

Unofficial Draft Copy

As of: October 21, 2008 (9:54am)

LC0364

**** Bill No. ****

Introduced By *****

By Request of the Law and Justice Interim Committee

A Bill for an Act entitled: "An Act revising salaries for supreme court justices and district court judges; amending sections 2-16-403 and 3-5-211, MCA; and providing an immediate effective date."

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 2-16-403, MCA, is amended to read:

"2-16-403. Salaries of supreme court justices. Prior to ~~June 30~~ July 1 of each ~~even-numbered~~ year, the department of administration shall conduct a salary survey ~~of~~ to determine the salaries that will be in effect as of July 1 of that year for justices and chief justices of the highest appellate courts similar to the Montana supreme court for the states of North Dakota, South Dakota, Wyoming, and Idaho. ~~The department shall include the salary for a Montana supreme court justice or the chief justice in determining the average salary for a justice and the average salary for the chief justice.~~ If the average salaries are greater than the salaries for a supreme court justice or the chief justice in Montana, then beginning July 1 of the year ~~following the year~~ in which the survey is conducted, the average salaries are the new salaries for a supreme court justice or the chief justice. A justice's salary or the chief justice's salary may not be reduced."

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{Internal References to 2-16-403:
x3-2-104 x19-5-101}

Section 2. Section 3-5-211, MCA, is amended to read:

"3-5-211. Salaries and expenses of district court judges.

(1) Prior to ~~June 30~~ July 1 of each ~~even-numbered~~ year, the department of administration shall conduct a salary survey ~~of~~ to determine the salaries that will be in effect as of July 1 of that year for judges of courts of general jurisdiction similar to the Montana district courts for the states of North Dakota, South Dakota, Wyoming, and Idaho. ~~The department shall include the salary for a Montana district court judge in determining the average salary.~~ If the average salary is greater than the salary for a district court judge in Montana, then beginning July 1 of the year ~~following the year~~ in which the survey is conducted, the average salary is the new salary for that position. A district court judge's salary may not be reduced.

(2) Actual and necessary expenses for each district court judge are the travel expenses, as defined and provided in 2-18-501 through 2-18-503, incurred in the performance of the district court judge's official duties."

{Internal References to 3-5-211:
x3-7-222 x3-10-207 x7-4-2502 x19-5-101}

NEW SECTION. **Section 3. {standard} Effective date.** [This act] is effective on passage and approval.

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