## 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.

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SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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LC 1536/01

HODSE BILL NO. 474 1 INTRODUCED BY ( 2 BY REQUEST OF THE JOINT APPROPRIATION 3 SUBCOMMITTEE ON GENERAL GOVERNMENT AND TRANSPORTATION 4 5 "AN ACT REQUIRING THAT THE 6 A BILL FOR AN ACT ENTITLED: BUDGET INFORMATION SUBMITTED BY THE DEPARTMENT OF JUSTICE 7 INCLUDE INFORMATION CONCERNING THE STATE'S SHARE OF COUNTY 8 ATTORNEY SALARIES; PROVIDING THAT A COUNTY IS RESPONSIBLE 9 10 FOR ANY INCREASE IN SALARY IF IT FAILS TO PROVIDE THE 10 11 NECESSARY INFORMATION TO THE DEPARTMENT OF JUSTICE: AND 11 AMENDING SECTIONS 7-4-2502 AND 17-7-112, MCA." 12 13 14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 15 Section 1. Section 7-4-2502, NCA, is amended to read: 15 \*7-4-2502. Payment of salaries of county officials and 16 17 assistants. (1) Except as provided in subsection (2), the salaries of the county officers and their assistants may be 18 paid monthly, twice monthly, or every 2 weeks out of the 19 20 general fund of the county and upon the order of the board 20 of county commissioners. 21 22 (2) (a) The salaries of the sounty attorney and deputy county attorneys authorized by 7-4-2703 are payable monthly, 23 with the salary of the county attorney payable one-half from 24

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, within 30 days after the election or appointment to fill a 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 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.

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

HB 474 INTRODUCED BILL -2-

## LC 1536/01

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.

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

(3) If any department, institution, university unit, or
agency shall--fail fails to present such the information
within the time herein specified in this section, the budget
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-

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### LC 1536/01

# APPROVED BY COMMITTEE ON APPROPRIATIONS

1	House BILL NO. 474
2	INTRODUCED BY Abterson
3	BY REQUEST OF THE JOINT APPROPRIATION
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."
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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

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. <u>If the</u>
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.
~ ~	

(3) The board has jurisdiction and power, under such 20 21 limitations and restrictions as are prescribed by law, to fix the compensation of all county officers not otherwise 22 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

> HB 414 -2-SECOND READING

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#### LC 1536/01

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(2) Between August 15 and September 30 in the year 12 13 preceding the convening of the legislature, the director must submit each state agency's budget request required 14 under 17-7-111(2) to the legislative fiscal analyst. The 15 transfer of budget information shall must be done on a 16 schedule mutually agreed to by the budget director and the 17 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.

(3) If any department, institution, university unit, or
agency shall--fail fails to present such the information
within the time herein specified in this section, the budget
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."

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LC 1536/01

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HB 474 THIRD READING 1 officers as provided in 7-4-2504(1), set their salaries at 2 the prior fiscal year level."

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HB 0474/02

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2	INTRODUCED BY PETERSON	2	inclusion in its budget, the other one-half from the state
3	BY REQUEST OF THE JOINT APPROPRIATION	3	treasury upon the warrant of the state auditor. If the
4	SUBCOMMITTEE ON GENERAL GOVERNMENT AND TRANSPORTATION	4	county has not supplied information concerning any scheduled
5		5	or proposed increase in salary for the county attorney to
6	A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT THE	6	the department of justice for inclusion in material
7	BUDGET INFORMATION SUBMITTED BY THE DEPARTMENT OF JUSTICE	7	submitted to the budget director under Title 17, chapter 7,
8	INCLUDE INFORMATION CONCERNING THE STATE'S SHARE OF COUNTY	8	part 1, the county is responsible for any increased salary.
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11	NECESSARY INFORMATION TO THE DEPARTMENT OF JUSTICE; AND	11	vacancy for any cause in the office of county attorney,
12	AMENDING SECTIONS 7-4-2502 AND 17-7-112, MCA."	12	certify the election or appointment to the department of
13		13	justice. The department shall notify the state auditor of
14	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	14	the salary of the county attorney. The auditor shall draw
15	Section 1. Section 7-4-2502, MCA, is amended to read:	15	warrants for the county attorney salaries in the same manner
16	*7-4-2502. Payment of salaries of county officials and	16	as for state officers. In case of a vacancy, the county
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Montana Legislative Council

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HB 474 REFERENCE BILL

#### HB 0474/02

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HB 474