

HOUSE BILL 716

Introduced by Thomas, et al.

2/15	Introduced
2/16	Referred to Judiciary
2/17	Hearing
2/17	Fiscal Note Requested
2/17	Tabled in Committee
2/18	Taken From Table by Committee
2/20	Fiscal Note Received
2/21	Rereferred to Appropriations
2/22	Fiscal Note Printed
3/15	Hearing
3/18	Committee Report--Bill Passed
3/22	2nd Reading Passed
3/23	3rd Reading Failed
3/23	Reconsidered Previous Action
3/23	3rd Reading Failed

1 HOUSE BILL NO. 716  
 2 INTRODUCED BY THOMAS Samuel Farrell  
 3 Don Brown Theresa Loeffel C. Brown Bob Brown  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT MAKING RAVALLI COUNTY  
 5 MERCER SEPARATE JUDICIAL DISTRICT; ALTERING CERTAIN JUDICIAL  
 6 DISTRICT BOUNDARIES AND CHANGING THE NUMBER OF JUDGES IN THE  
 7 4TH JUDICIAL DISTRICT; PROVIDING FOR THE ELECTION OF A JUDGE  
 8 TO FILL THE JUDGESHIP CREATED BY THIS ACT; AMENDING SECTIONS  
 9 3-5-101 AND 3-5-102, MCA; AND PROVIDING DELAYED EFFECTIVE  
 10 DATES."  
 11  
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 13 **Section 1.** Section 3-5-101, MCA, is amended to read:  
 14 **\*3-5-101. Judicial districts defined.** In this state  
 15 there are 20 judicial districts, distributed as follows:  
 16 (1) 1st district: Lewis and Clark and Broadwater  
 17 Counties;  
 18 (2) 2nd district: Silver Bow County;  
 19 (3) 3rd district: Deer Lodge, Granite, and Powell  
 20 Counties;  
 21 (4) 4th district: Missoula, and Mineral, ~~and Ravalli~~  
 22 Counties;  
 23 (5) 5th district: Beaverhead, Jefferson, and Madison  
 24 Counties;  
 25 (6) 6th district: Park and Sweet Grass Counties;

1 (7) 7th district: Dawson, McCone, Richland, Prairie,  
 2 and Wibaux Counties;  
 3 (8) 8th district: Cascade County;  
 4 (9) 9th district: Teton, Pondera, Toole, and Glacier  
 5 Counties;  
 6 (10) 10th district: Fergus, Judith Basin, and Petroleum  
 7 Counties;  
 8 (11) 11th district: Flathead County;  
 9 (12) 12th district: Liberty, Hill, and Chouteau  
 10 Counties;  
 11 (13) 13th district: Yellowstone, Stillwater, Carbon,  
 12 and Big Horn Counties;  
 13 (14) 14th district: Meagher, Wheatland, Golden Valley,  
 14 and Musselshell Counties;  
 15 (15) 15th district: Roosevelt, Daniels, and Sheridan  
 16 Counties;  
 17 (16) 16th district: Custer, Carter, Fallon, Powder  
 18 River, Garfield, Treasure, and Rosebud Counties;  
 19 (17) 17th district: Phillips, Blaine, and Valley  
 20 Counties;  
 21 (18) 18th district: Gallatin County;  
 22 (19) 19th district: Lincoln County;  
 23 (20) 20th district: Lake and Sanders Counties;  
 24 (21) 21st district: Ravalli County."  
 25 **Section 2.** 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 2nd, 7th, 11th, 16th, and 18th districts, two judges each;

(2) in the 1st, 4th, and 8th districts, three judges each;

~~(3) in the 4th district, four judges;~~

~~(4)~~(3) in the 13th district, five judges;

~~(5)~~(4) in all other districts, one judge each."

NEW SECTION. **Section 3.** Selection of new judge. The judgeship for the 21st judicial district created by [this act] must be initially filled at the 1992 general election, and the individual elected shall take office on the first Monday of January 1993.

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 in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. **Section 5.** Effective dates. (1) [This act] is effective January 1, 1992, for the purpose of conducting elections in 1992 related to the alterations in judicial districts made by [this act] and to the election of

a judge as provided in [section 3].

(2) For all other purposes, [this act] is effective January 4, 1993.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB716, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

HB716 makes Ravalli County a separate judicial district; alters certain judicial district boundaries and changes the number of judges in the 4th. judicial district; provides for the election of a judge to fill the judgeship created by the bill.

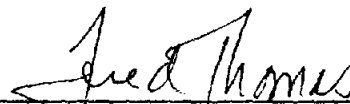
EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

A shift in costs for administrative support services may occur between Missoula and Ravalli counties.



DATE 2/20/89

RAY SHACKLEFORD, BUDGET DIRECTOR  
OFFICE OF BUDGET AND PROGRAM PLANNING



DATE 2/21/89

FRED THOMAS, PRIMARY SPONSOR

Fiscal Note for HB716, as introduced

**HB 716**

APPROVED BY COMMITTEE  
ON JUDICIARY

1 HOUSE BILL NO. 716  
 2 INTRODUCED BY Thomas Samuel Farrell  
 3 Don Brown Theresa Smith Copp Bob Brown  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT MAKING RAVALLI COUNTY A  
 5 MERCER SEPARATE JUDICIAL DISTRICT; ALTERING CERTAIN JUDICIAL  
 6 DISTRICT BOUNDARIES AND CHANGING THE NUMBER OF JUDGES IN THE  
 7 4TH JUDICIAL DISTRICT; PROVIDING FOR THE ELECTION OF A JUDGE  
 8 TO FILL THE JUDGESHIP CREATED BY THIS ACT; AMENDING SECTIONS  
 9 3-5-101 AND 3-5-102, MCA; AND PROVIDING DELAYED EFFECTIVE  
 10 DATES."  
 11  
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 13 **Section 1.** Section 3-5-101, MCA, is amended to read:  
 14 "3-5-101. Judicial districts defined. In this state  
 15 there are 20 judicial districts, distributed as follows:  
 16 (1) 1st district: Lewis and Clark and Broadwater  
 17 Counties;  
 18 (2) 2nd district: Silver Bow County;  
 19 (3) 3rd district: Deer Lodge, Granite, and Powell  
 20 Counties;  
 21 (4) 4th district: Missoula, and Mineral, and Ravalli  
 22 Counties;  
 23 (5) 5th district: Beaverhead, Jefferson, and Madison  
 24 Counties;  
 25 (6) 6th district: Park and Sweet Grass Counties;

1 (7) 7th district: Dawson, McCone, Richland, Prairie,  
 2 and Wibaux Counties;  
 3 (8) 8th district: Cascade County;  
 4 (9) 9th district: Teton, Pondera, Toole, and Glacier  
 5 Counties;  
 6 (10) 10th district: Fergus, Judith Basin, and Petroleum  
 7 Counties;  
 8 (11) 11th district: Flathead County;  
 9 (12) 12th district: Liberty, Hill, and Chouteau  
 10 Counties;  
 11 (13) 13th district: Yellowstone, Stillwater, Carbon,  
 12 and Big Horn Counties;  
 13 (14) 14th district: Meagher, Wheatland, Golden Valley,  
 14 and Musselshell Counties;  
 15 (15) 15th district: Roosevelt, Daniels, and Sheridan  
 16 Counties;  
 17 (16) 16th district: Custer, Carter, Fallon, Powder  
 18 River, Garfield, Treasure, and Rosebud Counties;  
 19 (17) 17th district: Phillips, Blaine, and Valley  
 20 Counties;  
 21 (18) 18th district: Gallatin County;  
 22 (19) 19th district: Lincoln County;  
 23 (20) 20th district: Lake and Sanders Counties;  
 24 (21) 21st district: Ravalli County."  
 25

**Section 2.** Section 3-5-102, MCA, is amended to read:

1       "3-5-102. Number of judges. In each judicial district  
2 there must be the following number of judges of the district  
3 court:

4       (1) in the 2nd, 7th, 11th, 16th, and 18th districts,  
5 two judges each;

6       (2) in the 1st, 4th, and 8th districts, three judges  
7 each;

8       ~~†3†--in-the-4th-district,-four-judges;~~

9       ~~†4†~~(3) in the 13th district, five judges;

10       ~~†5†~~(4) in all other districts, one judge each."

11       NEW SECTION. Section 3. Selection of new judge. The  
12 judgeship for the 21st judicial district created by [this  
13 act] must be initially filled at the 1992 general election,  
14 and the individual elected shall take office on the first  
15 Monday of January 1993.

16       NEW SECTION. Section 4. Severability. If a part of  
17 [this act] is invalid, all valid parts that are severable  
18 from the invalid part remain in effect. If a part of [this  
19 act] is invalid in one or more of its applications, the part  
20 remains in effect in all valid applications that are  
21 severable from the invalid applications.

22       NEW SECTION. Section 5. Effective dates. (1) [This  
23 act] is effective January 1, 1992, for the purpose of  
24 conducting elections in 1992 related to the alterations in  
25 judicial districts made by [this act] and to the election of

1 a judge as provided in [section 3].

2       (2) For all other purposes, [this act] is effective  
3 January 4, 1993.

-End-

1 HOUSE BILL NO. 716  
 2 INTRODUCED BY Thomas Samuel Farrell  
 3 Don Brown Theresa Luff Cappan Bob Brown  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT MAKING RAVALLI COUNTY A  
 5 MERCER SEPARATE JUDICIAL DISTRICT; ALTERING CERTAIN JUDICIAL  
 6 DISTRICT BOUNDARIES AND CHANGING THE NUMBER OF JUDGES IN THE  
 7 4TH JUDICIAL DISTRICT; PROVIDING FOR THE ELECTION OF A JUDGE  
 8 TO FILL THE JUDGESHIP CREATED BY THIS ACT; AMENDING SECTIONS  
 9 3-5-101 AND 3-5-102, MCA; AND PROVIDING DELAYED EFFECTIVE  
 10 DATES."  
 11  
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 13 **Section 1.** Section 3-5-101, MCA, is amended to read:  
 14 "3-5-101. Judicial districts defined. In this state  
 15 there are 20 judicial districts, distributed as follows:  
 16 (1) 1st district: Lewis and Clark and Broadwater  
 17 Counties;  
 18 (2) 2nd district: Silver Bow County;  
 19 (3) 3rd district: Deer Lodge, Granite, and Powell  
 20 Counties;  
 21 (4) 4th district: Missoula, and Mineral, ~~and Ravalli~~  
 22 Counties;  
 23 (5) 5th district: Beaverhead, Jefferson, and Madison  
 24 Counties;  
 25 (6) 6th district: Park and Sweet Grass Counties;

1 (7) 7th district: Dawson, McCone, Richland, Prairie,  
 2 and Wibaux Counties;  
 3 (8) 8th district: Cascade County;  
 4 (9) 9th district: Teton, Pondera, Toole, and Glacier  
 5 Counties;  
 6 (10) 10th district: Fergus, Judith Basin, and Petroleum  
 7 Counties;  
 8 (11) 11th district: Flathead County;  
 9 (12) 12th district: Liberty, Hill, and Chouteau  
 10 Counties;  
 11 (13) 13th district: Yellowstone, Stillwater, Carbon,  
 12 and Big Horn Counties;  
 13 (14) 14th district: Meagher, Wheatland, Golden Valley,  
 14 and Musselshell Counties;  
 15 (15) 15th district: Roosevelt, Daniels, and Sheridan  
 16 Counties;  
 17 (16) 16th district: Custer, Carter, Fallon, Powder  
 18 River, Garfield, Treasure, and Rosebud Counties;  
 19 (17) 17th district: Phillips, Blaine, and Valley  
 20 Counties;  
 21 (18) 18th district: Gallatin County;  
 22 (19) 19th district: Lincoln County;  
 23 (20) 20th district: Lake and Sanders Counties;  
 24 (21) 21st district: Ravalli County."  
 25 **Section 2.** Section 3-5-102, MCA, is amended to read:

1       **"3-5-102. Number of judges.** In each judicial district  
2 there must be the following number of judges of the district  
3 court:

4       (1) in the 2nd, 7th, 11th, 16th, and 18th districts,  
5 two judges each;

6       (2) in the 1st, 4th, and 8th districts, three judges  
7 each;

8       ~~†3) -- in the 4th district, four judges;~~

9       ~~†4) (3)~~ in the 13th district, five judges;

10       ~~†5) (4)~~ in all other districts, one judge each."

11       **NEW SECTION. Section 3.** Selection of new judge. The  
12 judgeship for the 21st judicial district created by [this  
13 act] must be initially filled at the 1992 general election,  
14 and the individual elected shall take office on the first  
15 Monday of January 1993.

16       **NEW SECTION. Section 4.** Severability. If a part of  
17 [this act] is invalid, all valid parts that are severable  
18 from the invalid part remain in effect. If a part of [this  
19 act] is invalid in one or more of its applications, the part  
20 remains in effect in all valid applications that are  
21 severable from the invalid applications.

22       **NEW SECTION. Section 5.** Effective dates. (1) [This  
23 act] is effective January 1, 1992, for the purpose of  
24 conducting elections in 1992 related to the alterations in  
25 judicial districts made by [this act] and to the election of

1 a judge as provided in [section 3].

2       (2) For all other purposes, [this act] is effective  
3 January 4, 1993.

-End-