

SENATE BILL NO. 260

INTRODUCED BY S. BROWN, TOWE, HIMSL

IN THE SENATE

January 26, 1979	Introduced and referred to Committee on Judiciary.
February 10, 1979	Committee recommend bill do pass as amended. Report adopted.
February 12, 1979	Printed and placed on members' desks.
February 13, 1979	Second reading, do pass.
February 14, 1979	Considered correctly engrossed.
February 15, 1979	Third reading, passed. Transmitted to second house.

IN THE HOUSE

February 16, 1979	Introduced and referred to Committee on Judiciary.
March 15, 1979	Committee recommend bill be concurred in. Report adopted.
March 16, 1979	Second reading, concurred in.
March 19, 1979	Third reading, concurred in.

IN THE SENATE

March 20, 1979	Returned from second house. Concurred in. Sent to enrolling.  Reported correctly enrolled.
----------------	---

1 *Amended* BILL NO. *260*  
 2 INTRODUCED BY S. BROWN *for Hind*  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE PROVISIONS  
 5 OF THE LAW RELATING TO THE DISCLOSURE OF THE PROCEEDINGS AND  
 6 THE RELATED DOCUMENTS OF THE JUDICIAL NOMINATING COMMISSION;  
 7 AMENDING SECTIONS 3-1-1007 AND 3-1-1010, MCA."  
 8

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

10 Section 1. Section 3-1-1007, MCA, is amended to read:

11 "3-1-1007. Commission to make rules ~~of confidentiality~~  
 12 ~~of proceedings.~~ (1) The commission shall make rules for the  
 13 conduct of its affairs ~~and to provide for the~~  
 14 ~~confidentiality of its proceedings.~~

15 ~~(2) The proceedings of the commission and the related~~  
 16 ~~documents shall be open to the public except when the~~  
 17 ~~demands of individual privacy exceed the merits of public~~  
 18 ~~exposure."~~

19 Section 2. Section 3-1-1010, MCA, is amended to read:

20 "3-1-1010. List submitted to governor ~~report on~~  
 21 ~~proceedings.~~ The commission shall meet forthwith after a  
 22 vacancy occurs on the supreme court or district court and  
 23 submit to the governor within 30 days from the date of the  
 24 vacancy a list of not less than three or more than five  
 25 persons. ~~The list must be accompanied by a written report to~~

1 ~~the governor indicating the vote on each nominee, the~~  
 2 ~~content of the application submitted by each nominee, and~~  
 3 ~~the commission's reasons for recommending each nominee for~~  
 4 ~~appointment."~~

-End-

Approved by Committee  
on Judiciary

SENATE BILL NO. 260

INTRODUCED BY S. BROWN, TOWE, HIMSL

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE PROVISIONS  
OF THE LAW RELATING TO THE DISCLOSURE OF THE PROCEEDINGS AND  
THE RELATED DOCUMENTS OF THE JUDICIAL NOMINATING COMMISSION;  
AMENDING SECTIONS 3-1-1007 AND 3-1-1010, MCA."

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

Section 1. Section 3-1-1007, MCA, is amended to read:

"3-1-1007. Commission to make rules ~~== confidentiality~~  
~~of proceedings.~~ (1) The commission shall make rules for the  
conduct of its affairs ~~end---to---provide---for---the~~  
~~confidentiality-of-its-proceedings.~~

(2) ~~The proceedings of the commission and the related~~  
~~documents shall be open to the public except when the~~  
~~demands of individual privacy CLEARLY exceed the merits of~~  
~~public exposure."~~

Section 2. Section 3-1-1010, MCA, is amended to read:

"3-1-1010. List submitted to governor ~~== report on~~  
~~proceedings.~~ The commission shall meet forthwith after a  
vacancy occurs on the supreme court or district court and  
submit to the governor within 30 days from the date of the  
vacancy a list of not less than three or more than five  
persons. ~~The list must be accompanied by a written report to~~

~~the governor indicating the vote on each nominee, the~~  
~~content of the application submitted by each nominee, and~~  
~~the commission's reasons for recommending each nominee for~~  
~~appointments."~~

-End-

SENATE BILL NO. 260

INTRODUCED BY S. BROWN, TOME, HIMSL

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE PROVISIONS OF THE LAW RELATING TO THE DISCLOSURE OF THE PROCEEDINGS AND THE RELATED DOCUMENTS OF THE JUDICIAL NOMINATING COMMISSION; AMENDING SECTIONS 3-1-1007 AND 3-1-1010, MCA."

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

Section 1. Section 3-1-1007, MCA, is amended to read:

"3-1-1007. Commission to make rules ~~of confidentiality of proceedings.~~ (1) The commission shall make rules for the conduct of its affairs ~~and to provide for the confidentiality of its proceedings.~~

~~(2) The proceedings of the commission and the related documents shall be open to the public except when the demands of individual privacy CLEARLY exceed the merits of public exposure.~~

Section 2. Section 3-1-1010, MCA, is amended to read:

"3-1-1010. List submitted to governor ~~report on proceedings.~~ The commission shall meet forthwith after a vacancy occurs on the supreme court or district court and submit to the governor within 30 days from the date of the vacancy a list of not less than three or more than five persons. ~~The list must be accompanied by a written report to~~

~~the governor indicating the vote on each nominee, the content of the application submitted by each nominee, and the commission's reasons for recommending each nominee for appointment."~~

-End-

1 SENATE BILL NO. 260  
 2 INTRODUCED BY S. BROWN, TOWE, HIMSL  
 3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE PROVISIONS  
 5 OF THE LAW RELATING TO THE DISCLOSURE OF THE PROCEEDINGS AND  
 6 THE RELATED DOCUMENTS OF THE JUDICIAL NOMINATING NOMINATION  
 7 COMMISSION; AMENDING SECTIONS 3-1-1007 AND 3-1-1010, MCA."  
 8

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

10 Section 1. Section 3-1-1007, MCA, is amended to read:

11 "3-1-1007. Commission to make rules ~~of confidentiality~~  
 12 ~~of proceedings.~~ (1) The commission shall make rules for the  
 13 conduct of its affairs ~~and to provide for the~~  
 14 ~~confidentiality of its proceedings.~~

15 (2) ~~The proceedings of the commission and the related~~  
 16 ~~documents shall be open to the public except when the~~  
 17 ~~demands of individual privacy CLEARLY exceed the merits of~~  
 18 ~~public exposure."~~

19 Section 2. Section 3-1-1010, MCA, is amended to read:

20 "3-1-1010. List submitted to governor ~~report on~~  
 21 ~~proceedings.~~ The commission shall meet forthwith after a  
 22 vacancy occurs on the supreme court or district court and  
 23 submit to the governor within 30 days from the date of the  
 24 vacancy a list of not less than three or more than five  
 25 persons. ~~The list must be accompanied by a written report to~~

1 ~~the governor indicating the vote on each nominee, the~~  
 2 ~~content of the application submitted by each nominee, and~~  
 3 ~~the commission's reasons for recommending each nominee for~~  
 4 ~~appointments."~~

-End-