

House Bill 656

In The House

February 6, 1981	Introduced and referred to Committee on Judiciary.
February 14, 1981	Committee recommend bill do pass as amended.
February 16, 1981	Bill printed and placed on members' desks.
February 18, 1981	Second reading do pass.
February 19, 1981	Correctly engrossed.
February 20, 1981	Third reading passed.

In The Senate

February 21, 1981	Introduced and referred to Committee on Judiciary.
April 23, 1981	Died in Committee.

1 *HB 656*
 2 INTRODUCED BY *Harold Bennett* *House*
 3 *Speaker* *John Keyser* *John Keyser* *John*
 4 *John Keyser* *John Keyser* *John Keyser* *John Keyser*
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THAT A *John Keyser*
 6 SUPREME COURT JUSTICE OR DISTRICT COURT JUDGE WHO FILES A
 7 FALSE AFFIDAVIT IN ORDER TO RECEIVE PAYMENT FROM THE STATE
 8 AUDITOR IS GUILTY OF FALSE SWEARING AND SUBJECT TO CENSURE,
 9 SUSPENSION, OR REMOVAL; AMENDING SECTIONS 3-2-104 AND
 10 3-5-212, MCA."
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 3-2-104, MCA, is amended to read:
 13 "3-2-104. Salaries -- affidavit required for payment
 14 -- expenses. (1) The salaries of justices of the supreme
 15 court are provided for in 2-16-405.
 16 (2) The state auditor shall not draw a warrant in
 17 payment of the services of any justice of the supreme court
 18 until such justice shall have filed with the auditor an
 19 affidavit that no cause, motion, or other proceeding in his
 20 court remains pending and undecided for a period of 90 days
 21 after the same shall have been submitted for decision unless
 22 casualty or sickness shall have intervened. Any justice who
 23 files a false affidavit knowing its contents to be false is
 24 guilty of false swearing under 45-7-202 and, in addition to
 25 the penalty for such offense, is subject to censure

1 suspension, or removal pursuant to Article VII, section 9,
 2 of the constitution of Montana.
 3 (3) Actual and necessary travel expenses of the
 4 justices of the supreme court shall be the travel expenses,
 5 as defined and provided in 2-18-501 through 2-18-503,
 6 incurred in the performance of their official duties.*
 7 Section 2. Section 3-5-212, MCA, is amended to read:
 8 "3-5-212. Salaries not to be paid until affidavit
 9 filed. The state auditor shall not draw a warrant in payment
 10 of the services of any judge of the district court until
 11 such judge shall have filed with the auditor an affidavit
 12 that no cause, motion, or other proceeding in his court
 13 remains pending and undecided for a period of 90 days after
 14 the same shall have been submitted for decision unless
 15 casualty or sickness shall have intervened. Any judge who
 16 files a false affidavit knowing its contents to be false is
 17 guilty of false swearing under 45-7-202 and, in addition to
 18 the penalty for such offense, is subject to censure,
 19 suspension, or removal pursuant to Article VII, section 9,
 20 of the constitution of Montana."*

-End-

Approved by Committee
on Judiciary

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1 guilty of false swearing under 45-7-202 and, in addition to
2 the penalty for such offense, is subject to censure,
3 suspension, or removal pursuant to Article VII, section 9
4 11, of the constitution of Montana.

9 Section 2. Section 3-5-212, MCA, is amended to read:

10 "3-5-212. Salaries not to be paid until affidavit

11 filed. The state auditor shall not draw a warrant in payment

12 of the services of any judge of the district court until

13 such judge shall have filed with the auditor an affidavit

14 that no cause, motion, or other proceeding in his court

15 remains pending and undecided for a period of 90 days after

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-End-

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6 justices of the supreme court shall be the travel expenses,
7 as defined and provided in 2-18-501 through 2-18-503,
8 incurred in the performance of their official duties."

9 Section 2. Section 3-5-212, MCA, is amended to read:
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11 filed. The state auditor shall not draw a warrant in payment
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15 remains pending and undecided for a period of 90 days after
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-End-