

HOUSE BILL NO. 491

INTRODUCED BY SPAETH, SCHYE, ANDERSON

IN THE HOUSE

JANUARY 27, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON JUDICIARY.

FEBRUARY 20, 1987 COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

FEBRUARY 21, 1987 PRINTING REPORT.

FEBRUARY 23, 1987 ON MOTION, CONSIDERATION PASSED
FOR THE DAY.

FEBRUARY 24, 1987 SECOND READING, DO PASS.

 ON MOTION, RULES SUSPENDED AND BILL
PLACED ON THIRD READING THIS DAY.

 THIRD READING, PASSED.
AYES, 97; NOES, 1.

 ON MOTION, RECONSIDER THIRD
READING ACTION.

 THIRD READING, PASSED.
AYES, 100; NOES, 0.

 TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 2, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON JUDICIARY.

MARCH 26, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

MARCH 30, 1987 SECOND READING, CONCURRED IN.

 ON MOTION, RULES SUSPENDED AND BILL
PLACED ON THIRD READING THIS DAY.

MARCH 30, 1987

THIRD READING, CONCURRED IN.
AYES, 50; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 31, 1987

RECEIVED FROM SENATE.

SENT TO ENROLLING.

CONSTITUTIONAL AMENDMENT

INTRODUCED BY House BILL NO. 491
Speth, Kelly, J. Anderson

A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE VII, SECTION 9, OF THE MONTANA CONSTITUTION TO PROVIDE THAT THE LEGISLATURE MAY ESTABLISH SPECIFIC RESIDENCY REQUIREMENTS FOR JUDGES OTHER THAN SUPREME COURT JUSTICES, DISTRICT COURT JUDGES, AND JUSTICES OF THE PEACE; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Article VII, section 9, of The Constitution of the State of Montana is amended to read:

"Section 9. Qualifications. (1) A citizen of the United States who has resided in the state two years immediately before taking office is eligible to the office of supreme court justice or district court judge if admitted to the practice of law in Montana for at least five years prior to the date of appointment or election. Qualifications and methods of selection of judges of other courts shall be provided by law.

(2) No supreme court justice or district court judge shall solicit or receive compensation in any form whatever on account of his office, except salary and actual necessary

travel expense.

(3) Except as otherwise provided in this constitution, no supreme court justice or district court judge shall practice law during his term of office, engage in any other employment for which salary or fee is paid, or hold office in a political party.

(4) Supreme court justices shall reside within the state. ~~Every other judge shall reside during~~ During his term of office, a district court judge shall reside in the district, and a justice of the peace shall reside in the county, ~~township, precinct, city or town~~ in which he is elected or appointed. The residency requirement for every other judge must be provided by law."

NEW SECTION. Section 2. Effective date. If approved by the electorate, this amendment is effective July 1, 1989.

NEW SECTION. Section 3. Submission to electorate. This amendment shall be submitted to the electors of Montana at the general election to be held November 8, 1988, by printing on the ballot the full title of this act and the following:

- FOR allowing the legislature to establish specific residency requirements for judges other than supreme court justices, district court judges, and justices of the peace.

AGAINST allowing the legislature to establish



1 specific residency requirements for judges other
2 than supreme court justices, district court judges,
3 and justices of the peace.

-End-

CONSTITUTIONAL AMENDMENT

APPROVED BY COMMITTEE ON JUDICIARY

1 INTRODUCTION BY House BILL NO. 491
2 Spencer Kelly
3

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22 residency requirements for judges other than supreme
23 court justices, district court judges, and justices
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- 25 AGAINST allowing the legislature to establish



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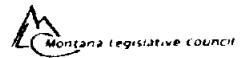
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- 23 court justices, district court judges, and justices
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