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SENATE BILL NO. 192

INTRODUCED BY

*Van Valkenburg Swygood HARP Clark
Jergeson Dyer*

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT THE SALARY FOR THE POSITION IN THE DEPARTMENT OF JUSTICE OF TRAINING COORDINATOR FOR COUNTY ATTORNEYS IS THE SAME AS THAT ESTABLISHED FOR A FULL-TIME COUNTY ATTORNEY IN A COUNTY WITH A POPULATION IN EXCESS OF 30,000; AMENDING SECTIONS 2-18-103 AND 44-4-101, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 2-18-103, MCA, is amended to read:

"2-18-103. Officers and employees excepted. Parts 1 and 2 do not apply to the following positions in state government:

- (1) elected officials;
- (2) county assessors and their chief deputy;
- (3) officers and employees of the legislative branch;
- (4) judges and employees of the judicial branch;
- (5) members of boards and commissions appointed by the governor, the legislature, or other elected state officials;
- (6) officers or members of the militia;
- (7) agency heads appointed by the governor;
- (8) academic and professional administrative personnel with individual contracts under the authority of the board of regents of higher education;
- (9) academic and professional administrative personnel and live-in houseparents who have entered into individual contracts with the state school for the deaf and blind under the authority of the state board of public education;
- (10) teachers under the authority of the department of corrections and human services or family services;
- (11) investment officer, assistant investment officer, executive director, and three professional staff

1 positions of the board of investments;

2 (12) four professional staff positions under the board of oil and gas conservation;

3 (13) assistant director for security of the Montana state lottery;

4 (14) executive director and senior investment officer of the Montana board of science and
5 technology development;

6 (15) executive director and employees of the state compensation insurance fund;

7 (16) state racing stewards employed by the executive secretary of the Montana board of
8 horseracing;

9 (17) executive director of the Montana wheat and barley committee; ~~and~~

10 (18) commissioner of banking and financial institutions; and

11 (19) training coordinator for county attorneys."

12

13 **Section 2.** Section 44-4-101, MCA, is amended to read:

14 "**44-4-101. Position established -- salary.** There is created within the department of justice the
15 position of training coordinator for county attorneys. The position of training coordinator for county
16 attorneys is an exempt position as provided in 2-18-103. The salary for this position is the same as that
17 provided in 7-4-2503 for a county attorney in a county with a population in excess of 30,000."

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19 **NEW SECTION. Section 3. Effective date.** [This act] is effective July 1, 1995.

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-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for SB0192, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

A bill making the salary of the county attorney training coordinator in the Department of Justice the same as that of a full-time county attorney in a county with a population in excess of 30,000.

ASSUMPTIONS:

1. The FY95 base salary (excluding benefits and insurance) for full-time county attorneys, in counties with a population in excess of 30,000, is \$58,076. Presently, 14 counties pay this base salary.
2. The FY95 base salary for the county attorney training coordinator in the Department of Justice, before the FY95 pay plan adjustment, was \$46,286 (without benefits and insurance). The position is a grade 20. The budgeted salary amounts for this position in the Governor's Executive Budget are \$46,801 in FY96 and \$46,981 in FY97.
3. Under present law, county attorneys may receive an annual salary adjustment equal to the previous year increase in the Consumer Price Index (CPI). The recent annual CPI increases have been approximately 3%. A 3% annual increase factor was used for the present law base adjustments in the Governor's Executive Budget for the County Attorney Payroll program (the state general fund pays for half of the salary and benefits for county attorneys). The estimated base salary is \$59,818 for FY96 and \$61,613 for FY97 ($58,076 \times 1.03 = 59,818$; $59,818 \times 1.03 = 61,613$).
4. Benefits for the training coordinator are calculated at 15.7% of salary, excluding the state's insurance contribution that would not be affected by this change.

FISCAL IMPACT:

Expenditures:

	<u>FY96</u>	<u>FY97</u>
	<u>Difference</u>	<u>Difference</u>
Legal Services Division:		
Personal Services	15,060	16,930
<u>Funding:</u>		
General Fund (01)	15,060	16,930

Dave Lewis 1-23-95
DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

Fred Van Valkenburg 1-24-95
FRED VAN VALKENBURG, PRIMARY SPONSOR DATE

Fiscal Note for SB0192, as introduced

SB192

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