

HB 561 INTRODUCED BY SIMON, ET AL.
COUNTY COMMISSIONERS TO UNIFORMLY SET ELECTED
OFFICERS' SALARIES

1/31	INTRODUCED		
1/31	REFERRED TO STATE ADMINISTRATION		
2/02	REREFERRED TO LOCAL GOVERNMENT		
2/11	HEARING		
2/11	COMMITTEE REPORT--BILL NOT PASSED		
2/12	ADVERSE COMMITTEE REPORT REJECTED	59	38
2/14	2ND READING PASSED AS AMENDED	61	34
2/17	3RD READING PASSED	66	29
	TRANSMITTED TO SENATE		
2/19	REFERRED TO LOCAL GOVERNMENT		
3/17	HEARING		
3/21	ADVERSE COMMITTEE REPORT ADOPTED AS AMENDED	38	4
3/23	RETURNED TO HOUSE NOT CONCURRED AS AMENDED		

1 *House* BILL NO. *561*
 2 INTRODUCED BY *James Harold Ryan NAT#*
 3 *Sperry*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE METHOD OF
 5 ESTABLISHING SALARIES FOR ELECTED COUNTY OFFICIALS, EXCEPT
 6 THE COUNTY ASSESSOR AND DEPUTY COUNTY ASSESSOR, BY PROVIDING
 7 THAT THE SALARIES BE DETERMINED BY THE COUNTY GOVERNING
 8 BODY; AMENDING SECTIONS 3-10-207, 7-4-2108, 7-4-2502,
 9 7-4-2503, 7-4-2505, 7-4-2706, 7-14-2126, 7-14-2610, AND
 10 7-32-104, MCA; REPEALING SECTIONS 7-4-2107, 7-4-2504,
 11 7-4-2507, AND 7-4-2510, MCA; AND PROVIDING AN EFFECTIVE
 12 DATE."

13
 14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 15 Section 1. Section 3-10-207, MCA, is amended to read:
 16 "3-10-207. Salaries. (1) The board of county
 17 commissioners shall set salaries for justices of the peace
 18 by resolution ~~and may for all or the remainder of each~~
 19 ~~fiscal year, in conjunction with setting salaries for other~~
 20 ~~officers as provided in 7-4-2504(i), set their salaries at~~
 21 ~~the prior fiscal year level if that does not result in a~~
 22 ~~reduction in salary~~ as provided in 7-4-2503. Salaries must
 23 meet the minimum requirements established by this section.
 24 (2) If the salary of the justice of the peace was
 25 determined on a fee basis for the years 1971 and 1972, he

1 shall receive a monthly salary of not less than
 2 one-eighteenth of the total fees, civil and criminal,
 3 collected by the justice or his predecessor in office during
 4 the 2 years 1971 and 1972.

5 (3) If the salary of the justice of the peace was
 6 determined on a nonfee basis for the years 1971 and 1972,
 7 the justice shall be paid not less than the highest salary
 8 earned by the justice or his predecessor for the years 1971
 9 and 1972.

10 (4) The salary of the justice of the peace may not be
 11 diminished during his term of office and may not be less
 12 than the salary for the district clerk of the court in that
 13 county, except as provided for in subsections--(i)--and
 14 subsection (5).

15 (5) In the event his court is not open for business
 16 full time, the justice's salary shall be commensurate to the
 17 workload and office hours of the court."

18 Section 2. Section 7-4-2108, MCA, is amended to read:
 19 "7-4-2108. Mileage allowance for county commissioners
 20 -- expenses. (1) In addition to the salary provided by
 21 ~~7-4-2107(i)~~ 7-4-2503, each member of the board of county
 22 commissioners in counties of the first, second, third, and
 23 fourth class shall receive a mileage allowance as provided
 24 in 2-18-503 for the distance necessarily traveled in going
 25 to and returning from the county seat and his place of



1 residence, each day that such trip is actually made and
2 while engaged in the performance of his official duties.

3 (2) Each member of the board in all other counties is
4 entitled to a mileage allowance as provided in 2-18-503 for
5 the distance necessarily traveled in going to and returning
6 from the county seat and his place of residence each day
7 that such trip is actually made to perform official duties.
8 Any county commissioner whose place of residence is 50 miles
9 or more from the county seat, as measured by the usual route
10 of travel, and who elects to remain more than one day in the
11 county seat to attend sessions of the board or perform his
12 official duties is entitled to receive, in addition to
13 mileage for one round trip between his place of residence
14 and the county seat, \$18 per day as expenses for each day's
15 attendance on sessions of the board while engaged in the
16 performance of his official duties.

17 (3) All claims for lodging expense reimbursement
18 allowed under this section must be documented by an
19 appropriate receipt.

20 (4) When other than commercial, nonreceiptable lodging
21 facilities are utilized by a county commissioner, the amount
22 of \$7 will be authorized for lodging expenses for each day
23 in which travel involves an overnight stay in lieu of the
24 amount authorized in this section. However, when overnight
25 accommodations are provided at the expense of any government

1 entity, no reimbursement may be claimed for lodging.

2 (5) This section does not apply to counties that have
3 adopted charter form of government."

4 Section 3. Section 7-4-2502, MCA, is amended to read:
5 "7-4-2502. Payment of salaries of county officials and
6 assistants. (1) Except as provided in subsection (2), the
7 salaries of the county officers and their assistants may be
8 paid monthly, twice monthly, or every 2 weeks out of the
9 general fund of the county and upon the order of the board
10 of county commissioners.

11 (2) (a) The salaries of the county attorney and deputy
12 county attorneys authorized by 7-4-2703 are payable monthly,
13 with the salary of the county attorney payable one-half from
14 the general fund of the county and the other one-half from
15 the state treasury upon the warrant of the state auditor.
16 The annualized portion payable from the state treasury may
17 not exceed one-half the annual salary of the attorney
18 general in the case of full-time county attorneys or
19 one-quarter the annual salary of the attorney general in the
20 case of part-time county attorneys.

21 (b) The county commissioners of each county shall,
22 within 30 days after the election or appointment to fill a
23 vacancy for any cause in the office of county attorney,
24 certify the election or appointment to the state auditor,
25 who shall thereafter draw warrants for such salary in the

1 same manner as for state officers. In case of a vacancy, the
2 county commissioners shall immediately notify the state
3 auditor, and the auditor shall compute the salary due on the
4 basis of the notification.

5 (3) The board has jurisdiction and power, under such
6 limitations and restrictions as are prescribed by law, to
7 fix the compensation of all county officers not otherwise
8 fixed by law and to provide for the payment of the same and
9 may, for all or the remainder of each fiscal year, in
10 conjunction with setting salaries for other officers as
11 provided in 7-4-2504(1), set their salaries at the prior
12 fiscal year level."

13 Section 4. Section 7-4-2503, MCA, is amended to read:

14 "7-4-2503. Salary--schedule County governing board to
15 set salaries for certain elected county officers -- changes
16 to be uniform. (1) The salary paid to the county treasurer,
17 county clerk and recorder, clerk of the district court,
18 county assessor, county superintendent of schools, and
19 county sheriff, the county surveyor in counties where county
20 surveyors receive salaries as provided in 7-4-2812, and the
21 county auditor in all counties wherein such office is
22 authorized, for the fiscal year beginning July 1, 1981, is
23 computed by adding the annual base salary of:

24 (a) \$14,000 for the counties of the first through
25 fifth class to the population increment of \$10 for each 100

1 persons or major fraction thereof included in the county's
2 population as determined by the 1980 federal decennial
3 census, or

4 (b) \$12,000 for counties of the sixth and seventh
5 class to the population increment of \$20 per 100 persons or
6 major fraction thereof in the county's population as
7 determined by the 1980 federal decennial census.

8 (2) (a) An elected county superintendent of schools
9 shall receive, in addition to the salary based upon
10 subsection (1), the sum of \$400 per year, except that an
11 elected county superintendent of schools who holds a master
12 of arts degree or a master's degree in education, with an
13 endorsement in school administration, from a unit of the
14 Montana university system or an equivalent institution may,
15 at the discretion of the county commissioners, receive in
16 addition to the salary based upon subsection (1), up to
17 \$2,000 per year.

18 (b) The county sheriff shall receive, in addition to
19 the salary based upon subsection (1), the sum of \$2,000 per
20 year.

21 (3) (a) In each county with a population in excess of
22 30,000, the county attorney shall be a full-time official
23 under 7-4-2704, and his salary for the fiscal year beginning
24 July 1, 1981, shall be \$36,500. In counties with a
25 population less than 30,000, the county attorney who is a

1 part-time official for a county of the first, second, or
 2 third class is entitled to receive an annual salary equal to
 3 60% of the annual salary of a full-time county attorney. A
 4 county attorney who is a part-time official for a county of
 5 the fourth, fifth, sixth, or seventh class is entitled to
 6 receive an annual salary equal to 50% of the annual salary
 7 of a full-time county attorney.

8 (b) In those counties where the office of the county
 9 attorney has been established as a full-time position
 10 pursuant to 7-4-2706, the salary of the county attorney for
 11 the fiscal year beginning July 1, 1981, shall be \$36,500.

12 (c) Beginning on July 1, 1982, and on July 1 of each
 13 succeeding year, each county attorney shall be entitled to
 14 an increase in salary calculated by adding to his annual
 15 salary on July 1, 1981, an increment of 7% of the last
 16 previous calendar year's consumer price index for all urban
 17 consumers, U.S. Department of Labor, Bureau of Labor
 18 Statistics, or other index that the Bureau of Business and
 19 Economic Research of the University of Montana may in the
 20 future recognize as the successor to that index. However,
 21 the county commissioners may, for all or the remainder of
 22 each fiscal year, in conjunction with setting salaries for
 23 other officers as provided in 7-4-2504(1), set the salary at
 24 the prior fiscal year level if that level is lower than the
 25 level required by this subsection (3)(c). The

1 cost-of-living increment for the fiscal year beginning July
 2 1, 1982, and for each subsequent fiscal year shall be added
 3 to all cost-of-living increments granted for previous years
 4 unless salaries were set for the fiscal year at the level of
 5 salaries received in the prior fiscal year. In such case the
 6 cost-of-living increment that would have been received for
 7 such fiscal year, computed on the prior fiscal year, may not
 8 be added to previous increments.

9 (d) (i) After completing 4 years of service as deputy
 10 county attorney, each deputy county attorney is entitled to
 11 an increase in salary of \$1,000 on the anniversary date of
 12 his employment as deputy county attorney. After completing 5
 13 years of service as deputy county attorney, each deputy
 14 county attorney is entitled to an additional increase in
 15 salary of \$1,500 on the anniversary date of his employment.
 16 After completing 6 years of service as deputy county
 17 attorney and for each year of service thereafter up to
 18 completion of the 11th year of service, each deputy county
 19 attorney is entitled to an additional annual increase in
 20 salary of \$500.

21 (ii) The years of service as a deputy county attorney
 22 accumulated prior to July 1, 1985, must be included in the
 23 calculation of the longevity increase, but years of service
 24 during any year in which the salary was set at the level of
 25 the salary of the prior fiscal year may not be included in

1 ~~any calculation of longevity increases:~~

2 ~~(4) For each 10th year after the fiscal year beginning~~
 3 ~~July 1, 1981, the latest federal decennial census statistics~~
 4 ~~shall be the basis for computation of population increments~~
 5 ~~under this section. During the intervening 9 years, the~~
 6 ~~computation of population increments applicable on July 1 of~~
 7 ~~each year shall be based on the last calendar year's annual~~
 8 ~~estimates of counties' populations compiled by the~~
 9 ~~federal state cooperative program for estimates of the~~
 10 ~~university of Montana bureau of business and economic~~
 11 ~~research and the U.S. bureau of the census or other estimate~~
 12 ~~that the bureau of business and economic research may~~
 13 ~~certify. The governing body of a county shall annually by~~
 14 ~~resolution establish the salary of each elected county~~
 15 ~~official, except the county assessor. Before adopting the~~
 16 ~~resolution, the governing body shall hold a public hearing.~~
 17 ~~Notice of the purpose of the hearing must be published as~~
 18 ~~provided in 7-1-2121. The resolution must be adopted no~~
 19 ~~later than March 31 and is effective July 1.~~

20 (2) (a) The salaries of the county assessor and the
 21 deputy county assessor must be determined according to the
 22 pay matrix for state employees in Title 2, chapter 18, part
 23 3:

24 (i) The grade of the county assessor is the same grade
 25 as the appraisal supervisor of the department of revenue

1 servicing in that county, but the salary of the county
 2 assessor may not be less than the salary paid to that
 3 official on June 30, 1987.

4 (ii) The salary of the deputy county assessor may not
 5 exceed 90% of the salary of the assessor in the county in
 6 which the deputy serves.

7 (b) The method of determining salaries for the county
 8 assessor and the deputy county assessor in subsection (2)(a)
 9 may not be construed to mean that those officials are state
 10 employees.

11 (3) In changing the salaries of elected county
 12 officials, the governing body shall set the salaries of all
 13 county officers by using the same factor for all such
 14 salaries in a uniform manner that will ensure that the
 15 relationship between and among salaries remains the same as
 16 the level of compensation authorized on June 30, 1987."

17 Section 5. Section 7-4-2505, MCA, is amended to read:
 18 "7-4-2505. Amount of compensation for deputies and
 19 assistants. (1) Subject to subsection (2), the boards of
 20 county commissioners in the several counties in the state
 21 shall have the power to fix the compensation allowed any
 22 deputy or assistant of the following officers:

- 23 (a) clerk and recorder;
 24 (b) clerk of the district court;
 25 (c) treasurer;

- 1 (d) assessor;
 2 (e) county attorney;
 3 (f) auditor.

4 (2) (a) The salary of a deputy or an assistant listed
 5 in subsection (1), other than a deputy county attorney, may
 6 not be more than 90% of the salary of the officer under whom
 7 such deputy or assistant is serving. The salary of a deputy
 8 county attorney, ~~including longevity payments provided in~~
 9 ~~7-4-2503(3)(d)~~, may not exceed the salary of the county
 10 attorney under whom he is serving.

11 (b) Where any deputy or assistant is employed for a
 12 period of less than 1 year, the compensation of such deputy
 13 or assistant shall be for the time so employed, provided the
 14 rate of such compensation shall not be in excess of the
 15 rates now provided by law for similar deputies and
 16 assistants except as provided herein.

17 (c) Deputy assessors' salaries shall be ~~the same as~~
 18 ~~paid the deputy clerk and recorder as provided in 7-4-2503.~~"

19 Section 6. Section 7-4-2706, MCA, is amended to read:

20 "7-4-2706. County attorney to be full or part time --
 21 resolution ---salary. (1) In any county with a population
 22 of less than 30,000, the county commissioners may, upon the
 23 consent of the county attorney, on July 1 of any year by
 24 resolution establish the office of county attorney as a
 25 full-time position subject to the provisions of 7-4-2701 and

1 7-4-2704. ~~The salary for this position is the salary~~
 2 ~~provided by 7-4-2503 for the office of county attorney in a~~
 3 ~~county with a population in excess of 30,000.~~

4 (2) In any county in which the office of county
 5 attorney has been established as a full-time position under
 6 subsection (1), the county commissioners may, by resolution
 7 and upon the consent of the county attorney, establish the
 8 office as a part-time position on July 1 of any year."

9 Section 7. Section 7-14-2126, MCA, is amended to read:

10 "7-14-2126. Compensation for making inspections. The
 11 person or persons making the inspections authorized by
 12 7-14-2125 shall receive a daily salary ~~equal to that~~
 13 ~~established in 7-4-2107(2)~~ and actual expenses if he
 14 receives no other compensation for that day and is not on an
 15 annual salary. The claims shall be audited and allowed in
 16 the same manner as other claims against the county."

17 Section 8. Section 7-14-2610, MCA, is amended to read:

18 "7-14-2610. Payment of damages and expenses. All
 19 awards of damages estimated by the board or made by the
 20 proper court and all expenses, including those of the
 21 members of the board and their per diem ~~authorized by~~
 22 ~~7-4-2107 and 7-4-2100~~, shall be paid out of the county road
 23 fund on the order of the board."

24 Section 9. Section 7-32-104, MCA, is amended to read:

25 "7-32-104. Salaries. The ~~provisions of 7-4-2503~~

1 ~~notwithstanding,~~ the salaries of the director and employees
2 of the department of public safety shall be established by
3 the public safety commission and shall be paid by the city
4 or town with the board of county commissioners. The salary
5 of the director may not be less than that ~~specified~~ set for
6 the sheriff in under 7-4-2503. ~~The salaries of employees may~~
7 ~~not be less than the salaries specified in 7-4-2508 and~~
8 ~~7-4-2510, however, employees are not required to be paid any~~
9 ~~fixed percentage of the director's or sheriff's salary."~~

10 NEW SECTION. Section 10. Repealer. Sections 7-4-2107,
11 7-4-2504, 7-4-2507, and 7-4-2510, MCA, are repealed.

12 NEW SECTION. Section 11. Effective date. This act is
13 effective July 1, 1987.

-End-

RE-REFERRED AND LC 1165/01
COMM.
ON LOCAL GOVERNMENT

RECOMMEND DO NOT PASS

ON MOTION, PRINTED AND
PLACED ON SECOND READING

1 INTRODUCTION BY *House* BILL NO. *561*
 2 *James Hand* *John W. B. T. #2*
 3 *Ken* *Ken*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE METHOD OF
 5 ESTABLISHING SALARIES FOR ELECTED COUNTY OFFICIALS, EXCEPT
 6 THE COUNTY ASSESSOR AND DEPUTY COUNTY ASSESSOR, BY PROVIDING
 7 THAT THE SALARIES BE DETERMINED BY THE COUNTY GOVERNING
 8 BODY; AMENDING SECTIONS 3-10-207, 7-4-2108, 7-4-2502,
 9 7-4-2503, 7-4-2505, 7-4-2706, 7-14-2126, 7-14-2610, AND
 10 7-32-104, MCA; REPEALING SECTIONS 7-4-2107, 7-4-2504,
 11 7-4-2507, AND 7-4-2510, MCA; AND PROVIDING AN EFFECTIVE
 12 DATE."

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

15 Section 1. Section 3-10-207, MCA, is amended to read:
 16 "3-10-207. Salaries. (1) The board of county
 17 commissioners shall set salaries for justices of the peace
 18 by resolution and ~~may, for all or the remainder of each~~
 19 ~~fiscal year, in conjunction with setting salaries for other~~
 20 ~~officers as provided in 7-4-2504(1), set their salaries at~~
 21 ~~the prior fiscal year level if that does not result in a~~
 22 ~~reduction in salary as provided in 7-4-2503.~~ Salaries must
 23 meet the minimum requirements established by this section.
 24 (2) If the salary of the justice of the peace was
 25 determined on a fee basis for the years 1971 and 1972, he

1 shall receive a monthly salary of not less than
2 one-eighteenth of the total fees, civil and criminal,
3 collected by the justice or his predecessor in office during
4 the 2 years 1971 and 1972.

5 (3) If the salary of the justice of the peace was
6 determined on a nonfee basis for the years 1971 and 1972,
7 the justice shall be paid not less than the highest salary
8 earned by the justice or his predecessor for the years 1971
9 and 1972.

10 (4) The salary of the justice of the peace may not be
11 diminished during his term of office and may not be less
12 than the salary for the district clerk of the court in that
13 county, except as provided for in subsections ~~(1)~~ and
14 subsection (5).

15 (5) In the event his court is not open for business
16 full time, the justice's salary shall be commensurate to the
17 workload and office hours of the court."

18 Section 2. Section 7-4-2108, MCA, is amended to read:
 19 "7-4-2108. Mileage allowance for county commissioners
 20 -- expenses. (1) In addition to the salary provided by
 21 ~~7-4-2107(1)~~ 7-4-2503, each member of the board of county
 22 commissioners in counties of the first, second, third, and
 23 fourth class shall receive a mileage allowance as provided
 24 in 2-18-503 for the distance necessarily traveled in going
 25 to and returning from the county seat and his place of



1 residence, each day that such trip is actually made and
2 while engaged in the performance of his official duties.

3 (2) Each member of the board in all other counties is
4 entitled to a mileage allowance as provided in 2-18-503 for
5 the distance necessarily traveled in going to and returning
6 from the county seat and his place of residence each day
7 that such trip is actually made to perform official duties.
8 Any county commissioner whose place of residence is 50 miles
9 or more from the county seat, as measured by the usual route
10 of travel, and who elects to remain more than one day in the
11 county seat to attend sessions of the board or perform his
12 official duties is entitled to receive, in addition to
13 mileage for one round trip between his place of residence
14 and the county seat, \$18 per day as expenses for each day's
15 attendance on sessions of the board while engaged in the
16 performance of his official duties.

17 (3) All claims for lodging expense reimbursement
18 allowed under this section must be documented by an
19 appropriate receipt.

20 (4) When other than commercial, nonreceiptable lodging
21 facilities are utilized by a county commissioner, the amount
22 of \$7 will be authorized for lodging expenses for each day
23 in which travel involves an overnight stay in lieu of the
24 amount authorized in this section. However, when overnight
25 accommodations are provided at the expense of any government

1 entity, no reimbursement may be claimed for lodging.

2 (5) This section does not apply to counties that have
3 adopted charter form of government."

4 Section 3. Section 7-4-2502, MCA, is amended to read:

5 "7-4-2502. Payment of salaries of county officials and
6 assistants. (1) Except as provided in subsection (2), the
7 salaries of the county officers and their assistants may be
8 paid monthly, twice monthly, or every 2 weeks out of the
9 general fund of the county and upon the order of the board
10 of county commissioners.

11 (2) (a) The salaries of the county attorney and deputy
12 county attorneys authorized by 7-4-2703 are payable monthly,
13 with the salary of the county attorney payable one-half from
14 the general fund of the county and the other one-half from
15 the state treasury upon the warrant of the state auditor.
16 The annualized portion payable from the state treasury may
17 not exceed one-half the annual salary of the attorney
18 general in the case of full-time county attorneys or
19 one-quarter the annual salary of the attorney general in the
20 case of part-time county attorneys.

21 (b) The county commissioners of each county shall,
22 within 30 days after the election or appointment to fill a
23 vacancy for any cause in the office of county attorney,
24 certify the election or appointment to the state auditor,
25 who shall thereafter draw warrants for such salary in the

1 same manner as for state officers. In case of a vacancy, the
2 county commissioners shall immediately notify the state
3 auditor, and the auditor shall compute the salary due on the
4 basis of the notification.

5 (3) The board has jurisdiction and power, under such
6 limitations and restrictions as are prescribed by law, to
7 fix the compensation of all county officers not otherwise
8 fixed by law and to provide for the payment of the same and
9 may, for all or the remainder of each fiscal year, in
10 conjunction with setting salaries for other officers as
11 provided in 7-4-2504(1), set their salaries at the prior
12 fiscal year level."

13 Section 4. Section 7-4-2503, MCA, is amended to read:
14 "7-4-2503. Salary schedule County governing board to
15 set salaries for certain elected county officers -- changes
16 to be uniform. (1) The salary paid to the county treasurer,
17 county clerk and recorder, clerk of the district court,
18 county assessor, county superintendent of schools, and
19 county sheriff, the county surveyor in counties where county
20 surveyors receive salaries as provided in 7-4-2012, and the
21 county auditor in all counties wherein such office is
22 authorized, for the fiscal year beginning July 1, 1981, is
23 computed by adding the annual base salary of:

24 (a) -- \$14,000 for the counties of the first through
25 fifth class to the population increment of \$10 for each 100

1 persons or major fraction thereof included in the county's
2 population as determined by the 1980 federal decennial
3 census; or

4 (b) -- \$12,000 for counties of the sixth and seventh
5 class to the population increment of \$20 per 100 persons or
6 major fraction thereof in the county's population as
7 determined by the 1980 federal decennial census.

8 (2) -- (a) An elected county superintendent of schools
9 shall receive, in addition to the salary based upon
10 subsection (1), the sum of \$400 per year, except that an
11 elected county superintendent of schools who holds a master
12 of arts degree or a master's degree in education, with an
13 endorsement in school administration, from a unit of the
14 Montana university system or an equivalent institution may
15 at the discretion of the county commissioners, receive, in
16 addition to the salary based upon subsection (1), up to
17 \$2,000 per year.

18 (b) The county sheriff shall receive, in addition to
19 the salary based upon subsection (1), the sum of \$2,000 per
20 year.

21 (3) -- (a) In each county with a population in excess of
22 30,000, the county attorney shall be a full-time official
23 under 7-4-2704, and his salary for the fiscal year beginning
24 July 1, 1981, shall be \$36,500. In counties with a
25 population less than 30,000, the county attorney who is a

1 part-time official for a county of the first, second, or
 2 third class is entitled to receive an annual salary equal to
 3 60% of the annual salary of a full-time county attorney. A
 4 county attorney who is a part-time official for a county of
 5 the fourth, fifth, sixth, or seventh class is entitled to
 6 receive an annual salary equal to 50% of the annual salary
 7 of a full-time county attorney.

8 (b) In those counties where the office of the county
 9 attorney has been established as a full-time position
 10 pursuant to 7-4-2706, the salary of the county attorney for
 11 the fiscal year beginning July 1, 1981, shall be \$36,500.

12 (c) Beginning on July 1, 1982, and on July 1 of each
 13 succeeding year, each county attorney shall be entitled to
 14 an increase in salary calculated by adding to his annual
 15 salary on July 1, 1981, an increment of 7% of the last
 16 previous calendar year's consumer price index for all urban
 17 consumers, U.S. department of labor, bureau of labor
 18 statistics, or other index that the bureau of business and
 19 economic research of the university of Montana may in the
 20 future recognize as the successor to that index. However,
 21 the county commissioners may, for all or the remainder of
 22 each fiscal year, in conjunction with setting salaries for
 23 other officers as provided in 7-4-2504(1), set the salary at
 24 the prior fiscal year level if that level is lower than the
 25 level required by this subsection (3)(c). The

1 cost-of-living increment for the fiscal year beginning July
 2 1, 1983, and for each subsequent fiscal year shall be added
 3 to all cost-of-living increments granted for previous years
 4 unless salaries were set for the fiscal year at the level of
 5 salaries received in the prior fiscal year. In such case the
 6 cost-of-living increment that would have been received for
 7 such fiscal year, computed on the prior fiscal year, may not
 8 be added to previous increments.

9 (d) (i) After completing 4 years of service as deputy
 10 county attorney, each deputy county attorney is entitled to
 11 an increase in salary of \$1,000 on the anniversary date of
 12 his employment as deputy county attorney. After completing 5
 13 years of service as deputy county attorney, each deputy
 14 county attorney is entitled to an additional increase in
 15 salary of \$1,500 on the anniversary date of his employment.
 16 After completing 6 years of service as deputy county
 17 attorney and for each year of service thereafter up to
 18 completion of the 11th year of service, each deputy county
 19 attorney is entitled to an additional annual increase in
 20 salary of \$500.

21 (ii) The years of service as a deputy county attorney
 22 accumulated prior to July 1, 1985, must be included in the
 23 calculation of the longevity increase, but years of service
 24 during any year in which the salary was set at the level of
 25 the salary of the prior fiscal year may not be included in

1 ~~any calculation of longevity increases.~~
 2 ~~(4) For each 10th year after the fiscal year beginning~~
 3 ~~July 1, 1981, the latest federal decennial census statistics~~
 4 ~~shall be the basis for computation of population increments~~
 5 ~~under this section. During the intervening 9 years, the~~
 6 ~~computation of population increments applicable on July 1 of~~
 7 ~~each year shall be based on the last calendar year's annual~~
 8 ~~estimates of counties' populations compiled by the~~
 9 ~~federal state cooperative program for estimates of the~~
 10 ~~university of Montana bureau of business and economic~~
 11 ~~research and the U.S. bureau of the census or other estimate~~
 12 ~~that the bureau of business and economic research may~~
 13 ~~certify. The governing body of a county shall annually by~~
 14 ~~resolution establish the salary of each elected county~~
 15 ~~official, except the county assessor. Before adopting the~~
 16 ~~resolution, the governing body shall hold a public hearing.~~
 17 ~~Notice of the purpose of the hearing must be published as~~
 18 ~~provided in 7-1-2121. The resolution must be adopted no~~
 19 ~~later than March 31 and is effective July 1.~~

20 (2) (a) The salaries of the county assessor and the
 21 deputy county assessor must be determined according to the
 22 pay matrix for state employees in Title 2, chapter 18, part
 23 3:

24 (i) The grade of the county assessor is the same grade
 25 as the appraisal supervisor of the department of revenue

1 servicing in that county, but the salary of the county
 2 assessor may not be less than the salary paid to that
 3 official on June 30, 1987.

4 (ii) The salary of the deputy county assessor may not
 5 exceed 90% of the salary of the assessor in the county in
 6 which the deputy serves.

7 (b) The method of determining salaries for the county
 8 assessor and the deputy county assessor in subsection (2)(a)
 9 may not be construed to mean that those officials are state
 10 employees.

11 (3) In changing the salaries of elected county
 12 officials, the governing body shall set the salaries of all
 13 county officers by using the same factor for all such
 14 salaries in a uniform manner that will ensure that the
 15 relationship between and among salaries remains the same as
 16 the level of compensation authorized on June 30, 1987."

17 Section 5. Section 7-4-2505, MCA, is amended to read:
 18 "7-4-2505. Amount of compensation for deputies and
 19 assistants. (1) Subject to subsection (2), the boards of
 20 county commissioners in the several counties in the state
 21 shall have the power to fix the compensation allowed any
 22 deputy or assistant of the following officers:

- 23 (a) clerk and recorder;
 24 (b) clerk of the district court;
 25 (c) treasurer;

1 (d) assessor;

2 (e) county attorney;

3 (f) auditor.

4 (2) (a) The salary of a deputy or an assistant listed
5 in subsection (1), other than a deputy county attorney, may
6 not be more than 90% of the salary of the officer under whom
7 such deputy or assistant is serving. The salary of a deputy
8 county attorney, ~~including longevity payments provided in~~
9 ~~7-4-2503(3)(d)~~, may not exceed the salary of the county
10 attorney under whom he is serving.

11 (b) Where any deputy or assistant is employed for a
12 period of less than 1 year, the compensation of such deputy
13 or assistant shall be for the time so employed, provided the
14 rate of such compensation shall not be in excess of the
15 rates now provided by law for similar deputies and
16 assistants except as provided herein.

17 (c) Deputy assessors' salaries shall be ~~the same as~~
18 ~~paid the deputy clerk and recorder as provided in 7-4-2503.~~"

19 Section 6. Section 7-4-2706, MCA, is amended to read:

20 "7-4-2706. County attorney to be full or part time --
21 resolution ---salary. (1) In any county with a population
22 of less than 30,000, the county commissioners may, upon the
23 consent of the county attorney, on July 1 of any year by
24 resolution establish the office of county attorney as a
25 full-time position subject to the provisions of 7-4-2701 and

1 7-4-2704. ~~The salary for this position is the salary~~
2 ~~provided by 7-4-2503 for the office of county attorney in a~~
3 ~~county with a population in excess of 30,000.~~

4 (2) In any county in which the office of county
5 attorney has been established as a full-time position under
6 subsection (1), the county commissioners may, by resolution
7 and upon the consent of the county attorney, establish the
8 office as a part-time position on July 1 of any year."

9 Section 7. Section 7-14-2126, MCA, is amended to read:

10 "7-14-2126. Compensation for making inspections. The
11 person or persons making the inspections authorized by
12 7-14-2125 shall receive a daily salary ~~equal to that~~
13 ~~established in 7-4-2107(2)~~ and actual expenses if he
14 receives no other compensation for that day and is not on an
15 annual salary. The claims shall be audited and allowed in
16 the same manner as other claims against the county."

17 Section 8. Section 7-14-2610, MCA, is amended to read:

18 "7-14-2610. Payment of damages and expenses. All
19 awards of damages estimated by the board or made by the
20 proper court and all expenses, including those of the
21 members of the board and their per diem ~~authorized by~~
22 ~~7-4-2107 and 7-4-2108~~, shall be paid out of the county road
23 fund on the order of the board."

24 Section 9. Section 7-32-104, MCA, is amended to read:

25 "7-32-104. Salaries. The ~~provisions of 7-4-2503~~

1 ~~notwithstanding~~ the salaries of the director and employees
2 of the department of public safety shall be established by
3 the public safety commission and shall be paid by the city
4 or town with the board of county commissioners. The salary
5 of the director may not be less than that ~~specified~~ set for
6 the sheriff ~~in~~ under 7-4-2503. ~~The salaries of employees may~~
7 ~~not be less than the salaries specified in 7-4-2508 and~~
8 ~~7-4-2510; however, employees are not required to be paid any~~
9 ~~fixed percentage of the director's or sheriff's salary."~~

10 NEW SECTION. Section 10. Repealer. Sections 7-4-2107,
11 7-4-2504, 7-4-2507, and 7-4-2510, MCA, are repealed.

12 NEW SECTION. Section 11. Effective date. This act is
13 effective July 1, 1987.

-End-

1 HOUSE BILL NO. 561

2 INTRODUCED BY SIMON, HAND, HARPER, NATHE, KEATING, REGAN

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE METHOD OF
5 ESTABLISHING SALARIES FOR ELECTED COUNTY OFFICIALS, ~~EXCEPT~~
6 ~~THE COUNTY ASSESSOR AND DEPUTY COUNTY ASSESSOR,~~ BY PROVIDING
7 THAT THE SALARIES BE DETERMINED BY THE COUNTY GOVERNING
8 BODY; AMENDING SECTIONS 3-10-207, 7-4-2108, 7-4-2502,
9 7-4-2503, 7-4-2505, 7-4-2706, 7-14-2126, 7-14-2610, AND
10 7-32-104, MCA; REPEALING SECTIONS 7-4-2107, 7-4-2504,
11 7-4-2507, AND 7-4-2510, MCA; AND PROVIDING AN EFFECTIVE
12 DATE."

13
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 Section 1. Section 3-10-207, MCA, is amended to read:

16 "3-10-207. Salaries. (1) The board of county
17 commissioners shall set salaries for justices of the peace
18 by resolution and ~~may, for all or the remainder of each~~
19 ~~fiscal year, in conjunction with setting salaries for other~~
20 ~~officers as provided in 7-4-2504(i) set their salaries at~~
21 ~~the prior fiscal year level if that does not result in a~~
22 ~~reduction in salary as provided in 7-4-2503.~~ Salaries must
23 meet the minimum requirements established by this section.

24 (2) If the salary of the justice of the peace was
25 determined on a fee basis for the years 1971 and 1972, he

1 shall receive a monthly salary of not less than
2 one-eighteenth of the total fees, civil and criminal,
3 collected by the justice or his predecessor in office during
4 the 2 years 1971 and 1972.

5 (3) If the salary of the justice of the peace was
6 determined on a nonfee basis for the years 1971 and 1972,
7 the justice shall be paid not less than the highest salary
8 earned by the justice or his predecessor for the years 1971
9 and 1972.

10 (4) The salary of the justice of the peace may not be
11 diminished during his term of office and may not be less
12 than the salary for the district clerk of the court in that
13 county, except as provided for in subsections ~~(i)~~ and
14 subsection (5).

15 (5) In the event his court is not open for business
16 full time, the justice's salary shall be commensurate to the
17 workload and office hours of the court."

18 Section 2. Section 7-4-2108, MCA, is amended to read:

19 "7-4-2108. Mileage allowance for county commissioners
20 -- expenses. (1) In addition to the salary provided by
21 ~~7-4-2107(i)~~ 7-4-2503, each member of the board of county
22 commissioners in counties of the first, second, third, and
23 fourth class shall receive a mileage allowance as provided
24 in 2-18-503 for the distance necessarily traveled in going
25 to and returning from the county seat and his place of

1 residence, each day that such trip is actually made and
2 while engaged in the performance of his official duties.

3 (2) Each member of the board in all other counties is
4 entitled to a mileage allowance as provided in 2-18-503 for
5 the distance necessarily traveled in going to and returning
6 from the county seat and his place of residence each day
7 that such trip is actually made to perform official duties.
8 Any county commissioner whose place of residence is 50 miles
9 or more from the county seat, as measured by the usual route
10 of travel, and who elects to remain more than one day in the
11 county seat to attend sessions of the board or perform his
12 official duties is entitled to receive, in addition to
13 mileage for one round trip between his place of residence
14 and the county seat, \$18 per day as expenses for each day's
15 attendance on sessions of the board while engaged in the
16 performance of his official duties.

17 (3) All claims for lodging expense reimbursement
18 allowed under this section must be documented by an
19 appropriate receipt.

20 (4) When other than commercial, nonreceiptable lodging
21 facilities are utilized by a county commissioner, the amount
22 of \$7 will be authorized for lodging expenses for each day
23 in which travel involves an overnight stay in lieu of the
24 amount authorized in this section. However, when overnight
25 accommodations are provided at the expense of any government

1 entity, no reimbursement may be claimed for lodging.

2 (5) This section does not apply to counties that have
3 adopted charter form of government."

4 Section 3. Section 7-4-2502, MCA, is amended to read:
5 "7-4-2502. Payment of salaries of county officials and
6 assistants. (1) Except as provided in subsection (2), the
7 salaries of the county officers and their assistants may be
8 paid monthly, twice monthly, or every 2 weeks out of the
9 general fund of the county and upon the order of the board
10 of county commissioners.

11 (2) (a) The salaries of the county attorney and deputy
12 county attorneys authorized by 7-4-2703 are payable monthly,
13 with the salary of the county attorney payable one-half from
14 the general fund of the county and the other one-half from
15 the state treasury upon the warrant of the state auditor.
16 The annualized portion payable from the state treasury may
17 not exceed one-half the annual salary of the attorney
18 general in the case of full-time county attorneys or
19 one-quarter the annual salary of the attorney general in the
20 case of part-time county attorneys.

21 (b) The county commissioners of each county shall,
22 within 30 days after the election or appointment to fill a
23 vacancy for any cause in the office of county attorney,
24 certify the election or appointment to the state auditor,
25 who shall thereafter draw warrants for such salary in the

1 same manner as for state officers. In case of a vacancy, the
2 county commissioners shall immediately notify the state
3 auditor, and the auditor shall compute the salary due on the
4 basis of the notification.

5 (3) The board has jurisdiction and power, under such
6 limitations and restrictions as are prescribed by law, to
7 fix the compensation of all county officers not otherwise
8 fixed by law and to provide for the payment of the same and
9 may, for all or the remainder of each fiscal year, in
10 conjunction with setting salaries for other officers as
11 provided in 7-4-2504(1), set their salaries at the prior
12 fiscal year level."

13 Section 4. Section 7-4-2503, MCA, is amended to read:

14 "7-4-2503. Salary schedule County governing board to
15 set salaries for certain elected county officers -- changes
16 to be uniform. (1) The salary paid to the county treasurer,
17 county clerk and recorder, clerk of the district court,
18 county assessor, county superintendent of schools, and
19 county sheriff, the county surveyor in counties where county
20 surveyors receive salaries as provided in 7-4-2012, and the
21 county auditor in all counties wherein such office is
22 authorized, for the fiscal year beginning July 1, 1981, is
23 computed by adding the annual base salary of:

24 (a) \$14,000 for the counties of the first through
25 fifth class to the population increment of \$10 for each 100

1 persons or major fraction thereof included in the county's
2 population as determined by the 1980 federal decennial
3 census, or

4 (b) \$12,000 for counties of the sixth and seventh
5 class to the population increment of \$20 per 100 persons or
6 major fraction thereof in the county's population as
7 determined by the 1980 federal decennial census.

8 (2) (a) An elected county superintendent of schools
9 shall receive, in addition to the salary based upon
10 subsection (1), the sum of \$400 per year, except that an
11 elected county superintendent of schools who holds a master
12 of arts degree or a master's degree in education, with an
13 endorsement in school administration, from a unit of the
14 Montana university system or an equivalent institution, may
15 at the discretion of the county commissioners, receive, in
16 addition to the salary based upon subsection (1), up to
17 \$2,000 per year.

18 (b) The county sheriff shall receive, in addition to
19 the salary based upon subsection (1), the sum of \$2,000 per
20 year.

21 (3) (a) In each county with a population in excess of
22 30,000, the county attorney shall be a full-time official
23 under 7-4-2704, and his salary for the fiscal year beginning
24 July 1, 1981, shall be \$36,500, in counties with a
25 population less than 30,000, the county attorney who is a

1 part-time official for a county of the first, second, or
 2 third class is entitled to receive an annual salary equal to
 3 60% of the annual salary of a full-time county attorney. A
 4 county attorney who is a part-time official for a county of
 5 the fourth, fifth, sixth, or seventh class is entitled to
 6 receive an annual salary equal to 50% of the annual salary
 7 of a full-time county attorney.

8 (b) In those counties where the office of the county
 9 attorney has been established as a full-time position
 10 pursuant to 7-4-2706, the salary of the county attorney for
 11 the fiscal year beginning July 1, 1981, shall be \$36,500.

12 (c) Beginning on July 1, 1982, and on July 1 of each
 13 succeeding year, each county attorney shall be entitled to
 14 an increase in salary calculated by adding to his annual
 15 salary on July 1, 1981, an increment of 70% of the last
 16 previous calendar year's consumer price index for all urban
 17 consumers, U.S. department of labor, bureau of labor
 18 statistics, or other index that the bureau of business and
 19 economic research of the university of Montana may in the
 20 future recognize as the successor to that index. However,
 21 the county commissioners may, for all or the remainder of
 22 each fiscal year, in conjunction with setting salaries for
 23 other officers as provided in 7-4-2504(1), set the salary at
 24 the prior fiscal year level if that level is lower than the
 25 level required by this subsection (3)(c). The

1 cost-of-living increment for the fiscal year beginning July
 2 1, 1983, and for each subsequent fiscal year shall be added
 3 to all cost-of-living increments granted for previous years
 4 unless salaries were set for the fiscal year at the level of
 5 salaries received in the prior fiscal year. In such case the
 6 cost-of-living increment that would have been received for
 7 such fiscal year, computed on the prior fiscal year, may not
 8 be added to previous increments.

9 (d) (i) After completing 4 years of service as deputy
 10 county attorney, each deputy county attorney is entitled to
 11 an increase in salary of \$1,000 on the anniversary date of
 12 his employment as deputy county attorney. After completing 5
 13 years of service as deputy county attorney, each deputy
 14 county attorney is entitled to an additional increase in
 15 salary of \$1,500 on the anniversary date of his employment.
 16 After completing 6 years of service as deputy county
 17 attorney and for each year of service thereafter up to
 18 completion of the 11th year of service, each deputy county
 19 attorney is entitled to an additional annual increase in
 20 salary of \$500.

21 (ii) The years of service as a deputy county attorney
 22 accumulated prior to July 1, 1985, must be included in the
 23 calculation of the longevity increase, but years of service
 24 during any year in which the salary was set at the level of
 25 the salary of the prior fiscal year may not be included in

1 ~~any calculation of longevity increases.~~
 2 ~~(4) For each 10th year after the fiscal year beginning~~
 3 ~~July 1, 1981, the latest federal decennial census statistics~~
 4 ~~shall be the basis for computation of population increments~~
 5 ~~under this section. During the intervening 9 years, the~~
 6 ~~computation of population increments applicable on July 1 of~~
 7 ~~each year shall be based on the last calendar year's annual~~
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 10 ~~university of Montana bureau of business and economic~~
 11 ~~research and the U.S. bureau of the census or other estimate~~
 12 ~~that the bureau of business and economic research may~~
 13 ~~certify. The governing body of a county shall annually by~~
 14 ~~resolution establish the salary of each elected county~~
 15 ~~official, except the county assessor. Before adopting the~~
 16 ~~resolution, the governing body shall hold a public hearing.~~
 17 ~~Notice of the purpose of the hearing must be published as~~
 18 ~~provided in 7-1-2121. The resolution must be adopted no~~
 19 ~~later than March MAY 31 and is effective July 1.~~
 20 ~~(2)(a) The salaries of the county assessor and the~~
 21 ~~deputy county assessor must be determined according to the~~
 22 ~~pay matrix for state employees in Title 2, chapter 18, part~~
 23 ~~3.~~
 24 ~~(i) The grade of the county assessor is the same grade~~
 25 ~~as the appraisal supervisor of the department of revenue~~

1 ~~servicing in that county, but the salary of the county~~
 2 ~~assessor may not be less than the salary paid to that~~
 3 ~~official on June 30, 1987.~~
 4 ~~(ii) The salary of the deputy county assessor may not~~
 5 ~~exceed 90% of the salary of the assessor in the county in~~
 6 ~~which the deputy serves.~~
 7 ~~(b) The method of determining salaries for the county~~
 8 ~~assessor and the deputy county assessor in subsection (2)(a)~~
 9 ~~may not be construed to mean that those officials are state~~
 10 ~~employees.~~
 11 ~~(3)(2) In changing the salaries of elected county~~
 12 ~~officials, the governing body shall set the salaries of all~~
 13 ~~county officers by using the same factor for all such~~
 14 ~~salaries in a uniform manner that will ensure that the~~
 15 ~~relationship between and among salaries remains the same as~~
 16 ~~the level of compensation authorized on June 30, 1987."~~
 17 Section 5. Section 7-4-2505, MCA, is amended to read:
 18 "7-4-2505. Amount of compensation for deputies and
 19 assistants. (1) Subject to subsection (2), the boards of
 20 county commissioners in the several counties in the state
 21 shall have the power to fix the compensation allowed any
 22 deputy or assistant of the following officers:
 23 (a) clerk and recorder;
 24 (b) clerk of the district court;
 25 (c) treasurer;

- 1 (d) assessor;
- 2 (e) county attorney;
- 3 (f) auditor.

4 (2) (a) The salary of a deputy or an assistant listed
 5 in subsection (1), other than a deputy county attorney, may
 6 not be more than 90% of the salary of the officer under whom
 7 such deputy or assistant is serving. The salary of a deputy
 8 county attorney, ~~including longevity payments provided in~~
 9 ~~7-4-2503(3)(d)7,~~ INCLUDING LONGEVITY PAYMENTS PROVIDED IN
 10 7-4-2503(3)(D), may not exceed the salary of the county
 11 attorney under whom he is serving.

12 (b) Where any deputy or assistant is employed for a
 13 period of less than 1 year, the compensation of such deputy
 14 or assistant shall be for the time so employed, provided the
 15 rate of such compensation shall not be in excess of the
 16 rates now provided by law for similar deputies and
 17 assistants except as provided herein.

18 (c) Deputy assessors' salaries shall be ~~the same as~~
 19 ~~paid the deputy clerk and recorder as provided in 7-4-2503.~~

20 Section 6. Section 7-4-2706, MCA, is amended to read:

21 "7-4-2706. County attorney to be full or part time --
 22 resolution ---salary. (1) In any county with a population
 23 of less than 30,000, the county commissioners may, upon the
 24 consent of the county attorney, on July 1 of any year by
 25 resolution establish the office of county attorney as a

1 full-time position subject to the provisions of 7-4-2701 and
 2 7-4-2704. ~~The salary for this position is the salary~~
 3 ~~provided by 7-4-2503 for the office of county attorney in a~~
 4 ~~county with a population in excess of 30,000.~~

5 (2) In any county in which the office of county
 6 attorney has been established as a full-time position under
 7 subsection (1), the county commissioners may, by resolution
 8 and upon the consent of the county attorney, establish the
 9 office as a part-time position on July 1 of any year."

10 Section 7. Section 7-14-2126, MCA, is amended to read:

11 "7-14-2126. Compensation for making inspections. The
 12 person or persons making the inspections authorized by
 13 7-14-2125 shall receive a daily salary equal--to--that
 14 ~~established in 7-4-2107(2)~~ and actual expenses if he
 15 receives no other compensation for that day and is not on an
 16 annual salary. The claims shall be audited and allowed in
 17 the same manner as other claims against the county."

18 Section 8. Section 7-14-2610, MCA, is amended to read:

19 "7-14-2610. Payment of damages and expenses. All
 20 awards of damages estimated by the board or made by the
 21 proper court and all expenses, including those of the
 22 members of the board and their per diem ~~authorized by~~
 23 ~~7-4-2107 and 7-4-2108,~~ shall be paid out of the county road
 24 fund on the order of the board."

25 Section 9. Section 7-32-104, MCA, is amended to read:

1 "7-32-104. Salaries. The provisions---of--7-4-2503
2 notwithstanding,--the salaries of the director and employees
3 of the department of public safety shall be established by
4 the public safety commission and shall be paid by the city
5 or town with the board of county commissioners. The salary
6 of the director may not be less than that specified set for
7 the sheriff in under 7-4-2503. ~~The salaries of employees may~~
8 ~~not--be--less--than--the--salaries--specified--in--7-4-2508--and~~
9 ~~7-4-2510,--however,--employees--are--not--required--to--be--paid--any~~
10 ~~fixed--percentage--of--the--director's--or--sheriff's--salary."~~

11 NEW SECTION. Section 10. Repealer. Sections 7-4-2107,
12 7-4-2504, 7-4-2507, and 7-4-2510, MCA, are repealed.

13 NEW SECTION. Section 11. Effective date. This act is
14 effective July 1, 1987.

-End-