SENATE BILL NO. 26

INTRODUCED BY MAZUREK, CURTISS

BY REQUEST OF THE JOINT SUBCOMMITTEE ON JUDICIARY

IN THE SENATE

January 3, 1983	Introduced and referred to Committee on Judiciary.
January 4, 1983	Fiscal Note requested.
January 10, 1983	Fiscal Note returned.
February 8, 1983	Committee recommend bill do pass as amended. Report adopted.
February 9, 1983	Bill printed and placed on members' desks.
February 10, 1983	Second reading, do pass as amended.
February 11, 1983	Correctly engrossed.
February 12, 1983	Third reading, passed. Ayes, 43; Noes, 5. Transmitted to House.

IN THE HOUSE

February 14, 1983	Introduced and referred to Committee on Judiciary.
March 11, 1983	Committee recommend bill be concurred in as amended. Report adopted.
March 15, 1983	Second reading, pass consideration.
March 18, 1983	Second reading, concurred in.
March 19, 1983	Third reading, concurred in.

IN THE SENATE

March 21, 1983

Returned to Senate with amendments.

March 22, 1983

Second reading, amendments concurred in.

March 23, 1983

Third reading, amendments concurred in. Ayes, 49; Noes, 1.

Sent to enrolling.

Reported correctly enrolled.

1	SENATE BILL NO26_
2	INTRODUCED BY MAZUREK, CURTISS
3	BY REQUEST OF THE JOINT SUBCOMMITTEE ON JUDICIARY
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO ALTER CERTAIN
6	JUDICIAL DISTRICT BOUNDARIES AND TO CHANGE THE NUMBER OF
7	JUDGES IN CERTAIN JUDICIAL DISTRICTS; PROVIDING FOR THE
8	ELECTION OF NEW JUDGES; PROVIDING ABBREVIATED TERMS OF
9	OFFICE FOR CERTAIN JUDGES; AMENDING SECTIONS 3-5-101.
0	3-5-102, AND 3-5-203, MCA; AND PROVIDING A TERMINATION DATE
1	AND EFFECTIVE DATES.
2	
3	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
4	Section 1. Section 3-5-101, MCA, is amended to read:
.5	#3-5-101. Judicial districts defined. In this state
6	there are 19 judicial districts, distributed as follows:
.7	(1) 1st district: Lewis and Clark and Broadwater
8	Counties;
9	(2) 2nd district: Silver Bow County;
0	(3) 3rd district: Deer Lodge, Granite, and Powell
1	Counties;
2	(4) 4th district: Missoula, Mineral, Lake, Ravalli,
23	and Sanders Counties;
24	(5) 5th district: Beaverhead, Jefferson, and Madison
25	Counties;

(6) 6th district: Park <u>. Stillwater, Carbon</u> , and Sweet
Grass Counties;
(7) 7th district: Dawson, McCone, Richland, <u>Prairies</u>
<u>Garfield</u> and Wibaux Counties;
(8) 8th district: Cascade andEhouteauGountles
County;
(9) 9th district: Teton, Pondera, Toole, and Glacier
Counties;
(10) 10th district: Fergus, Judith Basin, <u>Meagher</u> s
Wheatland: Golden Yalley: Musselshell: and Petroleum
Counties;
(11) 11th district: Flathead County;
(12) 12th district: Liberty, Hill, and 8 laine <u>Chouteau</u>
Counties;
(13) 13th district: Yellowstoney and Big Horny-Carbony
Stillwatery-and-freasure Counties;
(14) 14th district: Meaghery-Wheatlandy-GoldenValleys
and-Musselshell-Gounties Rayalli_County;
(15) 15th district: Roosevelt, Daniels, and Sheridan
Counties;
(16) 16th district: Custer, Carter, Fallon, Prairies
Powder River, Garfield Ireasure, and Rosebud Counties;
(17) 17th district: Phillips <u>. Blaine.</u> and Valley
Counties:

(18) 18th district: Gallatin County;

- 1 (19) 19th district: Lincoln County."
- Section 2. Section 3-5-102, MCA, is amended to read:
- 3 "3-5-102. Number of judges. In each judicial district
- 4 there must be the following number of judges of the district
- 5 court:

7

17

- 6 (1) in the toty 2nd, 6th. 7th. 10th. 11th. 16th, and
- 18th districts, two judges each;
- 8 (2) in the <u>lst and</u> 8th districts, three
- 9 judges each;
- 10 (3) in the 4th and 13th districts, four judges each;
- 11 (4) in all other districts, one judge each."
- 12 Section 3. Section 3-5-102, MCA, is amended to read:
- 13 *3-5-102, Number of judges, In each judgelal district
- 14 there must be the following number of judges of the district
- 15 court:
- 16 (1) in the laty-2ndy 6th. 7th. 10th. 11th, 16th, and
 - 18th districts, two judges each;
- 18 (2) in the 1st_and 8th districts, three
- 19 judges <u>each</u>;
- 20 (3) in the 4th and 13th districts, four judges each;
- 21 (4) in all other districts, one judge each."
- 22 NEW_SECTION. Section 4. Selection of new judges. (1)
- 23 Except as provided in subsection (2), the judgeships created
- 24 by this act shall be initially filled at the 1984 general
- 25 election, and the individuals elected shall take office on

- 1 the first Monday of January, 1985.
- 2 (2) A judgeship created by this act may be initially
- 3 filled at the 1983 general election if a majority of the
- 4 county commissioners in each county within the judicial
- 5 district where the judge will be elected agree to conduct
- 6 the election. The individual elected shall take office on
- 7 the first Monday of January, 1984.
- 8 NEW SECTION. Section 5. Term of office for certain
- 9 judges. The term of office for any judge elected on or after
- 10 November 8, 1983, but before November 8, 1988, including
- 11 those judges elected under [section 4], shall expire January
- 12 2, 1989.
- 13 Section 6. Section 3-5-203. MCA. is amended to read:
- 14 #3-5-203. Term of office. The Except as provided in
- 15 <u>[section 5]. the</u> term of office of judges of the district
- 16 court is 6 years and begins on the first Monday of January
- 17 next succeeding their election."
- 18 <u>NEW SECTION.</u> Section 7. Severability. If a part of
- 19 this act is invalid, all valid parts that are severable from
- 20 the invalid part remain in effect. If a part of this act is
- 21 invalid in one or more of its applications, the part remains
- 22 in effect in all valid applications that are severable from
- 23 the invalid applications.
- 24 <u>NEW_SECTION</u> Section 8. Effective dates. (1) Except
- 25 as provided in subsection {2}:

LC 0135/01

1 (a) section 1 is effective January 7, 1985;

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- 2 (b) section 2 is effective January 7, 1985, and terminates January 2, 1989.
- 4 (2) Sections 1 and 2 or portions thereof are effective 5 January 2, 1984, as necessary to accommodate early elections 6 provided in section 4(2).
- (3) Section 3 is effective January 2, 1989.
- B (4) Sections 4 through 7 are effective October 1.

-End-

STATE OF MONTANA

EOUEST NO	008-83
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FISCAL NOTE

Form B	D-I	5
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In compliance with a written request received <u>January 4,</u> , 19 83, there is hereby submitted a Fiscal Note
for Senate Bill 26 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).
Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members
of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

Senate Bill 26 is an act to alter certain judicial district boundaries and to change the number of judges in certain judicial districts; providing for the election of new judges; providing abbreviated terms of office for certain judges; amending Sections 3-5-101, 3-5-102, and 3-5-203, MCA; and providing a termination date and effective dates. This bill adds four judges.

ASSUMPTIONS:

- 1) Each additional judge will be elected in the 1984 general election.
- 2) Each additional judge and staff will take office or begin work on or about January 1, 1985.
- 3) Each additional judge will have a staff consisting of one secretary and court reporter.

FISCAL IMPACT:

(State Expenditures)	FY 83-84	FY 84-85		
Proposed Law				
Personal Services	-0-	104,500		
Operating Expenses	-0-	6,000		
Capital Outlay	-0-	-0-		
Additional Expenditures for	- 1.h. 3V-1/7			
Proposed Law	-0-	\$110,500		
- -	•			
LOCAL IMPACT:				
(County Expenditures)				
Personal Services	-0-	72,000		
Operating Expenses	-0-	6,800		
Capital Outlay		22,800		
Additional Expenditures for				
Proposed Law	-0-	\$101,600		1
			Λ.	1
			~ 111	,

Continued

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-10-8

SB 0026/02

Approved by Committee

on Judiciary

1 SENATE BILL NO. 26 2 INTRODUCED BY MAZUREK, CURTISS 3 BY REQUEST OF THE JOINT SUBCOMMITTEE ON JUDICIARY A BILL FOR AN ACT ENTITLED: "AN ACT TO ALTER CERTAIN 5 JUDICIAL DISTRICT BOUNDARIES AND TO CHANGE THE NUMBER OF 7 JUDGES IN CERTAIN JUDICIAL DISTRICTS: PROVIDING FOR THE ELECTION OF NEW JUDGES; PROVIDING ABBREVIATED TERMS OF OFFICE FOR CERTAIN JUDGES; AMENDING SECTIONS 3-5-101+ AND 10 3-5-102+ AND-3-5-203+ MCA; AND PROVIDING A-TERMINATION-BATE 11 AND EFFECTIVE DATES." 12 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 3-5-101, MCA, is amended to read: 14 "3-5-101. Judicial districts defined. In this state 15 there are 19 judicial districts, distributed as follows: 16 17 (1) 1st district: Lewis and Clark and Broadwater 18 Counties; 19 (2) 2nd district: Silver Bow County; 20 (3) 3rd district: Deer Lodge, Granite, and Powell Counties; 21 22 (4) 4th district: Missoula, Mineral, Lakey--Rayalliv 23 and Sanders RAYALLI Counties; (5) 5th district: Beaverhead, Jefferson, and Madison 24 25 Counties:

1	(6) 6th district: Park <u>x=\$tillunterx=Earbonx</u> and Sweet
2	Grass Counties;
3	(7) 7th district: Dawson, McCone, Richland, <u>Prairies</u>
4	<u>Garfields</u> and Wibaux Counties;
5	(8) 8th district: Cascade andChouteauCountles
6	County;
7	(9) 9th district: Teton, Pondera, Toole, and Glacier
8	Counties;
9	(10) 10th district: Fergus, Judith Basin, <u>Meaghers</u>
10	Wheatlandx:::6alden:::Yallexx:::Musaclahellx and Petroleum
11	Counties;
12	(11) 11th district: Flathead County;
13	(12) 12th district: Liberty, Hill, and Blaine Chouteau
14	Counties;
15	(13) 13th district: Yellowstonevs_SILLWATERs_CARBON
16	and Big Horny-Carbony-Stillwatery-and-Treasure Counties;
17	(14) 14th district: Meaghery-Wheatlandy-GoldenValley
18	andMasselshell-Counties <u>Rayalli-County MEAGHER. NHEATLAND</u>
19	GOLDEN_YALLEY: AND MUSSELSHELL_COUNTIES:
20	(15) 15th district: Roosevelt, Daniels, and Sherida
21	Counties;
22	(16) 16th district: Custer, Carter, Fallon, Prairie
23	Powder River, Gorfield Ireasure, and Rosebud Counties;
24	(17) 17th district: Phillips <u>. Blaine.</u> and Valle
25	Counties:

-2-

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1	(18) 18th district: Gallatin County;
2	(19) 19th district: Lincoln County:
3	1201 20TH DISTRICT: LAKE AND SANDERS COUNTIES."
4	Section 2. Section 3-5-102, MCA, is amended to read:
5	M3-5-102. Number of judges. In each judicial district
6	there must be the following number of judges of the district
7	court:
8	(1) in the laty 2nd, 6th, 7th: 18th, 11th, 16th, and
9	18th districts, two judges each;
10	(2) in the <u>lst_and</u> 8th district <u>districts</u> , three
11	judges <u>each</u> ;
12	(3) in the 4th and13thdistricts DISTRICI, four
13	judges each:
14	141_IN_IHE_13IH_DISIRICIELYE_JUDGES:
15	†4†151 in all other districts, one judge each.™
16	Section-3:Section-3-5-102;-MEA;-is-amendedtoread:
17	=3-5-102+Number-of-judgesin-each-judicial-district
18	there-must-be-the-following-number-of-judges-of-the-district
19	courts
20	(1)intheisty-2ndy 6thx-7thx-18thx lithy-16thy-and
21	18th-districtsy-two-judges-each;
22	f2;in-the lat==mnd 8thdistrict districtsythree
23	judges cacht
24	(3)inthe4th-and-13th-districtsy-four-judges-each
26	441-1-11-11-1-1-1-1-1-1-1-1-1-1-1-1-1-1

-3-

1	NEW_SECIION. Section 3. Selection of new judges. (1)
2	Except as provided in subsection (2), the judgeships created
3	by this act shall be initially filled at the 1984 general
4	election, and the individuals elected shall take office on
5	the first Monday of January, 1985.
6	(2) A judgeship created by this act may be initially
7	filled at the 1983 general election if a majority of the
8	county commissioners in each county within the judicial
9	district where the judge will be elected agree to conduct
10	the election. The individual elected shall take office on
11	the first Monday of January, 1984.
12	MEM_SEGIIONxSection-SuTerm-ofofficeforcertain
13	judgesvThetermofofficefor-any-judge-elected-on-or
14	ofterNovember8y1983ybutbeforeNovember8y1988y
15	includingthosejudgeselectedunder[section-4]+-shall
16	exp ire-danuary-2y-1989w

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Section-6---Section-3-5-203; -MCAy-is-amended--to--read: 43-5-203v--Term--of--officev--The <u>Except-os-provided-in</u> <u>faction:5jaithe</u> term-of-office-of-judges--of--the--district court--is--6-years-and-bagins-on-the-first-Monday-of-danuary next-succeeding-their-election=

NEW_SECTION: Section 4. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains

SB 26

ı.	in errect in all valid applications that are severable from
2	the invalid applications.
3	NEW_SECIION. Section 5. Effective dates. (1) Except
4	as provided in subsection (2)*s
5	te;sectiontis SECTIONS_1_AND_2_ARE effective
6	January 7, 1985†*
7	tbjsection2iseffectivedammary7,1985,and
8	terminates-January-2y-1989w
9	(2) Sections 1 and 2 or portions thereof are effective
0	January 2: 1984: as necessary to accommodate early elections
.1	provided in section +3(2).
2	†3}Section-3-is-effective-danuary-2v-1989v
3	(4)(3) Sections 4through7 3_AND_4 are effective
4	October 1, 1983.

-End-

,	SENATE BILL NO. 26	i	(6) 6th district: Park <u>x-Stillmaterx-Earbonx</u> and Sweet
_		2	Grass Counties;
2	INTRODUCED BY MAZUREK, CURTISS	3	(7) 7th district: Dawson, McCone, Richland, Prairie.
3	FY REQUEST OF THE JOINT SUBCOMMITTEE ON JUDICIARY	4	Garfield, and Wibaux Counties;
4	en e	5 .	8) 8th district: Cascade andGhouteauGounties
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO ALTER CERTAIN	6	County:
6	JUDICIAL DISTRICT BOUNDARIES AND TO CHANGE THE NUMBER OF		
7	JUDGES IN CERTAIN JUDICIAL DISTRICTS; PROVIDING FOR THE	7	(9) 9th district: Teton, Pondera, Toole, and Glacier
8	ELECTION OF NEW JUDGES; PROVIDINGABOREVIATEDTERMS-OF	8	Counties;
9	OFFICE-FOR-CERTAIN-JUBGES+ AMENDING SECTIONS 3-5-101+ AND	.9	(10) 10th district: Fergus, Judith Basin, Menghers
0	3-5-102. AND-3-5-203. MCA: AND PROVIDING A-TERMINATION-DATE	. 10	Wheatlandx===Golden===Yalleyx===Huasalahally and Petroleum
1	AND EFFECTIVE DATES."		Countles;
2	AND ELLECTIVE DATEST	12	(11) 11th district: Flathead County;
	DE IT CHAFTER OU THE AFERTS ATTICE OF THE CTATE OF MONTANA.	13	(12) 12th district: Liberty, Hill, and Blaine Chouteau
3	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	14	Counties;
4	Section 1. Section 3-5-101, MCA, is amended to read:	15	(13) 13th district: Yellowstoneys STILLWATERs CARBONS
5	#3-5-101. Judicial districts defined. In this state	16	and Big Horny-Carbony-Stillwatery-and-Treasure Counties;
5	there are 19 judicial districts, distributed as follows:	17	(14) 14th district: Weeghery-Wheatlandy-GoldenYalley
7	(1) 1st district: Lewis and Clark and Broadwater	18	
B	Counties;		ondMusselshell-Gounties Royalli-Gounty MEAGHER. WHEATLAND
9	(2) 2nd district: Silver Bow County;	19	GOLDEN ANTEX: WWD WASSETSHEFF CONNITES:
o	(3) 3rd district: Deer Lodge, Granite, and Powell	20	(15) 15th district: Roosevelt, Daniels, and Sheridan
ı	Counties;	- 21	Counties;
2	(4) 4th district: Missoula, Mineral, EakeyRavelliy	22	(16) 16th district: Custer, Carter, Fallon, Prairie
3	and Senders RAYALLI Counties;	23	Powder River, Garfield Ireasure, and Rosebud Counties;
		24	(17) 17th district: Phillips <u>. Blaines</u> and Valle
4	(5) 5th district: Beaverhead, Jefferson, and Madison	25	Countles;
5	Counties:		

1	(18) 18th district: Gallatin County;
2	(19) 19th district: Lincoln County:
3	(20) 20TH DISIRICT: LAKE AND SANDERS COUNTIES."
4	Section 2. Section 3-5-102, MCA, is amended to read:
5	#3-5-102. Number of judges. In each judicial district
6	there must be the following number of judges of the district
7	court:
8	(1) in the laty 2nd, 6th: 7th: 18th: 11th, 16th, and
9	18th districts, two judges each;
0	(2) In the <u>lst and</u> 8th districts, three
.1	judges each;
2	(3) in the 4th and 13thdistricts <u>DISTRICI</u> , four
13	judges each;
L 4	(41_IN_THE_13IH_DISTRICT=_EIVE_MOGES:
15	(4)(5) in all other districts, one Judge each."
16	Section-3Section-3-5-102y-MCAy-is-amendedtoreads
17	=3-5-102Number-of-judgessIn-each-judicial-district
18	there-must-be-the-following-number-of-judges-of-the-district
9	court+
20	(1)intheisty-2ndy <u>Sthr-Ithx-lAthx</u> lithy-iSthy-and
21	ł8th-districts;-two-judges-each;
2	f2}in-the <u>laterand</u> Othdistrict <u>districts</u> ythree
23	judges eacht
4	(3)inthe it h-and- l 3th-districts-four-j udges-eoch)
25	(4)in-mll-other-districtsy-one-judge-each+*

-3-

	12 Selection of new judges. (1
2	Except as provided in subsection (2)+ the judgeships create
3	by this act shall be initially filled at the 1984 genera
4	election, and the individuals elected shall take office o
5	the first Monday of January, 1985.
6	(2) A judgeship created by this act may be initiall
7	filled at the 1983 general election if a majority of th
8	county commissioners in each county within the judicia
9	district where the judge will be elected agree to conduc
10	the election. The individual elected shall take office o
11	the first Monday of January, 1984.
12	MEM_SECTIONsSection-SwTerm-ofofficeforcertai
13	judgesvFhetermofofficefor-any-judge-elected-on-a
14	ofterNovember8y1983ybutbeforeNovember8y1988
15	includingthosejudgeselectedunderfsection-4jy-shel
6	expire-danuary-2;-1989*
.7	Section-6=-Section-3-5-283-MGky-is-amendedtoread
8	#3-5-203+Termofoffice+The Except-ma::provided_i
19	£2ction=51x=the term-of-office-of-judgesofthedistric
20	courtis6-years-and-begins-on-the-first-Monday-of-danger
:1	next-succeeding-their-election=
2	NEW_SECTION: Section 4. Severability. If a part o
:3	•
	this act is invalid, all valid parts that are severable fro
4	the invalid part remain in effect. If a part of this act i

invalid in one or more of its applications, the part remains

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- in effect in all valid applications that are severable from
 the invalid applications.
- 3 <u>NEW_SECTIONs</u> Section 5. Effective dates. (1) Except
- 4 as provided in subsection (2)+2
- 5 ta)--section--i--is <u>SECTIONS 1 AND 2 ARE</u> effective
- 6 January 7: 1985†*
- 7 tbj--section-2--is--effective--denumry--7y--1985y--ond
- 8 terminates-January-2--1989*
- 9 (2) Sections 1 and 2 or portions thereof are effective
- January 2, 1984, as necessary to accommodate early elections
- 11 provided in section 43(2).
- 12 {3}--Section-3-is-effective-January-2y-1989*
- 13 t++131 Sections 4--through--7 3 AND 4 are effective
- 14 October 1, 1983.

-End-

HOUSE JUDICIARY COMMITTEE

AMENDMENTS TO SENATE BILL 26

March 11, 1983

Third Reading Copy (blue)

BE AMENDED AS FOLLOWS:

1. Page 2, line 4. Strike: "Garfield,"

2. Page 2, line 23
Following: "Garfield"
Insert: "Garfield,"

AND AS AMENDED BE CONCURRED IN

1 2

3

4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO ALTER CERTAIN
6	JUDICIAL DISTRICT BOUNDARIES AND TO CHANGE THE NUMBER OF
7	JUDGES IN CERTAIN JUDICIAL DISTRICTS; PROVIDING FOR THE
8	ELECTION OF NEW JUDGES; PROVIDINGABBREVIATEDTERMS-OF
9	OFFICE-FOR-CERTAIN-JUDGEST AMENDING SECTIONS 3-5-101- AND
10	3-5-102+ AND-3-5-203+ MCA; AND PROVIDING A-FERMENATEDN-DATE
11	AND EFFECTIVE DATES."
2	
13	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
14	Section 1. Section 3-5-101, MCA, is amended to read:
15	#3-5-101. Judicial districts defined. In this state
6	there are 19 judicial districts, distributed as follows:
7	(1) 1st district: Lewis and Clark and Broadwater
8	Counties;
9	(2) 2nd district: Silver Bow County;
20	(3) 3rd district: Deer Lodge, Granite, and Powell
21	Counties;
2.2	(4) 4th district: Missoula, Mineral, tokeyRavelliv
23	and Sanders <u>RAYALLI</u> Countles;
24	(5) 5th district: Beaverhead, Jefferson, and Madison
25	Counties;

SENATE BILL NO. 26

INTRODUCED BY MAZUREK, CURTISS

Y REQUEST OF THE JOINT SUBCOMMITTEE ON JUDICIARY

1	(6) 6th district: Park <u>==\$tillwater==@nebon=</u> and Sweet
2	Grass Countles;
3	(7) 7th district: Dawson, McCone, Richland, <u>Prairies</u>
4	Sarfields and Wibaux Counties;
5	(8) 8th district: Cascade andChouteauCounties
6	County;
7	(9) 9th district: Teton, Pondera, Toole, and Glacier
8	Counties;
9	(10) 10th district: Fergus, Judith Basin, <u>Meaghers</u>
10	Whentlandx===6ciden===Yalicxx===tussalshellx and Petroleum
11	Counties;
12	(11) 11th district: Flathead County;
13	(12) 12th district: Liberty, Hill, and Blaine Chouteau
14	Counties;
15	(13) 13th district: Yellowstoner. SIILLHATERs CARRON.
16	and Big Horny-Ehrbony-Stillwatery-and-Freesure Counties;
17	(14) 14th district: Meoghery-Wheotlandy-GoldenValleyy
18	andMusselshell-Counties Rexelli-Ecunty MEASHER, MUEATLAND,
19	GOLDEN_YALLEYAND_MUSSELSHELL_COUNTIES:
20	(15) 15th district: Roosevelt, Daniels, and Sheridan

Powder River, Garfield GARFIELDs Ireasure, and Rosebud

(16) 16th district: Custer, Carter, Fallon, Prairie,

(17) 17th district: Phillips. Blaine. and Valley

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Counties;

Counties;

1	Counties;
2	(18) 18th district: Gallatin County;
3	(19) 19th district: Lincoln County:
4	(201_20TH_DISTRICT: LAKE AND SANDERS COUNTIES."
5	Section 2. Section 3-5-102, MCA, is amended to read:
6	#3-5-102. Number of judges. In each judicial district
7	there must be the following number of judges of the district
8	court:
9	(1) in the toty 2nd, <u>debr Ith: lethr</u> 11th, 16th, and
10	18th districts, two judges each;
11	(2) in the 1st_and 8th districts, three
12	judges each;
13	(3) in the 4th and13thdistricts DISTRICT, four
14	judges each;
15	441_IN_THE_13TH_DISTRICTS_ELYE_HUDGES:
6	<pre>†4†(5) in all other districts, one judge each.**</pre>
17	Section-3vSection-3-5-102v-MGAv-is-omendedtoread+
8	#3-5-182vNumber-of-judgesvIn-each-judicial-diatrict
9	there-must-be-the-following-number-of-judges-of-the-district
0	courts
21	fipintheisty-2ndy <u>athe-7the-18the</u> lithy-16thy-and
22	-kith-districtsy-two-judges-eachs
3	t2}in-the isizzat Othdistrict districtsthree
4	judges gacht
:5	. (3)inthe 4th-and-19th-districtsy-faur-judges-each;

1	t+}in-all-other-districtsy-one-judge-eachw*
2	NEW SECTION. Section 3. Selection of new judges. (1
3	Except as provided in subsection (2), the judgeships create
4	by this act shall be initially filled at the 1984 genera
5	election, and the individuals elected shall take office o
6	the first Monday of January, 1985.
7	(2) A judgeship created by this act may be initial?
8	filled at the 1983 general election if a majority of th
9	county commissioners in each county within the judicia
10	district where the judge will be elected agree to conduc
11	the election. The individual elected shall take office o
12	the first Monday of January. 1984.
13	<u> 164-5661190xSaetion-Sur-Tarm-ofofficeforcertai</u>
14	judgesThatermofofficefor-any-judge-elected-on-o
15	afterNovember8y1983ybutbeforeNovember8y1988
16	includingthosejudgeselectedunder[section-4]+-shal
17	expire-dangery-2y-1989v
18	Section-6Section-3-5-203,-MERy-is-amendedtoread
19	#3-5-203vTermofofficevThe Except:03:pcoxided:i
20	<u>faction_fluithe</u> term-of-office-of-judgesofthedistric
21	courtis6-years-and-bagins-on-the-first-Monday-of-damust
22	next-succeeding-their-election=
23	<u>NEW SECTION.</u> Section 4. Severability. If a part of
24	this act is invalid, all walld parts that are severable fro

the invalid part remain in effect. If a part of this act is

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1	invalid in one or more of its applications, the part remains
2	in effect in all valid applications that are severable from
3	the Invalid applications.
4	NEW_SECTION: Section 5. Effective dates. (1) Except
5	as provided in subsection (2)+ ₂
6	to)section1is <u>SECTIONS_1_AND_2_ARE</u> effective
7	January 7, 1985†*
8	. fb;section2iseffectiveJanuary7y1905yand
9	terminates-January-2y-1989+
10	(2) Sections 1 and 2 or portions thereof are effective
11	January 2, 1984, as necessary to accommodate early elections
12	provided in section 43(2).
13	(3)Sect ion-3-is-effective-January-2,-1989
14	<pre>{4}(3) Sections 4through7 3 AND 4 are effective</pre>
15	October 1, 1983.

-End-

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Counties;

1	SENATE BILL NO. 26
2	INTRODUCED BY MAZUREK, CURTISS
3	BY REQUEST OF THE JOINT SUBCOMMITTEE ON JUDICIARY
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO ALTER CERTAIN
6	JUDICIAL DISTRICT BOUNDARIES AND TO CHANGE THE NUMBER OF
7	JUDGES IN CERTAIN JUDICIAL DISTRICTS; PROVIDING FOR THE
8	ELECTION OF NEW JUDGES; PROVIDINGABBREVIATEDTERMS-OF
9	OFFICE-FOR-CERTAIN-JUDGEST AMENDING SECTIONS 3-5-101- AND
10	3-5-102, AND-3-5-203, MCA; AND PROVIDING A-TERMINATION-DATE
11	AND EFFECTIVE DATES."
12	
13	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
14	Section 1. Section 3-5-101, MCA, is amended to read:
15	#3-5-101. Judicial districts defined. In this state
16	there are 19 20 judicial districts, distributed as follows:
17	(1) 1st district: Lewis and Clark and Broadwater
18	Counties;
19	(2) 2nd district: Silver Bow County;
20	(3) 3rd district: Deer Lodge, Granite, and Powell
21	Countles;
22	(4) 4th district: Missoula, Mineral, takes-Rosallis
23	and Sanders RAYALLI Counties;
24	(5) 5th district: Beaverhead, Jefferson, and Madison
25	Counties;

1	[6] 6th district: Park <u>-Stillwaters-Garbons</u> and Sweet
2	Grass Counties;
3	(7) 7th district: Dawson, McCone, Richland, <u>Prairie</u> ,
4	Garfields and Wibaux Counties:
5	(8) 8th district: Cascade and—Ehouteau—Eounties
6	County;
7	(9) 9th district: Teton, Pondera, Toole, and Glacier
8	Counties;
9	(10) 10th district: Fergus, Judith Basin, <u>Meagher</u> x
10	Wheatlands-Goldon-Yalleys-Musselshells and Petroleum
11	Counties;
12	(11) 11th district: Flathead County;
13	(12) 12th district: Liberty. Hill, and Bleine Chouteau
14	Counties;
15	(13) 13th district: Yellowstoneys STILLWATERs CARBONS
16	and Big Horny-Carbony-Stillwatery-and-Treasure Counties;
17	(14) 14th district: Meaghers-Wheatlandy-Golden-Valleyy
18	ond-Musselshell-Counties finalli-County MEAGHER. WHEATLAND.
19	GOLDEN_YALLEY. AND MUSSELSHELL COUNTIES;
20	(15) 15th district: Roosevelt, Daniels, and Sheridan
21	Counties;
22	(16) 16th district: Custer, Carter, Fallon, Prairies

Powder River, Garffeld GARFIELD, Ireasure, and Rosebud

(17) 17th district: Phillips. Blaine. and Valley

1	Counties;
2	(18) 18th district: Gallatin County;
3	(19) 19th district: Lincoln County:
4	(20) 20TH DISTRICT: LAKE AND SANDERS COUNTIES."
5	Section 2. Section 3-5-102, MCA, is amended to read:
6	*3~5-102. Number of judges. In each judicial district
7	there must be the following number of judges of the district
8	court:
9	(1) in the laty 2nd, <u>6thx 7th, 18thx</u> 11th, 16th, and
.0	18th districts: two judges each;
1	(2) in the <u>lst and</u> 8th districts, three
2	judges <u>each</u> ;
3	(3) in the 4th and19thdistricts DISTRICT, four
4	judges each ;
.5	147 IN THE 13TH DISTRICT. EIVE HUDGES:
.6	147(51 in all other districts, one judge each."
7	Section-3:Section-3-5-192y-MEAy-is-escudedtoreads
8	=3-5-162Number-of-judgesIn-each-judicial-district
9	there-must-be-the-following-number-of-judges-of-the-district
0	courts
1	(1)inthe1sty-2ndy 6thx-Ithx-10thx lithy-16thy-end
z	18th-districts*-two-judges-each;
3	(2)in-the istand Othdistrict districtsythree
4	judges kocht
5	(3)inthe4th-and-13th-districtsy-four-judges-eachs

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2	NEW_SECTION. Section 3. Selection of new Judges. (1)
3	Except as provided in subsection (2), the judgeships created
4	by this act shall be initially filled at the 1984 general
5	election, and the individuals elected shall take office of
6	the first Honday of January, 1985.
7	(2) A judgeship created by this act may be initially
8	filled at the 1983 general election if a majority of the
9	county commissioners in each county within the judicial
10	district where the judge will be elected agree to conduct
11	the election. The individual elected shall take office or
12	the first Monday of January, 1984.
13	<u> 161-566738NeSection-SuTerm-ofofficeforcertain</u>
14	judgesvThetermofofficefor-any-judge-elected-on-on
15	afterNovember8y1983ybutbeforeNoyember8y1988y
16	includingthosejudgeselectedunder[section-4]shall
17	expire-danuary-2*-1989*
18	5ection-6eSection-3+5-283y-NEAy-is-amendedtoread:
19	#3-5-203+TermofofficeThe <u>Except-as-provided-in</u>
20	tacction_5]x_the term-of-office-of-judgesofthedistrict
21	courtis6-years-and-begins-on-the-first-Monday-of-January
22	next-succeeding-their-election=
23	NEW_SECTION. Section 4. Severability. If a part of
24	this act is invalid, all valid parts that are severable from
25	the invalid part remain in effect. If a part of this act is

fft--in-all-other-districts--one-judge-each+*

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SB 26

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1 invalid in one or more of its applications, the part remains 2 in effect in all valid applications that are severable from the invalld applications. 3 NEW_SECTION. Section 5. Effective dates. (1) Except as provided in subsection (2)** (a)--section--1--is SECTIONS 1 AND 2 ARE effective 6 7 January 7, 1985; 8 tb)--section--2--is--effective--donuery--7y--1985y--and 9 terminates-danuary-2v-1989v 10 (2) Sections 1 and 2 or portions thereof are effective 11 January 2, 1984, as necessary to accommodate early elections 12 provided in section 43(2). 13 {3}--5ection-3-is-offective-Jenuary-2y-1989# +++(3) Sections 4--through--7 3_AND_4 are effective 14

-End-

October 1, 1983.

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