

HOUSE BILL NO. 474

INTRODUCED BY PETERSON
BY REQUEST OF THE JOINT APPROPRIATION
SUBCOMMITTEE ON GENERAL GOVERNMENT AND TRANSPORTATION

IN THE HOUSE

FEBRUARY 5, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON APPROPRIATIONS.
	FIRST READING.
MARCH 10, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
MARCH 11, 1993	PRINTING REPORT.
MARCH 13, 1993	SECOND READING, DO PASS.
MARCH 15, 1993	ENGROSSING REPORT.
MARCH 16, 1993	THIRD READING, PASSED. AYES, 97; NOES, 1.
MARCH 17, 1993	TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 18, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
MARCH 27, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 31, 1993	SECOND READING, CONCURRED IN.
APRIL 1, 1993	THIRD READING, CONCURRED IN. AYES, 47; NOES, 1.
	RETURNED TO HOUSE.

IN THE HOUSE

APRIL 2, 1993	RECEIVED FROM SENATE.
	SENT TO ENROLLING.
	REPORTED CORRECTLY ENROLLED.

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2 INTRODUCED BY Peterson
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4 SUBCOMMITTEE ON GENERAL GOVERNMENT AND TRANSPORTATION
5
6 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT THE
7 BUDGET INFORMATION SUBMITTED BY THE DEPARTMENT OF JUSTICE
8 INCLUDE INFORMATION CONCERNING THE STATE'S SHARE OF COUNTY
9 ATTORNEY SALARIES; PROVIDING THAT A COUNTY IS RESPONSIBLE
10 FOR ANY INCREASE IN SALARY IF IT FAILS TO PROVIDE THE
11 NECESSARY INFORMATION TO THE DEPARTMENT OF JUSTICE; AND
12 AMENDING SECTIONS 7-4-2502 AND 17-7-112, MCA."

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

15 **Section 1.** Section 7-4-2502, MCA, is amended to read:

16 "7-4-2502. Payment of salaries of county officials and
17 assistants. (1) Except as provided in subsection (2), the
18 salaries of the county officers and their assistants may be
19 paid monthly, twice monthly, or every 2 weeks out of the
20 general fund of the county and upon the order of the board
21 of county commissioners.

22 (2) (a) The salaries of the county attorney and deputy
23 county attorneys authorized by 7-4-2703 are payable monthly,
24 with the salary of the county attorney payable one-half from
25 the general fund of the county and, if the county has

1 supplied the information to the department of justice for
2 inclusion in its budget, the other one-half from the state
3 treasury upon the warrant of the state auditor. If the
4 county has not supplied information concerning any scheduled
5 or proposed increase in salary for the county attorney to
6 the department of justice for inclusion in material
7 submitted to the budget director under Title 17, chapter 7,
8 part 1, the county is responsible for any increased salary.

9 (b) The county commissioners of each county shall,
10 within 30 days after the election or appointment to fill a
11 vacancy for any cause in the office of county attorney,
12 certify the election or appointment to the department of
13 justice. The department shall notify the state auditor of
14 the salary of the county attorney. The auditor shall draw
15 warrants for the county attorney salaries in the same manner
16 as for state officers. In case of a vacancy, the county
17 commissioners shall immediately notify the department of
18 justice, and the department shall compute the salary due on
19 the basis of the notification.

20 (3) The board has jurisdiction and power, under such
21 limitations and restrictions as are prescribed by law, to
22 fix the compensation of all county officers not otherwise
23 fixed by law and to provide for the payment of the same
24 compensation and may, for all or the remainder of each
25 fiscal year, in conjunction with setting salaries for other

1 officers as provided in 7-4-2504(1), set their salaries at
2 the prior fiscal year level."

3 **Section 2.** Section 17-7-112, MCA, is amended to read:

4 "17-7-112. **Submission deadline.** (1) It ~~shall be~~ is the
5 duty of each department, agency, and office, including the
6 Montana university system, to submit the information
7 required under 17-7-111 to the budget director on or before
8 September 1 in the even year preceding the convening of the
9 legislature. The department of justice shall submit
10 information received from counties concerning the state's
11 share of county attorney salaries.

12 (2) Between August 15 and September 30 in the year
13 preceding the convening of the legislature, the director
14 must submit each state agency's budget request required
15 under 17-7-111(2) to the legislative fiscal analyst. The
16 transfer of budget information ~~shall~~ must be done on a
17 schedule mutually agreed to by the budget director and the
18 legislative fiscal analyst in a manner that facilitates an
19 even transfer of budget information during the month of
20 September and which that allows each office to maintain a
21 reasonable staff workflow.

22 (3) If any department, institution, university unit, or
23 agency ~~shall--fail~~ fails to present such the information
24 within the time herein specified in this section, the budget
25 director shall note that fact in the budget submitted to the

1 governor and the budget director shall prepare and submit to
2 the legislative fiscal analyst and the governor by October
3 30 a budget request on behalf of such the department,
4 institution, university unit, or agency, based upon his the
5 budget director's studies of the operations, plans, and
6 needs thereof of the department, institution, university
7 unit, or agency.

8 (4) The proposed pay plan schedule required by
9 17-7-111(3) must be submitted to the legislative fiscal
10 analyst no later than November 15 in the year preceding the
11 convening of the legislature."

-End-

APPROVED BY COMMITTEE
ON APPROPRIATIONS

1 House BILL NO. 474
2 INTRODUCED BY Johnson
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20 (3) The board has jurisdiction and power, under such
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25 fiscal year, in conjunction with setting salaries for other

officers as provided in 7-4-2504(1), set their salaries at the prior fiscal year level."

Section 2. Section 17-7-112, MCA, is amended to read:

"17-7-112. **Submission deadline.** (1) It ~~shall be~~ is the duty of each department, agency, and office, including the Montana university system, to submit the information required under 17-7-111 to the budget director on or before September 1 in the even year preceding the convening of the legislature. The department of justice shall submit information received from counties concerning the state's share of county attorney salaries.

(2) Between August 15 and September 30 in the year preceding the convening of the legislature, the director must submit each state agency's budget request required under 17-7-111(2) to the legislative fiscal analyst. The transfer of budget information ~~shall~~ must be done on a schedule mutually agreed to by the budget director and the legislative fiscal analyst in a manner that facilitates an even transfer of budget information during the month of September and which that allows each office to maintain a reasonable staff workflow.

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governor and the budget director shall prepare and submit to the legislative fiscal analyst and the governor by October 30 a budget request on behalf of such the department, institution, university unit, or agency, based upon his the budget director's studies of the operations, plans, and needs thereof of the department, institution, university unit, or agency.

(4) The proposed pay plan schedule required by 17-7-111(3) must be submitted to the legislative fiscal analyst no later than November 15 in the year preceding the convening of the legislature."

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