SENATE BILL 336

Introduced by Yellowtail

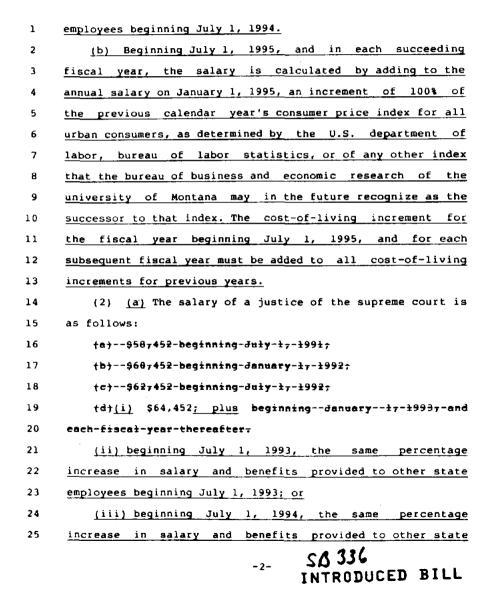
- 2/08 Introduced
- 2/08 Referred to Judiciary
- 2/08 First Reading
- 2/09 Fiscal Note Requested
- 2/15 Fiscal Note Received
- 2/16 Fiscal Note Printed
- 2/18 Hearing
- 2/22 Committee Report--Bill Passed as Amended
- 2/23 2nd Reading Passed
- 2/24 3rd Reading Passed

Transmitted to House

- 3/01 Referred to Judiciary
- 3/01 First Reading
- 3/09 Hearing
- 3/12 Committee Report--Bill Concurred
- 3/15 2nd Reading Concur Motion Failed
- 3/15 Motion Failed to Segregate from the Committee of the Whole Report

LC 0916/01

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INTRODUCED BY Hellewtrich
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     A BILL FOR AN ACT ENTITLED:
                                  "AN ACT COORDINATING SALARY
 5
     INCREASES FOR SUPREME COURT JUSTICES AND DISTRICT COURT
      JUDGES WITH INCREASES FOR STATE EMPLOYEES; INDEXING JUDICIAL
 6
 7
      SALARIES TO THE CONSUMER PRICE INDEX; AMENDING SECTIONS
      2-16-404 AND 3-5-211, MCA; AND PROVIDING AN IMMEDIATE
 8
      EFFECTIVE DATE."
 ۵
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11
      BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12
         Section 1. Section 2-16-404, MCA, is amended to read:
13
          "2-16-404. Salaries of supreme court justices. (1) (a)
14
      The salary of the chief justice of the supreme court is as
15
      follows:
16
          (a)--9597722-beginning-July-17-19917
17
          {b}--$61,722-beginning-January-1,-1992;
18
          (c)--$637722-beginning-duly-17-19927
          td7(i) $65,722; plus beginning--January--17-19937-and
19
20
      each-fiscal-year-thereafter.
21
          (ii) beginning July 1, 1993, the same percentage
      increase in salary and benefits provided to other state
22
23
      employees beginning July 1, 1993; or
24
          (iii) beginning July 1, 1994, the same percentage
25
      increase in salary and benefits provided to other state
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| 1 | employees beginning July 1, 1994. |
|----|--|
| 2 | (b) Beginning July 1, 1995, and in each succeeding |
| 3 | fiscal year, the salary is calculated by adding to the |
| 4 | annual salary on January 1, 1995, an increment of 100% of |
| 5 | the previous calendar year's consumer price index for all |
| 6 | urban consumers, as determined by the U.S. department of |
| 7 | labor, bureau of labor statistics, or of any other index |
| 8 | that the bureau of business and economic research of the |
| 9 | university of Montana may in the future recognize as the |
| 10 | successor to that index. The cost-of-living increment for |
| 11 | the fiscal year beginning July 1, 1995, and for each |
| 12 | subsequent fiscal year must be added to all cost-of-living |
| 13 | increments for previous years." |
| 14 | Section 2. Section 3-5-211, MCA, is amended to read: |
| 15 | "3-5-211. Salaries and expenses of district judges. |
| 16 | (1) <u>(a)</u> The annual salary of each district judge is as |
| 17 | follows: |
| 18 | {a}\$57;178-beginning-July-1;-1991; |
| 19 | {b}\$59;178-beginning-January-1;-1992; |
| 20 | (c)\$617178-beginning-July-17-19927 |
| 21 | (d) <u>(i)</u> \$63,178 <u>; plus</u> beginningJanuary17-19937-and |
| 22 | each-fiscal-year-thereafter- |
| 23 | (ii) beginning July 1, 1993, the same percentage |
| 24 | increase in salary and benefits provided to other state |
| 25 | employees beginning July 1, 1993; or |
| | - |

| 1 | (iii) beginning July 1, 1994, the same percentage |
|----|--|
| 2 | increase in salary and benefits provided to other state |
| 3 | employees beginning July 1, 1994. |
| 4 | (b) Beginning July 1, 1995, and in each succeeding |
| 5 | fiscal year, the salary is calculated by adding to the |
| 6 | annual salary on January 1, 1995, an increment of 100% of |
| 7 | the previous calendar year's consumer price index for all |
| 8 | urban consumers, as determined by the U.S. department of |
| 9 | labor, bureau of labor statistics, or of any other index |
| 10 | that the bureau of business and economic research of the |
| 11 | university of Montana may in the future recognize as the |
| 12 | successor to that index. The cost-of-living increment for |
| 13 | the fiscal year beginning July 1, 1995, and for each |
| 14 | subsequent fiscal year must be added to all cost-of-living |
| 15 | increments for previous years. |
| 16 | (2) Actual and necessary expenses for each district |
| 17 | judge shall-be are the travel expenses, as defined and |
| 18 | provided in 2-18-501 through 2-18-503, incurred in the |
| 19 | performance of his official duties." |
| 20 | NEW SECTION. Section 3. Effective date. [This act] is |
| 21 | effective on passage and approval. |

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0336, as introduced.

<u>DESCRIPTION OF PROPOSED LEGISLATION</u>: Coordinates salary and benefits increases for Supreme Court justices and district court judges with increases for state employees. The bill also indexes judicial salaries to the consumer price index (CPI) beginning July 1, 1995 (FY96).

ASSUMPTIONS:

- 1. There are 44 justices and judges covered under this bill: seven Supreme Court justices and 37 district court judges.
- 2. The executive pay proposal increases the state contribution to employee group insurance by \$240 in FY94 and \$480 in FY95 above the current contribution level. The increase in general fund would amount to \$10,560 in FY94 (44 x \$240) and \$21,120 in FY95 (44 x \$480).
- 3. Beginning in FY96, justice and judge salaries will be increased by the annual CPI percentage regardless of the salary and benefit increases, if any, adopted for other elected officials and state employees.

FISCAL IMPACT: Judiciary:

| | | <u>FY '94</u> | | | <u>FY '95</u> | |
|-----------------------|--------------------|------------------|-------------------|--------------------|------------------|-------------------|
| | <u>Current Law</u> | Proposed Law | <u>Difference</u> | <u>Current Law</u> | Proposed Law | <u>Difference</u> |
| FTE | 92.50 | 92.50 | 0.00 | 92.50 | 92.50 | 0.00 |
| Personal Services | 4,926,982 | 4,937,542 | 10,560 | 4,939,734 | 4,960,854 | 21,120 |
| Operating Expenses | 1,274,474 | 1,274,474 | 0 | 1,273,780 | 1,273,780 | 0 |
| Equipment | 353,005 | 353,005 | 0 | 372,010 | 372,010 | 0 |
| Grants | 3,143,290 | <u>3,143,290</u> | 0 | <u>3,291,290</u> | <u>3,291,290</u> | 0 |
| Total | 9,697,751 | 9,708,311 | 10,560 | 9,876,814 | 9,897,934 | 21,120 |
| Funding: | | | | | | |
| General Fund | 8,912,856 | 8,923,416 | 10,560 | 9,058,493 | 9,079,613 | 21,120 |
| State Special Revenue | 784,895 | 784,895 | Q | 818,321 | 818,321 | 0 |
| Total | 9,697,751 | 9,708,311 | 10,560 | 9,876,814 | 9,897,934 | 21,120 |

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

Beginning in FY96, Supreme Court justice and district court judge salaries will be increased by the annual CPI percentage regardless of the salary and benefit increases, if any, adopted for other elected officials and state employees. If the CPI increases 4% per year, then salaries would increase a total of approximately \$400,000 during the 1997 biennium (increased general fund expenditure).

DAVID LEWIS, BUDGET DIRECTOR DATE Office of Budget and Program Planning

WILLIAM YELLOWTAIL, PRIMARY SPONSOR DATE

Fiscal Note for <u>SB0336</u>, as introduced

SB 0336/02

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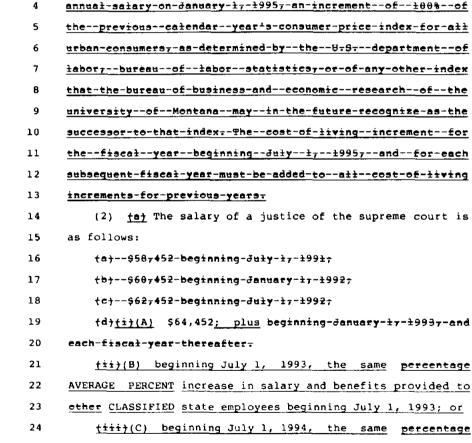
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APPROVED BY COMMITTEE ON JUDICIARY

| 1 | SENATE BILL NO. 336 |
|----|---|
| 2 | INTRODUCED BY YELLOWTAIL |
| 3 | |
| 4 | A BILL FOR AN ACT ENTITLED: "AN ACT COORDINATING SALARY |
| 5 | INCREASES FOR SUPREME COURT JUSTICES AND DISTRICT COURT |
| 6 | JUDGES WITH INCREASES FOR STATE EMPLOYEES; INDEXING-JUDICIAL |
| 7 | SALARIES-TO-THECONSUMERPRICEINDEX; AMENDING SECTIONS |
| 8 | 2-16-404 AND 3-5-211, MCA; AND PROVIDING AN IMMEDIATE |
| 9 | EFFECTIVE DATE." |
| 10 | |
| 11 | BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: |
| 12 | Section 1. Section 2-16-404, MCA, is amended to read: |
| 13 | 2-16-404. Salaries of supreme court justices. (1) <u>(a)</u> |
| 14 | The salary of the chief justice of the supreme court is as |
| 15 | follows: |
| 16 | {a}\$597722-beginning-July-ly-l991; |
| 17 | <pre>tbj\$61;722-beginning-January-1;-1992;</pre> |
| 18 | <pre>tct\$637722-beginning-July-17-19927</pre> |
| 19 | tdj <u>tij(A)</u> \$65,722 <u>; plus</u> beginning-January-17-19937-and |
| 20 | each-fiscal-year-thereafter- |
| 21 | <pre>tit(B) beginning July 1, 1993, the same percentage</pre> |
| 22 | AVERAGE PERCENT increase in salary and benefits provided to |
| 23 | other CLASSIFIED state employees beginning July 1, 1993; or |
| 24 | <pre>tii(C) beginning July 1, 1994, the same percentage</pre> |
| 25 | AVERAGE PERCENT increase in salary and benefits provided to |



other CLASSIFIED state employees beginning July 1, 1994.

(b)--Beginning-July-17--19957--and--in--each--succeeding fiscal--year7--the--salary--is--calculated--by-adding-to-the

25 AVERAGE PERCENT increase in salary and benefits provided to

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SECOND READING

SB 0336/02

SB 336

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| 1 | other CLASSIFIED state employees beginning July 1, 1994. |
|--|--|
| 2 | (b)Beginning-July-1719957andineachsucceeding |
| 3 | fiscalyearythesalaryiscalculatedby-adding-to-the |
| 4 | annusl-salary-on-January-17-19957-an-incrementof100%of |
| 5 | thepreviouscalendaryear's-consumer-price-index-for-all |
| 6 | urban-consumers,-as-determined-bytheU-Sdepartmentof |
| 7 | taborybureauoftaborstatisticsy-or-of-any-other-index |
| 8 | that-the-bureau-of-business-andeconomicresearchofthe |
| 9 | university-ofMontanamayin-the-future-recognize-as-the |
| 10 | successor-to-that-index;-Thecost-of-livingincrementfor |
| 11 | thefiscalyearbeginningduly-ly-ly-1995;andfor-each |
| 12 | subsequent-fiscal-year-must-be-added-toallcost-of-living |
| 13 | increments-for-previous-years-" |
| | |
| 14 | Section 2. Section 3-5-211, MCA, is amended to read: |
| 14 15 | Section 2. Section 3-5-211, MCA, is amended to read: "3-5-211. Salaries and expenses of district judges. |
| | |
| 15 | "3-5-211. Salaries and expenses of district judges. |
| 15 16 | *3-5-211. Salaries and expenses of district judges. (1) <u>fa</u> The annual salary of each district judge is as |
| 15 16 17 | "3-5-211. Salaries and expenses of district judges. (1) (a) The annual salary of each district judge is as follows: |
| 15 16 17 18 | *3-5-211. Salaries and expenses of district judges. (1) <u>fay</u> The annual salary of each district judge is as follows: (a)\$57,170-beginning-duty-1,-1991; |
| 15 16 17 18 19 | *3-5-211. Salaries and expenses of district judges. (1) <u>fa</u> The annual salary of each district judge is as follows: (a)\$57,178-beginning-July-1,-1991; (b)\$59,178-beginning-January-1,-1992; |
| 15 16 17 18 19 20 | *3-5-211. Salaries and expenses of district judges. (1) <u>(a)</u> The annual salary of each district judge is as follows: (a)\$577178-beginning-July-17-1991; (b)\$597178-beginning-July-17-1992; (c)\$617178-beginning-July-17-1992; |
| 15 16 17 18 19 20 21 | <pre>"3-5-211. Salaries and expenses of district judges. (1) <u>fap</u> The annual salary of each district judge is as follows:</pre> |
| 15 16 17 18 19 20 21 22 | <pre>"3-5-211. Salaries and expenses of district judges. (1) <u>(a)</u> The annual salary of each district judge is as follows:</pre> |

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| <pre>tiii)(C) beginning July 1, 1994, the same percentage</pre> |
|---|
| AVERAGE PERCENT increase in salary and benefits provided to |
| other CLASSIFIED state employees beginning July 1, 1994. |
| <u>tbtBeginning-July-1719957andineachsucceeding</u> |
| fiscalyearythesalaryiscalculatedby-adding-to-the |
| annual-salary-on-danuary-17-19957-an-incrementof100%of |
| thepreviouscalendaryear's-consumer-price-index-for-all |
| urban-consumersy-as-determined-bytheU-Sdepartmentof |
| labor7bureauoflaborstatistics7-or-of-any-other-index |
| that-the-bureau-of-business-andeconomicresearchofthe |
| universityofMontanamayin-the-future-recognize-as-the |
| successor-to-that-indexThecost-of-livingincrementfor |
| thefiscalyearbeginningJuly1719957andfor-each |
| subsequent-fiscal-year-must-be-added-toallcost-of-living |
| increments-for-previous-years. |
| (2) Actual and necessary expenses for each district |

16 judge shall-be are the travel expenses, as defined and 17 18 provided in 2-18-501 through 2-18-503, incurred in the 19 performance of his official duties."

NEW SECTION. Section 3. Effective date. [This act] is 20

21 effective on passage and approval.

-End-

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SB 336

SB 0336/02

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53rd Legislature

SB 0336/02

| 1 | SENATE BILL NO. 336 | 1 | other CLASSIFIED state employees beginning July 1, 1994. |
|----|---|-----|--|
| 2 | INTRODUCED BY YELLOWTAIL | 2 | tb)Beginning-July-1719957andineachsucceeding |
| 3 | | 3 | fiscalyearythesalaryiscalculatedby-adding-to-the |
| 4 | A BILL FOR AN ACT ENTITLED: "AN ACT COORDINATING SALARY | 4 | annual-salary-on-January-17-19957-an-incrementof100%of |
| 5 | INCREASES FOR SUPREME COURT JUSTICES AND DISTRICT COURT | 5 | thepreviouscalendaryearis-consumer-price-index-for-all |
| 6 | JUDGES WITH INCREASES FOR STATE EMPLOYEES; INDEXING-JUDICIAL | 6 | urban-consumersy-as-determined-bytheU-Sdepartmentof |
| 7 | SALARIES-TO-THECONSUMERPRICEINDEX; AMENDING SECTIONS | 7 | <u>laborybureauoflaborstatisticsy-or-of-any-other-index</u> |
| 8 | 2-16-404 AND 3-5-211, MCA; AND PROVIDING AN IMMEDIATE | 8 | that-the-bureau-of-business-and-economicresearchofthe |
| 9 | EFFECTIVE DATE." | . 9 | universityofMontanamayin-the-future-recognize-as-the |
| 10 | | 10 | successor-to-that-index:-Thecost-of-livingincrementfor |
| 11 | BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: | 11 | thefiscalyearbeginningJulyly1995yandfor-each |
| 12 | Section 1. Section 2-16-404, MCA, is amended to read: | 12 | subsequent-fiscal-year-must-be-added-toallcost-of-living |
| 13 | "2-16-404. Salaries of supreme court justices. (1) tat | 13 | increments-for-previous-years- |
| 14 | The salary of the chief justice of the supreme court is as | 14 | (2) $\frac{4}{10}$ The salary of a justice of the supreme court is |
| 15 | follows: | 15 | as follows: |
| 16 | ta}\$597722-beginning-duly-l7-l99l; | 16 | ta)\$587452-beginning-July-l7-l9917 |
| 17 | tb)\$617722-beginning-January-17-1992; | 17 | tb}\$687452-beginning-January-17-1992; |
| 18 | tc)\$63,722-beginning-&uly-ly-1992 | 18 | {c}\$627452-beginning-duly-17-19927 |
| 19 | td) <u>ti)(A)</u> \$65,722 <u>; plus</u> beginning-January-iy-i993y-and | 19 | td) <u>ti)(A)</u> \$64,452; plus beginning-January-17-19937-and |
| 20 | each-fiscal-year-thereafter. | 20 | each-fiscal-year-thereafter. |
| 21 | tiit(B) beginning July 1, 1993, the same percentage | 21 | $\frac{1}{2}$ |
| 22 | AVERAGE PERCENT increase in salary and benefits provided to | 22 | AVERAGE PERCENT increase in salary and benefits provided to |
| 23 | other CLASSIFIED state employees beginning July 1, 1993; or | 23 | other CLASSIFIED state employees beginning July 1, 1993; or |
| 24 | <pre>titit(C) beginning July 1, 1994, the same percentage</pre> | 24 | <u> tiii)(C) beginning July 1, 1994, the same percentage</u> |
| 25 | AVERAGE PERCENT increase in salary and benefits provided to | 25 | AVERAGE PERCENT increase in salary and benefits provided to |
| | | | |



THIRD READING

SB 336

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SB 336

| .1 | other CLASSIFIED state employees beginning July 1, 1994. |
|----|---|
| 2 | <pre>tb)Beginning-July-ly-l9957andineachsucceeding</pre> |
| 3 | fiscalyearythesalaryiscalculatedby-adding-to-the |
| 4 | annual-salary-on-January-17-19957-an-incrementof1001of |
| 5 | thepreviouscalendaryear's-consumer-price-index-for-all |
| 6 | urban-consumersy-as-determined-bytheU:S:departmentof |
| 7 | <u>laborybureauoflaborstatisticsy-or-of-any-other-index</u> |
| 8 | that-the-bureau-of-business-andeconomicresearchofthe |
| 9 | universityofMontanamayin-the-future-recognize-as-the |
| 10 | successor-to-that-index:-Thecost-of-livingincrementfor |
| 11 | thefiscalyearbeginningJuly171995yandfor-each |
| 12 | subsequent-fiscal-year-must-be-added-toallcost-of-living |
| 13 | increments-for-previous-years." |
| 14 | Section 2. Section 3-5-211, MCA, is amended to read: |
| 15 | "3-5-211. Salaries and expenses of district judges. |
| 16 | (1) (a) The annual salary of each district judge is as |
| 17 | follows: |
| 18 | tat\$577178-beginning-duly-l7-1991; |
| 19 | +b}\$597178-beginning-January-17-1992; |
| 20 | tc}~-\$617178-beginning-July-17-1992; |
| 21 | td) <u>ti)(A)</u> \$63,178; plus beginning-January-17-19937-and |
| 22 | each-fiseal-year-thereafter- |
| 23 | tit/(B) beginning July 1, 1993, the same percentage |
| 24 | AVERAGE PERCENT increase in salary and benefits provided to |
| 25 | other CLASSIFIED state employees beginning July 1, 1993; or |

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| 1 | <pre>titit(C) beginning July 1, 1994, the same percentage</pre> |
|----|---|
| 2 | AVERAGE PERCENT increase in salary and benefits provided to |
| 3 | other CLASSIFIED state employees beginning July 1, 1994. |
| 4 | <u>tbyBeginning-July-ly1995,andineachsucceeding</u> |
| 5 | fiscalyearythesalaryiscalculatedby-adding-to-the |
| 6 | annual-salary-on-danuary-ly-l995y-an-incrementof1004of |
| 7 | thepreviouscalendaryear's-consumer-price-index-for-all |
| 8 | urban-consumersy-as-determined-bytheUrStdepartmentof |
| 9 | laborybureauoflaborstatisticsy-or-of-any-other-index |
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| 11 | universityofMontanamayin-the-future-recognize-as-the |
| 12 | successor-to-that-index-Thecost-of-livingincrementfor |
| 13 | thefiscalyearbeginningJulyly1995yandfor-each |
| 14 | subsequent-fiscal-year-must-be-added-toallcost-of-living |
| 15 | increments-for-previous-years: |
| 16 | (2) Actual and necessary expenses for each district |
| 17 | judge shall-be are the travel expenses, as defined and |
| 18 | provided in 2-18-501 through 2-18-503, incurred in the |
| 19 | - performance of his official duties." |
| 20 | NEW SECTION. Section 3. Effective date. [This act] is |

21 effective on passage and approval.

-End-

-4-

SB 336