
Current Law	\$ 2,509,672	\$ 4,028,692
Proposed Law	<u>2,985,500</u>	<u>5,212,340</u>
Increased Cost	\$ 475,828	\$ 1,183,648

The total increased cost of \$1,659,476 would require General Fund appropriations.

APPROVED BY COMM. ON
FINANCE AND CLAIMS

1 SENATE BILL NO. 370
 2 INTRODUCED BY VAN VALKENBURG, MCCALLUM
 3 BY REQUEST OF THE MONTANA SALARY COMMISSION
 4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING
 6 COMPENSATION FOR ELECTED STATE OFFICIALS, MEMBERS OF THE
 7 JUDICIARY, LEGISLATORS, THE COMMISSIONER OF POLITICAL
 8 PRACTICES, AND MEMBERS OF THE STATE TAX APPEAL BOARD;
 9 AMENDING SECTIONS 2-16-405, 3-5-211, 5-2-301, 13-37-106, AND
 10 15-2-102, MCA; AND PROVIDING AN EFFECTIVE DATE DATES."

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 ~~1984~~ 1986 and following
 17 years are:

	Fiscal-Year Following		
	1984	June-30-1984	
Governor	\$47,963	\$40,923	<u>\$70,000</u>
			<u>\$50,452</u>
Lieutenant governor	\$34,344	\$35,031	<u>\$47,500</u>
			<u>\$36,141</u>
Chief justice of the supreme court	\$49,168	\$50,151	<u>\$62,500</u>

			<u>\$51,722</u>
Justices of the supreme court, each	\$47,963	\$40,923	<u>\$60,000</u>
			<u>\$50,452</u>
Attorney general	\$43,745	\$44,620	<u>\$55,000</u>
			<u>\$46,016</u>
State auditor	\$31,692	\$32,326	<u>\$42,500</u>
			<u>\$33,342</u>
Superintendent of public instruction	\$37,719	\$30,473	<u>\$46,000</u>
			<u>\$39,672</u>
Public service commission chairman	\$35,544	\$36,255	<u>\$43,500</u>
			<u>\$37,363</u>
Public service commissioners, other than chairman	\$34,344	\$35,031	<u>\$42,500</u>
			<u>\$36,141</u>
Secretary of state	\$31,692	\$32,326	<u>\$42,500</u>
			<u>\$33,342</u>
Clerk of the supreme court	\$30,789	\$31,404	<u>\$32,500</u>
			<u>\$32,401"</u>
Section 2. Section 3-5-211, MCA, is amended to read: "3-5-211. Salaries and expenses of district judges.			



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

2 (a) for the fiscal year beginning July 1, 1983, and
3 ending June 30, 1984, \$46,750;

4 (b) after June 30, 1984, \$47,693 ~~\$55,000~~ \$49,178.

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

9 Section 3. Section 5-2-301, MCA, is amended to read:

10 "5-2-301. Compensation and expenses for members while
11 in session. (1) Legislators are entitled to a salary
12 commensurate to that of the daily rate of a grade 8 16, step
13 2, classified state employee for those days during which the
14 legislature is in session. The president of the senate and
15 the speaker of the house shall receive an additional \$5 a
16 day in salary for those days during which the legislature is
17 in session.

18 (2) Legislators are entitled to \$45 \$50 a day, 7 days
19 a week, during a legislative session, as reimbursement for
20 expenses incurred in attending a session. Expense payments
21 shall stop when the legislature recesses for more than 3
22 days and shall resume when the legislature reconvenes.

23 (3) Legislators are entitled to a mileage allowance as
24 provided in 2-18-503 for each mile of travel:

25 (a) to the place of the holding of the session and to

1 return to their place of residence at the conclusion of the
2 session; and

3 (b) for one additional round trip to their place of
4 residence during each session.

5 (4) In addition to the mileage allowance provided for
6 in subsection (3), legislators are entitled to two
7 additional round trips to their place of residence during
8 each regular session upon submittal of an appropriate claim
9 for such mileage reimbursement to the office of legislative
10 council.

11 (5) Legislators are not entitled to any additional
12 mileage allowance under subsection (3)(a) or (3)(b) for a
13 special session if it is convened within 7 days of a regular
14 session."

15 Section 4. Section 13-37-106, MCA, is amended to read:

16 "13-37-106. Salary. (1) The commissioner of political
17 practices is entitled to receive a salary of \$26,269--in
18 fiscal year--1984--and--\$26,794--after--June--30--1984 \$28,500
19 \$27,655 a year.

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

23 Section 5. Section 15-2-102, MCA, is amended to read:

24 "15-2-102. Qualification and compensation. (1) To be
25 appointed a member of the state tax appeal board, a person

1 must possess knowledge of the subject of taxation and skill
 2 in matters pertaining thereto. No person so appointed may
 3 hold any other office under the laws of this state or any
 4 other state or any office under the government of the United
 5 States or under the government of any other state. He shall
 6 devote his entire time to the duties of the office and shall
 7 not hold any other position of trust or profit or engage in
 8 any occupation or business interfering or inconsistent with
 9 his duties. The state tax appeal board is transferred to the
 10 department of administration for administrative purposes
 11 only as is specified in 2-15-121. However, the board may
 12 hire its own personnel, and 2-15-121(2)(d) does not apply.

13 (2) The member designated chairman as provided for in
 14 15-2-103 shall receive a salary of ~~\$26,003 in fiscal 1984~~
 15 ~~and \$26,523 in fiscal 1985 and thereafter \$40,000~~ \$27,373 a
 16 year. The remaining state tax appeal board members shall be
 17 paid a salary of ~~\$25,305 in fiscal 1984 and \$25,811 in~~
 18 ~~fiscal 1985 and thereafter \$37,500~~ \$26,635 a year. All
 19 members of the board shall receive travel expenses as
 20 provided for in 2-18-501 through 2-18-503, as amended, when
 21 away from the capital on official business.

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

25 NEW SECTION. Section 6. Effective date:--This act is

1 DATES. (1) SECTION 3 OF THIS ACT IS EFFECTIVE JANUARY 1,
 2 1989.

3 (2) ALL OTHER SECTIONS OF THIS ACT ARE effective July
 4 1, 1985.

-End-

1 SENATE BILL NO. 370
 2 INTRODUCED BY VAN VALKENBURG, MCCALLUM
 3 BY REQUEST OF THE MONTANA SALARY COMMISSION

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING
 6 COMPENSATION FOR ELECTED STATE OFFICIALS, MEMBERS OF THE
 7 JUDICIARY, LEGISLATORS, THE COMMISSIONER OF POLITICAL
 8 PRACTICES, AND MEMBERS OF THE STATE TAX APPEAL BOARD;
 9 AMENDING SECTIONS 2-16-405, 3-5-211, 5-2-301, 13-37-106, AND
 10 15-2-102, MCA; AND PROVIDING AN EFFECTIVE DATE DATES."

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 1984 1986 and following
 17 years are:

	Fiscal-Year Following		
	1984	June-30-1984	
20 Governor	\$47,963	\$48,923	<u>\$70,800</u>
			<u>\$50,452</u>
22 Lieutenant governor	\$34,344	\$35,831	<u>\$47,500</u>
			<u>\$36,141</u>
24 Chief justice of the			
25 supreme court	\$49,168	\$50,151	<u>\$62,500</u>

1				<u>\$51,722</u>
2	Justices of the supreme			
3	court, each	\$47,963	\$48,923	<u>\$60,800</u>
4				<u>\$50,452</u>
5	Attorney general	\$43,745	\$44,628	<u>\$55,800</u>
6				<u>\$46,016</u>
7	State auditor	\$31,692	\$32,326	<u>\$42,500</u>
8				<u>\$33,342</u>
9	Superintendent of			
10	public instruction	\$37,719	\$38,473	<u>\$46,800</u>
11				<u>\$39,672</u>
12	Public service			
13	commission chairman	\$35,544	\$36,255	<u>\$43,500</u>
14				<u>\$37,363</u>
15	Public service			
16	commissioners, other			
17	than chairman	\$34,344	\$35,831	<u>\$42,500</u>
18				<u>\$36,141</u>
19	Secretary of state	\$31,692	\$32,326	<u>\$42,500</u>
20				<u>\$33,342</u>
21	Clerk of the supreme			
22	court	\$38,789	\$31,404	<u>\$32,500</u>
23				<u>\$32,401"</u>
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, 1983, and ending June 30, 1984, \$46,750;

(b) after June 30, 1984, \$47,693 ~~\$55,000~~ \$49,178.

(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 5-2-301, MCA, is amended to read:

"5-2-301. Compensation and expenses for members while in session. (1) Legislators are entitled to a salary commensurate to that of the daily rate of a grade 8 16, step 2, classified state employee for those days during which the legislature is in session. The president of the senate and the speaker of the house shall receive an additional \$5 a day in salary for those days during which the legislature is in session.

(2) Legislators are entitled to ~~\$45~~ \$50 a day, 7 days a week, during a legislative session, as reimbursement for expenses incurred in attending a session. Expense payments shall stop when the legislature recesses for more than 3 days and shall resume when the legislature reconvenes.

(3) Legislators are entitled to a mileage allowance as provided in 2-18-503 for each mile of travel:

(a) to the place of the holding of the session and to

return to their place of residence at the conclusion of the session; and

(b) for one additional round trip to their place of residence during each session.

(4) In addition to the mileage allowance provided for in subsection (3), legislators are entitled to two additional round trips to their place of residence during each regular session upon submittal of an appropriate claim for such mileage reimbursement to the office of legislative council.

(5) Legislators are not entitled to any additional mileage allowance under subsection (3)(a) or (3)(b) for a special session if it is convened within 7 days of a regular session."

Section 4. 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 ~~\$26,269~~ ~~in fiscal year 1984 and \$26,794 after June 30, 1984~~ \$28,500 \$27,655 a year.

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

Section 5. 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

1 must possess knowledge of the subject of taxation and skill
 2 in matters pertaining thereto. No person so appointed may
 3 hold any other office under the laws of this state or any
 4 other state or any office under the government of the United
 5 States or under the government of any other state. He shall
 6 devote his entire time to the duties of the office and shall
 7 not hold any other position of trust or profit or engage in
 8 any occupation or business interfering or inconsistent with
 9 his duties. The state tax appeal board is transferred to the
 10 department of administration for administrative purposes
 11 only as is specified in 2-15-121. However, the board may
 12 hire its own personnel, and 2-15-121(2)(d) does not apply.

13 (2) The member designated chairman as provided for in
 14 15-2-103 shall receive a salary of ~~\$26,003 in fiscal 1984~~
 15 ~~and \$26,523 in fiscal 1985 and thereafter \$40,000~~ \$27,373 a
 16 year. The remaining state tax appeal board members shall be
 17 paid a salary of ~~\$25,305 in fiscal 1984 and \$25,811 in~~
 18 ~~fiscal 1985 and thereafter \$37,500~~ \$26,635 a year. All
 19 members of the board shall receive travel expenses as
 20 provided for in 2-18-501 through 2-18-503, as amended, when
 21 away from the capital on official business.

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

25 NEW SECTION. Section 6. Effective date: ~~This act is~~

1 DATES. (1) SECTION 3 OF THIS ACT IS EFFECTIVE JANUARY 1,
 2 1989.
 3 (2) ALL OTHER SECTIONS OF THIS ACT ARE effective July
 4 1, 1985.

-End-

COMMITTEE OF THE WHOLE AMENDMENT

4181640b.cw

HOUSE

4-18-85
DATE

4:40
TIME

MR. CHAIRMAN: I MOVE TO AMEND Senate Bill No. 370

3rd reading copy (blue) as follows:
Color

- 1. Page 5, line 15.
Strike: "\$27,373"
Insert: "\$28,373"
- 2. Page 5, line 18.
Strike: "\$26,635"
Insert: "\$27,635"

COMMITTEE OF THE WHOLE AMENDMENT

4191315P.CW

HOUSE

4-19-85
DATE

1:15
TIME

MR. CHAIRMAN: I MOVE TO AMEND Senate Bill No. 370

third reading copy (blue) as follows:
Color

- 1. Page 3, line 12.
Strike: "16"
Insert: "10"
- 2. Page 6, line 2.
Strike: "1989"
Insert: "1987"

AMENDMENTS TO APPROPRIATIONS STANDING COMMITTEE REPORT OF MARCH 31, 1985:

- 3. Amendment #1, in Insert.
Strike: subsection (2) in its entirety.
- 4. Strike: amendment #3 in its entirety.
- 5. Amendment #4, in Insert.
Strike: "(5)"
Insert: "(4)"

JA
ADOPT
REJECT

Waldron
Waldron

KPF
ADOPT
REJECT

Harper
Rep. Harper

STANDING COMMITTEE REPORT Page 1 of 2

Page 2 of 2
Senate Bill 370

HOUSE

March 31, 1985

March 31, 1985

MR. Speaker:

We, your committee on Appropriations

having had under consideration Senate Bill No. 370

third reading copy (blue color)

RECOMMENDATIONS OF THE SALARY COMMISSION

Respectfully report as follows: That Senate Bill No. 370

BE AMENDED AS FOLLOWS:

1. Page 3.
Following: line 17.
Insert: "(2) Legislators are entitled to a salary commensurate to that of the daily rate of a grade 12, step 2, classified state employee for those days during which the legislature is in session. The president of the senate and the speaker of the house shall receive an additional \$5 a day in salary for those days during which the legislature is in session.

(3) Legislators may serve for no salary."
Renumber: subsequent subsections

2. Page 6, line 1.
Following: "SECTION" "3"
Strike: "2"
Insert: "X(1)"

XXXXXX

CONTINUED

Chairman.

AND AS AMENDED,
BE CONCURRED IN

For 4/11

F. Bardanoue
Rep. Francis Bardanoue, Chairman.

3. Page 6, line 2.
Following: line 2
Insert: "(2) Section 3(2) of this act is effective January 1, 1987

Renumber: subsequent subsection

4. Page 4, line 6.
" 4, " 12. (2 times)
Strike: "(3)
Insert: "(5)

SENATE BILL NO. 370

INTRODUCED BY VAN VALKENBURG, MCCALLUM

BY REQUEST OF THE MONTANA SALARY COMMISSION

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING COMPENSATION FOR ELECTED STATE OFFICIALS, MEMBERS OF THE JUDICIARY, LEGISLATORS, THE COMMISSIONER OF POLITICAL PRACTICES, AND MEMBERS OF THE STATE TAX APPEAL BOARD; AMENDING SECTIONS 2-16-405, 3-5-211, 5-2-301, 13-37-106, AND 15-2-102, MCA; AND PROVIDING AN EFFECTIVE DATE DATES."

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

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

"2-16-405. Salaries of certain elected state officials. The salaries paid to certain elected officials of the state of Montana for fiscal year 1984 1986 and following years are:

Fiscal-Year Following

1984 June-30, 1984

Table with 4 columns: Position, 1984, June-30, 1984, and Salary. Rows include Governor, Lieutenant governor, Chief justice of the supreme court.

Table with 4 columns: Position, 1984, 1985, and Salary. Rows include Justices of the supreme court, Attorney general, State auditor, Superintendent of public instruction, Public service commission chairman, Public service commissioners, other than chairman, Secretary of state, Clerk of the supreme court.

Section 2. Section 3-5-211, MCA, is amended to read: "3-5-211. Salaries and expenses of district judges.



1 (1) The annual salary of each district judge is as follows:
 2 (a) for the fiscal year beginning July 1, 1983, and
 3 ending June 30, 1984, \$46,758;

4 (b) after June 30, 1984, \$47,693 ~~\$55,000~~ \$49,178.

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

9 Section 3. Section 5-2-301, MCA, is amended to read:

10 "5-2-301. Compensation and expenses for members while
 11 in session. (1) Legislators are entitled to a salary
 12 commensurate to that of the daily rate of a grade B 16 10,
 13 step 2, classified state employee for those days during
 14 which the legislature is in session. The president of the
 15 senate and the speaker of the house shall receive an
 16 additional \$5 a day in salary for those days during which
 17 the legislature is in session.

18 ~~(2) LEGISLATORS ARE ENTITLED TO A SALARY COMMENSURATE~~
 19 ~~TO THAT OF THE DAILY RATE OF A GRADE 12, STEP 2, CLASSIFIED~~
 20 ~~STATE EMPLOYEE FOR THOSE DAYS DURING WHICH THE LEGISLATURE~~
 21 ~~IS IN SESSION. THE PRESIDENT OF THE SENATE AND THE SPEAKER~~
 22 ~~OF THE HOUSE SHALL RECEIVE AN ADDITIONAL \$5 A DAY IN SALARY~~
 23 ~~FOR THOSE DAYS DURING WHICH THE LEGISLATURE IS IN SESSION.~~

24 (3)(2) LEGISLATORS MAY SERVE FOR NO SALARY.

25 ~~(2)(4)(3)~~ Legislators are entitled to \$45 \$50 a day, 7

1 days a week, during a legislative session, as reimbursement
 2 for expenses incurred in attending a session. Expense
 3 payments shall stop when the legislature recesses for more
 4 than 3 days and shall resume when the legislature
 5 reconvenes.

6 ~~(3)(5)(4)~~ Legislators are entitled to a mileage
 7 allowance as provided in 2-18-503 for each mile of travel:

8 (a) to the place of the holding of the session and to
 9 return to their place of residence at the conclusion of the
 10 session; and

11 (b) for one additional round trip to their place of
 12 residence during each session.

13 ~~(4)(6)(5)~~ In addition to the mileage allowance
 14 provided for in subsection ~~(3) (5) (4)~~, legislators are
 15 entitled to two additional round trips to their place of
 16 residence during each regular session upon submittal of an
 17 appropriate claim for such mileage reimbursement to the
 18 office of legislative council.

19 ~~(5)(7)(6)~~ Legislators are not entitled to any
 20 additional mileage allowance under subsection ~~(3) (5) (4)~~(a)
 21 or ~~(3) (5) (4)~~(b) for a special session if it is convened
 22 within 7 days of a regular session."

23 Section 4. Section 13-37-106, MCA, is amended to read:

24 "13-37-106. Salary. (1) The commissioner of political
 25 practices is entitled to receive a salary of \$26,269 in

1 ~~fiscal-year-1984-and-\$26,794-after--June--30--1984~~ \$28,500
2 \$27,655 a year.

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

6 Section 5. Section 15-2-102, MCA, is amended to read:

7 "15-2-102. Qualification and compensation. (1) To be
8 appointed a member of the state tax appeal board, a person
9 must possess knowledge of the subject of taxation and skill
10 in matters pertaining thereto. No person so appointed may
11 hold any other office under the laws of this state or any
12 other state or any office under the government of the United
13 States or under the government of any other state. He shall
14 devote his entire time to the duties of the office and shall
15 not hold any other position of trust or profit or engage in
16 any occupation or business interfering or inconsistent with
17 his duties. The state tax appeal board is transferred to the
18 department of administration for administrative purposes
19 only as is specified in 2-15-121. However, the board may
20 hire its own personnel, and 2-15-121(2)(d) does not apply.

21 (2) The member designated chairman as provided for in
22 15-2-103 shall receive a salary of ~~\$26,003--in--fiscal--1984~~
23 ~~and--\$26,523--in--fiscal-1985-and-thereafter~~ \$40,000 \$27,373
24 \$28,373 a year. The remaining state tax appeal board
25 members shall be paid a salary of ~~\$25,305-in-fiscal-1984-and~~

1 ~~\$25,811--in--fiscal--1985--and--thereafter~~ \$37,500 \$26,635
2 \$27,635 a year. All members of the board shall receive
3 travel expenses as provided for in 2-18-501 through
4 2-18-503, as amended, when away from the capital on official
5 business.

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

9 NEW SECTION. Section 6. Effective date--~~This act--is~~
10 DATES. (1) SECTION 3(1) OF THIS ACT IS EFFECTIVE JANUARY 1,
11 1989 1987.

12 ~~{2}--SECTION-3{2}-OF-THIS-ACT-IS-EFFECTIVE--JANUARY--17~~
13 ~~1987.~~

14 ~~{2}{3}(2)~~ ALL OTHER SECTIONS OF THIS ACT ARE effective
15 July 1, 1985.

-End-