

SENATE BILL 344

Introduced by Harp, et al.

2/04	Introduced
2/04	Referred to Judiciary
2/07	Hearing
2/13	Committee Report--Bill Not Passed as Amended
2/13	Adverse Committee Report Adopted

1 State BILL NO. 344  
2 INTRODUCED BY HARP Cupper  
3 BY REQUEST OF THE GOVERNOR  
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT MEMBERS  
6 OF THE JUDICIAL NOMINATION COMMISSION APPOINTED BY THE  
7 GOVERNOR SERVE AT THE PLEASURE OF THE GOVERNOR; AMENDING  
8 SECTION 3-1-1002, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE  
9 DATE AND AN APPLICABILITY DATE."  
10

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

12 **Section 1.** Section 3-1-1002, MCA, is amended to read:

13 "3-1-1002. Staggered terms of members. (1) All original  
14 members named to the commission shall serve until January 1,  
15 1976. Their successors shall serve as follows:

16 (a) The members appointed by the governor shall serve  
17 4-year terms.

18 (b) The attorneys appointed by the supreme court shall  
19 serve 2-year terms.

20 (c) The judge elected shall serve a 2-year term.

21 (2) Thereafter all members appointed by the supreme  
22 court and elected by the district judges shall serve terms  
23 of 4 years.

24 (3) On and after [the effective date of this act], the  
25 governor shall appoint at the beginning of each

1 gubernatorial term four members as provided in 3-1-1001. A  
2 commission member appointed by the governor serves at the  
3 pleasure of the governor. The governor may remove a  
4 commission member appointed by him at any time and appoint a  
5 new member to the commission."

6 NEW SECTION. Section 2. Effective date. [This act] is  
7 effective on passage and approval.

8 NEW SECTION. Section 3. Applicability. [This act]  
9 applies to appointees of the governor who are members of the  
10 judicial nomination commission on [the effective date of  
11 this act] and to members appointed by the governor after  
12 [the effective date of this act]."