

SENATE BILL NO. 1
INTRODUCED BY MAZUREK

IN THE SENATE

June 16, 1986	Introduced and referred to Committee on Local Government.
June 18, 1986	Committee recommend bill do pass. Report adopted.
	Second reading, do pass.
	Third reading, passed. Ayes, 48; Noes, 1.
	Transmitted to House.

IN THE HOUSE

June 19, 1986	Introduced and referred to Committee on Local Government.
June 23, 1986	Committee recommend bill be concurrred in. Report adopted.
June 24, 1986	Second reading, concurrred in.
	Third reading, concurrred in.
	Returned to Senate.

IN THE SENATE

June 24, 1986	Received from House.
June 25, 1986	Sent to enrolling.
	Reported correctly enrolled.

1 SENATE BILL NO. 1

2 INTRODUCED BY MAZUREK

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A SHERIFF WHO
5 OPERATES A COUNTY JAIL TO APPOINT NONSWORN INDIVIDUALS AS
6 JAILERS; PROVIDING THAT NONSWORN JAILERS NEED NOT RECEIVE
7 THE SAME SALARY AS DEPUTY SHERIFFS; AMENDING SECTION
8 7-32-2123, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

11 Section 1. Section 7-32-2123, MCA, is amended to read:

12 "7-32-2123. Appointment of ~~deputy--sheriff-to-act-as~~
13 jailer. A sheriff who operates a county jail pursuant to
14 7-32-2121 may appoint ~~two-deputies-in-counties-of-the-first,~~
15 ~~second,--or--third--class--and-one deputy in-counties-of-the~~
16 ~~fourth,--fifth,--sixth,--or--seventh--class--who--shall--act--as~~
17 ~~jailer--and~~ sheriffs or nonsworn individuals as jailers. A
18 nonsworn individual appointed as a jailer need not receive
19 the same salary as other a deputy sheriffs sheriff."

20 NEW SECTION. Section 2. Effective date. This act is
21 effective on passage and approval.

-End-

In compliance with a written request, there is hereby submitted a Fiscal Note for SB001, Version: as introduced.

Description of Proposed Legislation:

Senate Bill 001 of the third special session amends section 7-32-2123, MCA to allow County Sheriffs who operate a jail to appoint nonsworn individuals as jailers and provides that these nonsworn jailers need not receive the same salary as Deputy Sheriffs.

Assumptions:

- 1) Salaries of deputy sheriffs and jailers will remain at fiscal 86 levels throughout fiscal 1987.
- 2) Most sheriff's departments are paying non-deputy jailers less than deputies at the present time.
- 3) Salary figures for deputy sheriffs do not include negotiated pay increases nor longevity payouts.
- 4) Employer benefits are 20% of base salary.
- 5) First, second and third class counties will appoint two jailers; county classes 4-7 will have one jailer.

Fiscal Impact on County (No state government impact):

<u>Expenditures:</u>	<u>FY86</u>	<u>FY87</u>	<u>Total Biennium</u>
Current Law			
County General Fund	\$1,923,532	\$1,923,532	\$3,847,064
Proposed Law			
County General Fund	\$1,923,532	\$1,189,745	\$3,113,277
	PROJECTED SAVINGS		\$ 733,787

Revenues:

Current Law			
County General Fund	\$1,923,532	\$1,923,532	\$3,847,064
Proposed Law			
County General Fund	\$1,923,532	\$1,189,645	\$3,113,277
DECREASE IN REQUIRED REVENUES TO MEET EXPENDITURES			\$ 733,787

Long-Range Effects of Proposed Legislation:

By allowing lower salaried, nonsworn individuals to be appointed jailers, County General Funds would realize savings over paying deputy sheriffs to be jailers. Also, the legislation would allow sheriffs to use their deputies for county law enforcement instead of for jail administration.

David L. Hunter 6/16/86
 BUDGET DIRECTOR DATE
 Office of Budget and Program Planning

PRIMARY SPONSOR

DATE

Fiscal Note for SB 1

YELLOW PRINTING DISPENSED

1 SENATE BILL NO. 1

2 INTRODUCED BY MAZUREK

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A SHERIFF WHO
5 OPERATES A COUNTY JAIL TO APPOINT NONSWORN INDIVIDUALS AS
6 JAILERS; PROVIDING THAT NONSWORN JAILERS NEED NOT RECEIVE
7 THE SAME SALARY AS DEPUTY SHERIFFS; AMENDING SECTION
8 7-32-2123, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

9

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

11 Section 1. Section 7-32-2123, MCA, is amended to read:

12 "7-32-2123. Appointment of ~~deputy--sheriff-to-act-as~~
13 jailer. A sheriff who operates a county jail pursuant to
14 ~~7-32-2121~~ may appoint ~~two-deputies-in-counties-of-the-first,~~
15 ~~second,--or--third--class--and-one deputy in-counties-of-the~~
16 ~~fourth,--fifth,--sixth,--or--seventh--class--who--shall--act--as~~
17 ~~jailer--and~~ sheriffs or nonsworn individuals as jailers. A
18 nonsworn individual appointed as a jailer need not receive
19 the same salary as other a deputy sheriffs sheriff."

20 NEW SECTION. Section 2. Effective date. This act is
21 effective on passage and approval.

-End-

SENATE BILL NO. 1

INTRODUCED BY MAZUREK

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A SHERIFF WHO OPERATES A COUNTY JAIL TO APPOINT NONSWORN INDIVIDUALS AS JAILERS; PROVIDING THAT NONSWORN JAILERS NEED NOT RECEIVE THE SAME SALARY AS DEPUTY SHERIFFS; AMENDING SECTION 7-32-2123, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 7-32-2123, MCA, is amended to read:

"7-32-2123. Appointment of ~~deputy--sheriff-to-act-as~~ jailer. A sheriff who operates a county jail pursuant to 7-32-2121 may appoint ~~two-deputies-in-counties-of-the-first, second,--or--third--class--and-one deputy in-counties-of-the fourth,--fifth,--sixth,--or--seventh--class--who--shall--act--as jailer--and~~ sheriffs or nonsworn individuals as jailers. A nonsworn individual appointed as a jailer need not receive the same salary as other a deputy sheriffs sheriff."

NEW SECTION. Section 2. Effective date. This act is effective on passage and approval.

-End-