

SENATE BILL NO. 52

Introduced: 1/3/83

Referred to committee on Judiciary: 1/3/83

Hearing: 1/21/83, Joint Hearing of Senate & House

Report: 1/25/83, Do Pass , As Amended

2nd Reading: 1/27/83

3rd Reading: 01/29/83

Transmitted to House: 1/29/83

Referred to Committee on Judiciary: 01/29/83

Hearing: 3/10/83

Died in House Committee.

FIRST READING

MISSING

## STATE OF MONTANA

REQUEST NO. 017-83

## FISCAL NOTE

Form BD-15

compliance with a written request received January 4, , 19 83 , there is hereby submitted a Fiscal Note  
Senate Bill 52 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 52 is an act to provide for a third district court judge in the first  
judicial district and amending Section 3-5-102, MCA.

ASSUMPTIONS:

- 1) The additional judge will have a staff consisting of one secretary and court  
reporter.
- 2) The effective date is January 1, 1984 so the staff is for only one-half of a  
year.

FISCAL IMPACT:

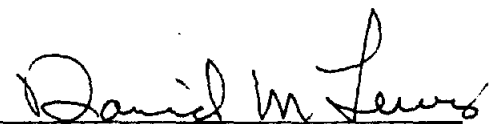
(State Expenditures)	<u>FY 83-84</u>	<u>FY 84-85</u>
Proposed Law		
Personal Services	-0-	26,130
Operating Expenses	-0-	1,500
Capital Outlay	-0-	-0-
Additional Expenditures for		
Proposed Law	-0-	<u>\$27,630</u>

LOCAL IMPACT:

(County Expenditures)		
Personal Services	-0-	18,000
Operating Expenses	-0-	1,700
Capital Outlay	-0-	<u>5,700</u>
Additional Expenditures for		
Proposed Law	-0-	<u>\$25,400</u>

NOTE:

Estimates above are based on FY 83 expenditure levels.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-10-83

Approved by Committee  
on Judiciary

1                   SENATE BILL NO. 52  
2                   INTRODUCED BY MAZUREK  
3  
4   A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR A THIRD  
5   DISTRICT COURT JUDGE IN THE FIRST JUDICIAL DISTRICT;  
6   AMENDING SECTION 3-5-102, MCA."  
7  
8   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
9       Section 1. Section 3-5-102, MCA, is amended to read:  
10       "3-5-102. Number of judges. In each judicial district  
11   there must be the following number of judges of the district  
12   court:  
13       (1) in the 1st, 2nd, 11th, 16th, and 18th districts,  
14   two judges each;  
15       (2) in the 1st and 8th district districts, three  
16   judges each;  
17       (3) in the 4th and 13th districts, four judges each;  
18       (4) in all other districts, one judge each."  
19       NEW SECTION. Section 2. Selection of new judge.  
20   (1). A JUDGESHIP CREATED BY [THIS ACT] MAY BE INITIALLY  
21   FILLED AT THE 1983 GENERAL ELECTION IF A MAJORITY OF THE  
22   COUNTY COMMISSIONERS IN EACH COUNTY WITHIN THE JUDICIAL  
23   DISTRICT WHERE THE JUDGE WILL BE ELECTED AGREE TO CONDUCT  
24   THE ELECTION. THE INDIVIDUAL ELECTED SHALL TAKE OFFICE ON  
25   THE FIRST MONDAY OF JANUARY 1984.

1           (2) The judgeship created in [section 1] must be  
2   filled initially at the 1984 general election, and the  
3   individual elected shall take office on the first Monday of  
4   January, 1985.

5           NEW SECTION. Section 3. Coordination instruction. If  
6   Senate Bill No. 26 is passed and approved, this act is void.

-End-

## SENATE BILL NO. 52

INTRODUCED BY MAZUREK

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR A THIRD DISTRICT COURT JUDGE IN THE FIRST JUDICIAL DISTRICT; AMENDING SECTION 3-5-102, MCA."

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

Section 1. Section 3-5-102, MCA, is amended to read:

"3-5-102. Number of judges. In each judicial district there must be the following number of judges of the district court:

(1) in the 1st, 2nd, 11th, 16th, and 18th districts, two judges each;

(2) in the 1st and 8th district districts, three judges each;

(3) in the 4th and 13th districts, four judges each;

(4) in all other districts, one judge each."

NEW SECTION. Section 2. Selection of new judge.

(1) A JUDGESHIP CREATED BY [THIS ACT] MAY BE INITIALLY FILLED AT THE 1983 GENERAL ELECTION IF A MAJORITY OF THE COUNTY COMMISSIONERS IN EACH COUNTY WITHIN THE JUDICIAL DISTRICT WHERE THE JUDGE WILL BE ELECTED AGREE TO CONDUCT THE ELECTION. THE INDIVIDUAL ELECTED SHALL TAKE OFFICE ON THE FIRST MONDAY OF JANUARY 1984.

(2) The judgeship created in [section 1] must be filled initially at the 1984 general election, and the individual elected shall take office on the first Monday of January, 1985.

NEW SECTION. Section 3. Coordination instruction. If Senate Bill No. 26 is passed and approved, this act is void.

-End-