

HOUSE BILL NO. 525
INTRODUCED BY J. RICE, DOHERTY

IN THE HOUSE

FEBRUARY 8, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
FEBRUARY 17, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 18, 1993	PRINTING REPORT.
FEBRUARY 19, 1993	ON MOTION, REREFERRED TO COMMITTEE ON APPROPRIATIONS.
MARCH 5, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
MARCH 6, 1993	PRINTING REPORT.
MARCH 8, 1993	SECOND READING, DO PASS.
MARCH 9, 1993	ENGROSSING REPORT.
MARCH 10, 1993	THIRD READING, PASSED. AYES, 73; NOES, 24.
MARCH 11, 1993	TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 12, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
MARCH 29, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 31, 1993	SECOND READING, CONCURRED IN.
APRIL 1, 1993	THIRD READING, CONCURRED IN. AYES, 40; NOES, 8.
	RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 6, 1993

SECOND READING, AMENDMENTS NOT
CONCURRED IN.

ON MOTION, CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE SENATE

APRIL 7, 1993

ON MOTION, CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE HOUSE

APRIL 24, 1993

SECOND READING, CONFERENCE COMMITTEE
REPORT ADOPTED.

THIRD READING, CONFERENCE COMMITTEE
REPORT ADOPTED.

IN THE SENATE

APRIL 24, 1993

CONFERENCE COMMITTEE
REPORT ADOPTED.

IN THE HOUSE

APRIL 24, 1993

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 525
2 INTRODUCED BY Shirley Doherty
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE
5 JUDICIAL UNIFICATION AND FINANCE COMMISSION; PROVIDING FOR
6 APPOINTMENTS TO THE COMMISSION; DIRECTING THE COMMISSION TO
7 CONDUCT A STUDY OF THE FINANCING AND ORGANIZATION OF THE
8 MONTANA JUDICIARY; APPROPRIATING FUNDS FOR OPERATION OF THE
9 COMMISSION; AND PROVIDING AN EFFECTIVE DATE AND A
10 TERMINATION DATE."

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

13 NEW SECTION. Section 1. Judicial unification and
14 finance commission -- composition -- vacancies. (1) There is
15 a judicial unification and finance commission.

16 (2) The commission is composed of the following 13
17 members:

18 (a) three members, to be appointed by the governor, who
19 must be from the public at large;

20 (b) two members, to be appointed by the chief justice
21 of the Montana supreme court;

22 (c) one member, to be appointed by the speaker of the
23 house of representatives, who must be a member of the house
24 of representatives;

25 (d) one member, to be appointed by the president of the

1 senate, who must be a member of the senate; and
2 (e) six members, one each of whom must be appointed by
3 the following:

- 4 (i) the Montana judges' association;
5 (ii) the Montana magistrates' association;
6 (iii) the Montana association of clerks of court;
7 (iv) the state bar of Montana;
8 (v) the Montana league of cities and towns; and
9 (vi) the Montana association of counties.

10 (3) The members of the commission shall elect a
11 presiding officer from among the members.

12 (4) Any vacancy occurring on the commission must be
13 filled in the same manner as the original appointment.

14 NEW SECTION. Section 2. Meetings. (1) The presiding
15 officer shall schedule meetings of the commission as
16 considered necessary and shall give notice of the time and
17 place of each meeting to the members of the commission.

18 (2) The commission may adopt rules of procedure for the
19 conduct of its meetings.

20 NEW SECTION. Section 3. Reimbursement of expenses --
21 compensation. (1) Each member of the commission, except the
22 legislative members appointed under [section 1(2)(c) and
23 (2)(d)], is entitled to reimbursement for expenses as
24 provided in 2-18-501 through 2-18-503.

25 (2) A legislative member appointed under [section

1 1(2)(c) or (2)(d)] is entitled to compensation and expenses
2 as provided in 5-2-302.

3 NEW SECTION. Section 4. Powers and duties -- staff
4 support -- recommendations -- report. (1) The commission
5 shall make a detailed and thorough study of the Montana
6 judiciary, including:

- 7 (a) possible unification of the Montana judiciary;
- 8 (b) current and future funding of the Montana
- 9 judiciary;
- 10 (c) matters pertaining to the standards and selection
- 11 of judges; and
- 12 (d) other matters relating to the efficient operation
- 13 of the Montana judiciary.

14 (2) The legislative council shall provide staff support
15 to the commission.

16 (3) The commission is authorized to secure directly
17 from any agency, board, or commission or from any
18 independent organization any information, suggestion,
19 estimate, or statistic. Any agency, board, commission, or
20 organization requested by the commission to provide
21 information shall furnish the information.

22 (4) On or before December 1, 1994, the commission shall
23 submit to the legislature a written report of its findings,
24 conclusions, and recommendations and options for further
25 consideration. If legislation is recommended, the report

1 must include a draft of the legislation.

2 NEW SECTION. Section 5. Authority to accept
3 contributions -- appropriation. (1) The legislative council
4 may accept, on behalf of the commission, gifts, grants, or
5 donations that may not, in total, exceed \$25,000.

6 (2) Any money received from gifts, grants, or donations
7 must be deposited in an account in the state special revenue
8 fund to the credit of the legislative council for use by the
9 commission. Money in the account may be used only for
10 fulfilling the duties of the commission, including:

- 11 (a) reimbursing or compensating the members as provided
- 12 in [section 3];
- 13 (b) contracting for services to execute the study to be
- 14 conducted by the commission; or
- 15 (c) paying other expenses as may be incurred by the
- 16 commission or the legislative council in conducting the
- 17 study of the Montana judiciary.

18 (3) (a) There is appropriated to the legislative
19 council for the purposes of conducting the study described
20 in [section 4] \$25,000 from the state special revenue fund
21 account described in subsection (2).

22 (b) There is allocated to the legislative council from
23 the district court criminal reimbursement program \$33,000
24 for the purpose of conducting the study described in
25 [section 4].

1 (4) The appropriation and allocation under subsection
2 (3) are biennial.

3 NEW SECTION. Section 6. Coordination instruction. (1)
4 If [this act] and House Bill No. 2 are both passed and
5 approved and if House Bill No. 2 contains an appropriation
6 in excess of \$33,000 to the judiciary for the district court
7 criminal reimbursement program (program 7), then the
8 following language must be included in House Bill No. 2,
9 within the appropriation to the judiciary:

10 "If ____ Bill No. ____ [LC 1213] is passed and approved,
11 then \$33,000 of the appropriation to the district court
12 criminal reimbursement program (program 7) must be
13 transferred to the legislative council for the purpose of
14 conducting the study of judicial unification and finance."

15 (2) If [this act] and House Bill No. 2 are both passed
16 and approved and if House Bill No. 2 does not contain an
17 appropriation in excess of \$33,000 to the judiciary for the
18 district court criminal reimbursement program (program 7),
19 then [section 5(3)(b)] of [this act] must be amended to
20 read:

21 "(3) (b) There is appropriated to the legislative
22 council from the general fund \$33,000 for the purpose of
23 conducting the study described in [section 4]."

24 NEW SECTION. Section 7. Effective date. [This act] is
25 effective July 1, 1993.

1 NEW SECTION. Section 8. Termination. [This act]
2 terminates June 30, 1995.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0525, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION: Establishing the Judicial Unification and Finance Commission (commission); providing for appointments to the commission; directing the commission to conduct a study of the financing and organization of the Montana judiciary; appropriating state special revenue funds to the Legislative Council for operation of the commission.

ASSUMPTIONS:**Legislative Council:**

1. Reimbursement rates for travel and per diem will remain as currently authorized. Only legislators will receive compensation.
2. The commission will conduct 12 one-day meetings over the course of the 1995 interim.
3. All 11 members will attend all 12 meetings.
4. The Legislative Council will provide staff for the commission within current resources.
5. \$25,000 state special revenue is appropriated to the Legislative Council; this amount is assumed to be a biennial appropriation. The bill authorizes the Legislative Council to accept, on behalf of the commission, gifts, grants, or donations, up to a limit of \$25,000, to be deposited in the state special revenue account. There is no assurance of receipt of this revenue; however, pursuant to 17-2-108, MCA, any special revenue received will be expended before general fund is expended.
6. The commission may not spend in excess of a total of \$58,000. A minimum of \$2,222 is estimated for legislator pay and the remainder of the expenses are estimated for operating, including travel and per diem of members.


Judiciary:

7. \$33,000 general fund is allocated to the Legislative Council from the district court reimbursement program; this amount is assumed to be allocated as a biennial appropriation.

FISCAL IMPACT:**Legislative Council-Judicial Unification and Finance Commission:**

	FY94			FY95		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
Expenditures:						
FTE	0.00	0.10	0.10	0.00	0.00	0.00
Personal Services	0	2,222	2,222	0	0	0
Operating Expenses	0	55,778	55,778	0	0	0
Total	0	58,000	58,000	0	0	0
Funding:						
General Fund	0	33,000	33,000	0	0	0
State Special Revenue	0	25,000	25,000	0	0	0
Total	0	58,000	58,000	0	0	0
Revenue:						
State Special (gifts, grants, donations)	0	25,000	25,000	0	0	0

(continued)

 2-13-93
 DAVE LEWIS, BUDGET DIRECTOR DATE
 Office of Budget and Program Planning

 2-15-93
 JIM RICE, PRIMARY SPONSOR DATE

Fiscal Note for HB0525, as introduced

HB 525

Judiciary-District Court Reimbursement Program:

	FY94			FY95		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
<u>Expenditures:</u>						
FE	1.00	1.00	0	1.00	1.00	0
Personal Services	28,495	28,495	0	28,502	28,502	0
Operating Expenses	59,411	59,411	0	59,411	59,411	0
Equipment	1,866	1,866	0	1,866	1,866	0
Grants	<u>3,143,290</u>	<u>3,110,290</u>	<u>(33,000)</u>	<u>3,291,290</u>	<u>3,291,290</u>	<u>0</u>
Total	3,233,062	3,200,062	(33,000)	3,381,069	3,381,069	0
<u>Funding:</u>						
General Fund	3,233,062	3,200,062	(33,000)	3,381,069	3,381,069	0
Net Impact to General Fund			0			0

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

The net impact to counties will be a decrease of up to \$33,000 in funds available for reimbursement of criminal prosecution expenses in district courts. If reimbursable criminal case expenses exceed the amount appropriated for reimbursement, counties will not be reimbursed up to the amount of the \$33,000 allocated to the commission.

HB 525

APPROVED BY COMMITTEE
ON JUDICIARY

1 House BILL NO. 525
2 INTRODUCED BY Don Bhaty
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE
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9 COMMISSION; AND PROVIDING AN EFFECTIVE DATE AND A
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21 of the Montana supreme court;
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23 house of representatives, who must be a member of the house
24 of representatives;
25 (d) one member, to be appointed by the president of the

1 senate, who must be a member of the senate; and
2 (e) six members, one each of whom must be appointed by
3 the following:
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8 (v) the Montana league of cities and towns; and
9 (vi) the Montana association of counties.
10 (3) The members of the commission shall elect a
11 presiding officer from among the members.
12 (4) Any vacancy occurring on the commission must be
13 filled in the same manner as the original appointment.
14 NEW SECTION. Section 2. Meetings. (1) The presiding
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17 place of each meeting to the members of the commission.
18 (2) The commission may adopt rules of procedure for the
19 conduct of its meetings.
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24 provided in 2-18-501 through 2-18-503.
25 (2) A legislative member appointed under [section

1 1(2)(c) or (2)(d)] is entitled to compensation and expenses
2 as provided in 5-2-302.

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4 support -- recommendations -- report. (1) The commission
5 shall make a detailed and thorough study of the Montana
6 judiciary, including:

7 (a) possible unification of the Montana judiciary;

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9 judiciary;

10 (c) matters pertaining to the standards and selection
11 of judges; and

12 (d) other matters relating to the efficient operation
13 of the Montana judiciary.

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16 (3) The commission is authorized to secure directly
17 from any agency, board, or commission or from any
18 independent organization any information, suggestion,
19 estimate, or statistic. Any agency, board, commission, or
20 organization requested by the commission to provide
21 information shall furnish the information.

22 (4) On or before December 1, 1994, the commission shall
23 submit to the legislature a written report of its findings,
24 conclusions, and recommendations and options for further
25 consideration. If legislation is recommended, the report

1 must include a draft of the legislation.

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3 contributions -- appropriation. (1) The legislative council
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14 conducted by the commission; or

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17 study of the Montana judiciary.

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20 in [section 4] \$25,000 from the state special revenue fund
21 account described in subsection (2).

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23 the district court criminal reimbursement program \$33,000
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6 in excess of \$33,000 to the judiciary for the district court
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9 within the appropriation to the judiciary:

10 "If ____ Bill No. ____ [LC 1213] is passed and approved,
11 then \$33,000 of the appropriation to the district court
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13 transferred to the legislative council for the purpose of
14 conducting the study of judicial unification and finance."

15 (2) If [this act] and House Bill No. 2 are both passed
16 and approved and if House Bill No. 2 does not contain an
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18 district court criminal reimbursement program (program 7),
19 then [section 5(3)(b)] of [this act] must be amended to
20 read:

21 "(3) (b) There is appropriated to the legislative
22 council from the general fund \$33,000 for the purpose of
23 conducting the study described in [section 4]."

24 NEW SECTION. Section 7. Effective date. [This act] is
25 effective July 1, 1993.

1 NEW SECTION. Section 8. Termination. [This act]
2 terminates June 30, 1995.

-End-

RE-REFERRED AND
APPROVED BY COMMITTEE
ON APPROPRIATIONS
AS AMENDED

HOUSE BILL NO. 525

INTRODUCED BY J. RICE, DOHERTY

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE JUDICIAL UNIFICATION AND FINANCE COMMISSION; PROVIDING FOR APPOINTMENTS TO THE COMMISSION; DIRECTING THE COMMISSION TO CONDUCT A STUDY OF THE FINANCING AND ORGANIZATION OF THE MONTANA JUDICIARY; APPROPRIATING FUNDS FOR OPERATION OF THE COMMISSION; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

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

NEW SECTION. Section 1. Judicial unification and finance commission -- composition -- vacancies. (1) There is a judicial unification and finance commission.

(2) The commission is composed of the following members:

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(c) one member, to be appointed by the speaker of the house of representatives, who must be a member of the house of representatives;

(d) one member, to be appointed by the president of the

senate, who must be a member of the senate; and

(e) six members, one each of whom must be appointed by the following:

(i) the Montana judges' association;

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(iii) the Montana association of clerks of court;

(iv) the state bar of Montana;

(v) the Montana league of cities and towns; and

(vi) the Montana association of counties.

(3) The members of the commission shall elect a presiding officer from among the members.

(4) Any vacancy occurring on the commission must be filled in the same manner as the original appointment.

NEW SECTION. Section 2. Meetings. (1) The presiding officer shall schedule meetings of the commission as considered necessary and shall give notice of the time and place of each meeting to the members of the commission.

(2) The commission may adopt rules of procedure for the conduct of its meetings.

NEW SECTION. Section 3. Reimbursement of expenses -- compensation. (1) Each member of the commission, except the legislative members appointed under [section 1(2)(c) and (2)(d)], is entitled to reimbursement for expenses as provided in 2-18-501 through 2-18-503.

(2) A legislative member appointed under [section

1 1(2)(c) or (2)(d)] is entitled to compensation and expenses
2 as provided in 5-2-302.

3 NEW SECTION. Section 4. Powers and duties -- staff
4 support -- recommendations -- report. (1) The commission
5 shall make a detailed and thorough study of the Montana
6 judiciary, including:

7 (a) possible unification of the Montana judiciary;

8 (b) current and future funding of the Montana
9 judiciary;

10 (c) matters pertaining to the standards and selection
11 of judges; and

12 (d) other matters relating to the efficient operation
13 of the Montana judiciary.

14 (2) The legislative council shall provide staff support
15 to the commission.

16 (3) The commission is authorized to secure directly
17 from any agency, board, or commission or from any
18 independent organization any information, suggestion,
19 estimate, or statistic. Any agency, board, commission, or
20 organization requested by the commission to provide
21 information shall furnish the information.

22 (4) On or before December 1, 1994, the commission shall
23 submit to the legislature a written report of its findings,
24 conclusions, and recommendations and options for further
25 consideration. If legislation is recommended, the report

1 must include a draft of the legislation.

2 NEW SECTION. Section 5. Authority to accept
3 contributions -- appropriation. (1) The legislative council
4 may accept, on behalf of the commission, gifts, grants, or
5 donations that may not, in total, exceed ~~\$25,000~~ \$40,000.

6 (2) Any money received from gifts, grants, or donations
7 must be deposited in an account in the state special revenue
8 fund to the credit of the legislative council for use by the
9 commission. Money in the account may be used only for
10 fulfilling the duties of the commission, including:

11 (a) reimbursing or compensating the members as provided
12 in [section 3];

13 (b) contracting for services to execute the study to be
14 conducted by the commission; or

15 (c) paying other expenses as may be incurred by the
16 commission or the legislative council in conducting the
17 study of the Montana judiciary.

18 (3) (a) There is appropriated to the legislative
19 council for the purposes of conducting the study described
20 in [section 4] ~~\$25,000~~ \$40,000 from the state special
21 revenue fund account described in subsection (2).

22 (b) There is allocated to the legislative council from
23 the district court criminal reimbursement program ~~\$33,000~~
24 \$10,000 for the purpose of conducting the study described in
25 [section 4]. THE ALLOCATION MUST BE FROM FUNDS AVAILABLE

AFTER THE SUPREME COURT ADMINISTRATOR HAS PAID EXPENSES SPECIFIED IN 3-5-901.

(C) IF THE AMOUNT AVAILABLE FOR ALLOCATION UNDER SUBSECTION (3)(B) IS LESS THAN \$10,000, THERE IS APPROPRIATED TO THE LEGISLATIVE COUNCIL FROM FUNDS COLLECTED PURSUANT TO 61-3-509(2) THAT ARE NOT APPROPRIATED FOR DISTRICT COURT EXPENSES, AS PROVIDED IN 3-5-901, AN AMOUNT NOT TO EXCEED \$10,000 FOR THE PURPOSE OF CONDUCTING THE STUDY IN [SECTION 4]. THE SUM OF THE ALLOCATION IN SUBSECTION (3)(B) AND THE APPROPRIATION IN THIS SUBSECTION (C) MAY NOT EXCEED \$10,000.

(4) The appropriation APPROPRIATIONS and allocation under subsection (3) are biennial.

NEW SECTION. Section 6. Coordination instruction. (1) If (this act) and House Bill No. 2 are both passed and approved and if House Bill No. 2 contains an appropriation in excess of \$33,000 to the judiciary for the district court criminal reimbursement program (program 7), then the following language must be included in House Bill No. 2, within the appropriation to the judiciary:

"If Bill No. (b2-1213) is passed and approved, then \$33,000 of the appropriation to the district court criminal reimbursement program (program 7) must be transferred to the legislative council for the purpose of conducting the study of judicial unification and finance."

{2} If (this act) and House Bill No. 2 are both passed and approved and if House Bill No. 2 does not contain an appropriation in excess of \$33,000 to the judiciary for the district court criminal reimbursement program (program 7), then section 5(3)(b) of (this act) must be amended to read:

"{3} (b) There is appropriated to the legislative council from the general fund \$33,000 for the purpose of conducting the study described in section 4."

NEW SECTION. Section 6. Effective date. [This act] is effective July 1, 1993.

NEW SECTION. Section 7. Termination. [This act] terminates June 30, 1995.

-End-

HOUSE BILL NO. 525

INTRODUCED BY J. RICE, DOHERTY

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE JUDICIAL UNIFICATION AND FINANCE COMMISSION; PROVIDING FOR APPOINTMENTS TO THE COMMISSION; DIRECTING THE COMMISSION TO CONDUCT A STUDY OF THE FINANCING AND ORGANIZATION OF THE MONTANA JUDICIARY; APPROPRIATING FUNDS FOR OPERATION OF THE COMMISSION; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

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16 commission or the legislative council in conducting the
17 study of the Montana judiciary.

18 (3) (a) There is appropriated to the legislative
19 council for the purposes of conducting the study described
20 in [section 4] ~~\$25,000~~ \$40,000 from the state special
21 revenue fund account described in subsection (2).

22 (b) There is allocated to the legislative council from
23 the district court criminal reimbursement program ~~\$33,000~~
24 \$10,000 for the purpose of conducting the study described in
25 [section 4]. THE ALLOCATION MUST BE FROM FUNDS AVAILABLE

1 AFTER THE SUPREME COURT ADMINISTRATOR HAS PAID EXPENSES
 2 SPECIFIED IN 3-5-901.

3 (C) IF THE AMOUNT AVAILABLE FOR ALLOCATION UNDER
 4 SUBSECTION (3)(B) IS LESS THAN \$10,000, THERE IS
 5 APPROPRIATED TO THE LEGISLATIVE COUNCIL FROM FUNDS COLLECTED
 6 PURSUANT TO 61-3-509(2) THAT ARE NOT APPROPRIATED FOR
 7 DISTRICT COURT EXPENSES, AS PROVIDED IN 3-5-901, AN AMOUNT
 8 NOT TO EXCEED \$10,000 FOR THE PURPOSE OF CONDUCTING THE
 9 STUDY IN [SECTION 4]. THE SUM OF THE ALLOCATION IN
 10 SUBSECTION (3)(B) AND THE APPROPRIATION IN THIS SUBSECTION
 11 (C) MAY NOT EXCEED \$10,000.

12 (4) The appropriation APPROPRIATIONS and allocation
 13 under subsection (3) are biennial.

14 NEW SECTION. Section 6. Coordination instruction. (1) --
 15 if -- {this -- act} -- and -- House -- Bill -- No. -- 2 -- are -- both -- passed -- and
 16 approved -- and -- if -- House -- Bill -- No. -- 2 -- contains -- an -- appropriation
 17 in -- excess -- of -- \$33,000 -- to -- the -- judiciary -- for -- the -- district -- court
 18 criminal -- reimbursement -- program -- {program -- 7} -- then -- the
 19 following -- language -- must -- be -- included -- in -- House -- Bill -- No. -- 2,
 20 within -- the -- appropriation -- to -- the -- judiciary:

21 "If ----- Bill -- No. ----- {bC-1213} -- is -- passed -- and -- approved,
 22 then -- \$33,000 -- of -- the -- appropriation -- to -- the -- district -- court
 23 criminal -- reimbursement -- program -- {program -- 7} -- must -- be
 24 transferred -- to -- the -- legislative -- council -- for -- the -- purpose -- of
 25 conducting -- the -- study -- of -- judicial -- unification -- and -- finance."

1 {2} -- if -- {this -- act} -- and -- House -- Bill -- No. -- 2 -- are -- both -- passed
 2 and -- approved -- and -- if -- House -- Bill -- No. -- 2 -- does -- not -- contain -- an
 3 appropriation -- in -- excess -- of -- \$33,000 -- to -- the -- judiciary -- for -- the
 4 district -- court -- criminal -- reimbursement -- program -- {program -- 7},
 5 then -- {section -- 5{3}{b}} -- of -- {this -- act} -- must -- be -- amended -- to
 6 read:

7 "{3} -- {b} -- There --- is -- appropriated -- to -- the -- legislative
 8 council -- from -- the -- general -- fund -- \$33,000 -- for -- the -- purpose -- of
 9 conducting -- the -- study -- described -- in -- {section -- 4}."

10 NEW SECTION. Section 6. Effective date. [This act] is
 11 effective July 1, 1993.

12 NEW SECTION. Section 7. Termination. [This act]
 13 terminates June 30, 1995.

-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 2
March 27, 1993

Page 2 of 2
March 27, 1993

MR. PRESIDENT:

We, your committee on Judiciary having had under consideration House Bill No. 525 (third reading copy -- blue), respectfully report that House Bill No. 525 be amended as follows and as so amended be concurred in.

Signed: Wm Yellowtail
Senator William "Bill" Yellowtail, Chair

That such amendments read:

1. Title, line 9.
Following: "COMMISSION;"
Strike: "AND"
2. Title, line 10.
Following: "DATE"
Insert: "; AND PROVIDING FOR CONTINGENT VOIDNESS"
3. Page 4, line 3.
Following: "appropriation"
Insert: "-- restriction on expenditures"
4. Page 4, line 5.
Strike: "exceed"
Insert: "be less than"
5. Page 4, lines 5 and 20.
Strike: "\$40,000"
Insert: "\$25,000"
6. Page 4, line 24.
Strike: "\$10,000"
Insert: ", funded in 3-5-901, up to \$33,000"
7. Page 4, line 25.
Following: "4]."
Insert: "Any amount received pursuant to subsection (1) in excess of \$25,000 decreases the allocation under this subsection (b) by a corresponding amount."
8. Page 5, line 1.
Strike: "AFTER"
Insert: "Before"

9. Page 5, line 2.

Following: "."

Insert: "For the purposes of 3-5-901(2), the study described in [section 4] is a cost of administering certain district court expenses described in 3-5-901."

10. Page 5, lines 3 through 11.

Strike: subsection (c) in its entirety

11. Page 5.

Following: line 13

Insert: "(5) As required under 17-2-108, the legislative council shall expend special revenue allocated in subsection (3)(a) of this section before expending any amount allocated in subsection (3)(b) or contingently appropriated in [section 6]. If any funds appropriated or allocated for the study under subsection (3)(a) or [section 6(1)] remain unexpended on June 30, 1995, the funds must revert to the state general fund. If any funds appropriated or allocated for the study under subsection (3)(b) or [section 6(2)] remain unexpended on June 30, 1995, the funds must revert to the district court criminal reimbursement program funded under 3-5-901."

12. Page 6.

Following: line 9

Insert: "NEW SECTION. Section 6. Coordination instruction. If House Bill No. 278 is not passed and approved in a form that includes a statutory appropriation of funds received under 61-3-509, then the following language is included in House Bill No. 2, within the appropriation to the judiciary:
"If House Bill No. 525 is passed and approved, then \$33,000 of the appropriation to the district court criminal reimbursement program (program 7) must be allocated to the legislative council for the purpose of conducting the study of judicial unification and finance."

NEW SECTION. Section 7. Contingent voidness. If House Bill No. 278 is not passed and approved in a form that includes a statutory appropriation of funds received under 61-3-509 and the appropriation in House Bill No. 2 to the judiciary for the district court criminal reimbursement program (program 7) is less than \$33,000, then [this act] is void."

Renumber: subsequent sections

-END-

M Amd. Coord.
N Sec. of Senate

Bartlett
Senator Carrying Bill

691306SC.Sma

SENATE
HB 525
691306SC.Sma

1 HOUSE BILL NO. 525

2 INTRODUCED BY J. RICE, DOHERTY

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE
5 JUDICIAL UNIFICATION AND FINANCE COMMISSION; PROVIDING FOR
6 APPOINTMENTS TO THE COMMISSION; DIRECTING THE COMMISSION TO
7 CONDUCT A STUDY OF THE FINANCING AND ORGANIZATION OF THE
8 MONTANA JUDICIARY; APPROPRIATING FUNDS FOR OPERATION OF THE
9 COMMISSION; AND PROVIDING AN EFFECTIVE DATE AND A
10 TERMINATION DATE; AND PROVIDING FOR CONTINGENT VOIDNESS."

11

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

13 NEW SECTION. Section 1. Judicial unification and
14 finance commission -- composition -- vacancies. (1) There is
15 a judicial unification and finance commission.

16 (2) The commission is composed of the following 13
17 members:

18 (a) three members, to be appointed by the governor, who
19 must be from the public at large;

20 (b) two members, to be appointed by the chief justice
21 of the Montana supreme court;

22 (c) one member, to be appointed by the speaker of the
23 house of representatives, who must be a member of the house
24 of representatives;

25 (d) one member, to be appointed by the president of the

1 senate, who must be a member of the senate; and

2 (e) six members, one each of whom must be appointed by
3 the following:

4 (i) the Montana judges' association;

5 (ii) the Montana magistrates' association;

6 (iii) the Montana association of clerks of court;

7 (iv) the state bar of Montana;

8 (v) the Montana league of cities and towns; and

9 (vi) the Montana association of counties.

10 (3) The members of the commission shall elect a
11 presiding officer from among the members.

12 (4) Any vacancy occurring on the commission must be
13 filled in the same manner as the original appointment.

14 NEW SECTION. Section 2. Meetings. (1) The presiding
15 officer shall schedule meetings of the commission as
16 considered necessary and shall give notice of the time and
17 place of each meeting to the members of the commission.

18 (2) The commission may adopt rules of procedure for the
19 conduct of its meetings.

20 NEW SECTION. Section 3. Reimbursement of expenses --
21 compensation. (1) Each member of the commission, except the
22 legislative members appointed under [section 1(2)(c) and
23 (2)(d)], is entitled to reimbursement for expenses as
24 provided in 2-18-501 through 2-18-503.

25 (2) A legislative member appointed under [section

1 1(2)(c) or (2)(d)] is entitled to compensation and expenses
2 as provided in 5-2-302.

3 NEW SECTION. Section 4. Powers and duties -- staff
4 support -- recommendations -- report. (1) The commission
5 shall make a detailed and thorough study of the Montana
6 judiciary, including:

7 (a) possible unification of the Montana judiciary;

8 (b) current and future funding of the Montana
9 judiciary;

10 (c) matters pertaining to the standards and selection
11 of judges; and

12 (d) other matters relating to the efficient operation
13 of the Montana judiciary.

14 (2) The legislative council shall provide staff support
15 to the commission.

16 (3) The commission is authorized to secure directly
17 from any agency, board, or commission or from any
18 independent organization any information, suggestion,
19 estimate, or statistic. Any agency, board, commission, or
20 organization requested by the commission to provide
21 information shall furnish the information.

22 (4) On or before December 1, 1994, the commission shall
23 submit to the legislature a written report of its findings,
24 conclusions, and recommendations and options for further
25 consideration. If legislation is recommended, the report

1 must include a draft of the legislation.

2 NEW SECTION. Section 5. Authority to accept
3 contributions -- appropriation -- RESTRICTION ON
4 EXPENDITURES. (1) The legislative council may accept, on
5 behalf of the commission, gifts, grants, or donations that
6 may not, in total, exceed BE LESS THAN \$25,000 \$40,000
7 \$25,000.

8 (2) Any money received from gifts, grants, or donations
9 must be deposited in an account in the state special revenue
10 fund to the credit of the legislative council for use by the
11 commission. Money in the account may be used only for
12 fulfilling the duties of the commission, including:

13 (a) reimbursing or compensating the members as provided
14 in [section 3];

15 (b) contracting for services to execute the study to be
16 conducted by the commission; or

17 (c) paying other expenses as may be incurred by the
18 commission or the legislative council in conducting the
19 study of the Montana judiciary.

20 (3) (a) There is appropriated to the legislative
21 council for the purposes of conducting the study described
22 in [section 4] \$25,000 \$40,000 \$25,000 from the state
23 special revenue fund account described in subsection (2).

24 (b) There is allocated to the legislative council from
25 the district court criminal reimbursement program \$33,000

\$10,000, FUNDED IN 3-5-901, UP TO \$33,000 for the purpose of
conducting the study described in [section 4]. ANY AMOUNT
RECEIVED PURSUANT TO SUBSECTION (1) IN EXCESS OF \$25,000
DECREASES THE ALLOCATION UNDER THIS SUBSECTION (B) BY A
CORRESPONDING AMOUNT. THE ALLOCATION MUST BE FROM FUNDS
AVAILABLE AFTER BEFORE THE SUPREME COURT ADMINISTRATOR HAS
PAID EXPENSES SPECIFIED IN 3-5-901. FOR THE PURPOSES OF
3-5-901(2), THE STUDY DESCRIBED IN [SECTION 4] IS A COST OF
ADMINISTERING CERTAIN DISTRICT COURT EXPENSES DESCRIBED IN
3-5-901.

{C}--IF--THE--AMOUNT--AVAILABLE--FOR--ALLOCATION---UNDER
SUBSECTION---(3)(B)---IS---LESS---THAN---\$10,000,---THERE---IS
APPROPRIATED--TO--THE--LEGISLATIVE--COUNCIL--FROM--FUNDS--COLLECTED
PURSUANT--TO--61-3-509(2)--THAT--ARE--NOT--APPROPRIATED--FOR
DISTRICT-COURT-EXPENSES, AS PROVIDED IN 3-5-901,--AN--AMOUNT
NOT--TO--EXCEED--\$10,000--FOR--THE--PURPOSE--OF--CONDUCTING--THE
STUDY--IN--[SECTION--4],--THE--SUM--OF--THE--ALLOCATION---IN
SUBSECTION--(3)(B)--AND--THE--APPROPRIATION--IN--THIS--SUBSECTION
{C}--MAY--NOT--EXCEED--\$10,000;

(4) The appropriation APPROPRIATIONS and allocation
 under subsection (3) are biennial.

(5) AS REQUIRED UNDER 17-2-108, THE LEGISLATIVE COUNCIL
 SHALL EXPEND SPECIAL REVENUE ALLOCATED IN SUBSECTION (3)(A)
 OF THIS SECTION BEFORE EXPENDING ANY AMOUNT ALLOCATED IN
 SUBSECTION (3)(B) OR CONTINGENTLY APPROPRIATED IN [SECTION

6]. IF ANY FUNDS APPROPRIATED OR ALLOCATED FOR THE STUDY
UNDER SUBSECTION (3)(A) OR [SECTION 6(1)] REMAIN UNEXPENDED
ON JUNE 30, 1995, THE FUNDS MUST REVERT TO THE STATE GENERAL
FUND. IF ANY FUNDS APPROPRIATED OR ALLOCATED FOR THE STUDY
UNDER SUBSECTION (3)(B) OR [SECTION 6(2)] REMAIN UNEXPENDED
ON JUNE 30, 1995, THE FUNDS MUST REVERT TO THE DISTRICT
COURT CRIMINAL REIMBURSEMENT PROGRAM FUNDED UNDER 3-5-901.

NEW-SECTION--Section 6--Coordination-instruction--(1)--

If--{this--act}--and--House--Bill--No--2--are--both--passed--and
approved--and--if--House--Bill--No--2--contains--an--appropriation
in--excess--of--\$33,000--to--the--judiciary--for--the--district--court
criminal--reimbursement--program--{program--7},--then--the
following--language--must--be--included--in--House--Bill--No--2,
within--the--appropriation--to--the--judiciary:

"If-----Bill--No-----{6C-1213}--is--passed--and--approved,
then--\$33,000--of--the--appropriation--to--the--district--court
criminal--reimbursement--program--{program--7}---must---be
transferred--to--the--legislative--council--for--the--purpose--of
conducting--the--study--of--judicial--unification--and--finance."

{2}--If--{this--act}--and--House--Bill--No--2--are--both--passed
and--approved--and--if--House--Bill--No--2--does--not--contain--an
appropriation--in--excess--of--\$33,000--to--the--judiciary--for--the
district--court--criminal--reimbursement--program--{program--7},
then--{section-5(3)(b)}--of--{this--act}--must--be--amended--to
read:

1 "~~{3}--(b) There---is--appropriated--to--the--legislative~~
2 ~~council--from--the--general--fund--\$33,000--for--the--purpose--of~~
3 ~~conducting--the--study--described--in--{section-4},"~~

4 NEW SECTION. **SECTION 6.** COORDINATION INSTRUCTION. IF
5 HOUSE BILL NO. 278 IS NOT PASSED AND APPROVED IN A FORM THAT
6 INCLUDES A STATUTORY APPROPRIATION OF FUNDS RECEIVED UNDER
7 61-3-509, THEN THE FOLLOWING LANGUAGE IS INCLUDED IN HOUSE
8 BILL NO. 2, WITHIN THE APPROPRIATION TO THE JUDICIARY:

9 "IF HOUSE BILL NO. 525 IS PASSED AND APPROVED, THEN
10 \$33,000 OF THE APPROPRIATION TO THE DISTRICT COURT CRIMINAL
11 REIMBURSEMENT PROGRAM (PROGRAM 7) MUST BE ALLOCATED TO THE
12 LEGISLATIVE COUNCIL FOR THE PURPOSE OF CONDUCTING THE STUDY
13 OF JUDICIAL UNIFICATION AND FINANCE."

14 NEW SECTION. **SECTION 7.** CONTINGENT VOIDNESS. IF HOUSE
15 BILL NO. 278 IS NOT PASSED AND APPROVED IN A FORM THAT
16 INCLUDES A STATUTORY APPROPRIATION OF FUNDS RECEIVED UNDER
17 61-3-509 AND THE APPROPRIATION IN HOUSE BILL NO. 2 TO THE
18 JUDICIARY FOR THE DISTRICT COURT CRIMINAL REIMBURSEMENT
19 PROGRAM (PROGRAM 7) IS LESS THAN \$33,000, THEN [THIS ACT] IS
20 VOID.

21 NEW SECTION. **Section 8.** Effective date. [This act] is
22 effective July 1, 1993.

23 NEW SECTION. **Section 9.** Termination. [This act]
24 terminates June 30, 1995.

-End-

Conference Committee
on House Bill 525
Report No. 1, April 22, 1993

April 22, 1993
Page 2 of 2

Page 1 of 2

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 525 met and considered:

1. Amendments by the Senate Judiciary Committee dated March 27, 1993;

and recommend that House Bill 525 (reference copy -- salmon) be amended as follows:

1. Page 4, line 6.

Strike: "BE LESS THAN"

2. Page 4, line 7.

Strike: "\$25,000"

Insert: "exceed \$33,000"

3. Page 4, line 22.

Strike: "\$25,000"

Insert: "\$33,000"

4. Page 5, line 1.

Strike: "\$33,000"

Insert: "\$25,000"

5. Page 5, line 3.

Strike: "\$25,000"

Insert: "\$8,000"

6. Page 6, lines 2 through 5.

Strike: "UNDER" on line 2 through "I" on line 5

7. Page 6, line 6.

Strike: "REVERT"

Insert: "be credited"

And this Conference Committee report be adopted.

For the House:

J. Rice
Chair J. Rice

W. J. Lash
Kadas

W. J. Lash
Tash

For the Senate:

J. Bartlett
Chair Bartlett

W. J. Lash
Yellowtail

W. J. Lash
Rye

ADOPT

REJECT

891425CC.Hss

C.C.R.#1
HB 525

891425CC.Hss

HOUSE BILL NO. 525

INTRODUCED BY J. RICE, DOHERTY

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE JUDICIAL UNIFICATION AND FINANCE COMMISSION; PROVIDING FOR APPOINTMENTS TO THE COMMISSION; DIRECTING THE COMMISSION TO CONDUCT A STUDY OF THE FINANCING AND ORGANIZATION OF THE MONTANA JUDICIARY; APPROPRIATING FUNDS FOR OPERATION OF THE COMMISSION; ~~AND~~ PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE; AND PROVIDING FOR CONTINGENT VOIDNESS."

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

NEW SECTION. **Section 1.** Judicial unification and finance commission -- composition -- vacancies. (1) There is a judicial unification and finance commission.

(2) The commission is composed of the following members:

(a) three members, to be appointed by the governor, who must be from the public at large;

(b) two members, to be appointed by the chief justice of the Montana supreme court;

(c) one member, to be appointed by the speaker of the house of representatives, who must be a member of the house of representatives;

(d) one member, to be appointed by the president of the

senate, who must be a member of the senate; and

(e) six members, one each of whom must be appointed by the following:

(i) the Montana judges' association;

(ii) the Montana magistrates' association;

(iii) the Montana association of clerks of court;

(iv) the state bar of Montana;

(v) the Montana league of cities and towns; and

(vi) the Montana association of counties.

(3) The members of the commission shall elect a presiding officer from among the members.

(4) Any vacancy occurring on the commission must be filled in the same manner as the original appointment.

NEW SECTION. **Section 2.** Meetings. (1) The presiding officer shall schedule meetings of the commission as considered necessary and shall give notice of the time and place of each meeting to the members of the commission.

(2) The commission may adopt rules of procedure for the conduct of its meetings.

NEW SECTION. **Section 3.** Reimbursement of expenses -- compensation. (1) Each member of the commission, except the legislative members appointed under (section 1(2)(c) and (2)(d)), is entitled to reimbursement for expenses as provided in 2-18-501 through 2-18-503.

(2) A legislative member appointed under (section

1 1(2)(c) or (2)(d)] is entitled to compensation and expenses
2 as provided in 5-2-302.

3 NEW SECTION. Section 4. Powers and duties -- staff
4 support -- recommendations -- report. (1) The commission
5 shall make a detailed and thorough study of the Montana
6 judiciary, including:

7 (a) possible unification of the Montana judiciary;

8 (b) current and future funding of the Montana
9 judiciary;

10 (c) matters pertaining to the standards and selection
11 of judges; and

12 (d) other matters relating to the efficient operation
13 of the Montana judiciary.

14 (2) The legislative council shall provide staff support
15 to the commission.

16 (3) The commission is authorized to secure directly
17 from any agency, board, or commission or from any
18 independent organization any information, suggestion,
19 estimate, or statistic. Any agency, board, commission, or
20 organization requested by the commission to provide
21 information shall furnish the information.

22 (4) On or before December 1, 1994, the commission shall
23 submit to the legislature a written report of its findings,
24 conclusions, and recommendations and options for further
25 consideration. If legislation is recommended, the report

1 must include a draft of the legislation.

2 NEW SECTION. Section 5. Authority to accept
3 contributions -- appropriation -- RESTRICTION ON
4 EXPENDITURES. (1) The legislative council may accept, on
5 behalf of the commission, gifts, grants, or donations that
6 may not, in total, exceed ~~BE--LESS-THAN~~ \$25,000 ~~\$40,000~~
7 ~~\$25,000~~ EXCEED \$33,000.

8 (2) Any money received from gifts, grants, or donations
9 must be deposited in an account in the state special revenue
10 fund to the credit of the legislative council for use by the
11 commission. Money in the account may be used only for
12 fulfilling the duties of the commission, including:

13 (a) reimbursing or compensating the members as provided
14 in [section 3];

15 (b) contracting for services to execute the study to be
16 conducted by the commission; or

17 (c) paying other expenses as may be incurred by the
18 commission or the legislative council in conducting the
19 study of the Montana judiciary.

20 (3) (a) There is appropriated to the legislative
21 council for the purposes of conducting the study described
22 in [section 4] ~~\$25,000~~ ~~\$40,000~~ ~~\$25,000~~ \$33,000 from the
23 state special revenue fund account described in subsection
24 (2).

25 (b) There is allocated to the legislative council from

1 the district court criminal reimbursement program \$33,000
 2 \$10,000, FUNDED IN 3-5-901, UP TO \$33,000 \$25,000 for the
 3 purpose of conducting the study described in [section 4].
 4 ANY AMOUNT RECEIVED PURSUANT TO SUBSECTION (1) IN EXCESS OF
 5 \$25,000 \$8,000 DECREASES THE ALLOCATION UNDER THIS
 6 SUBSECTION (B) BY A CORRESPONDING AMOUNT. THE ALLOCATION
 7 MUST BE FROM FUNDS AVAILABLE AFTER BEFORE THE SUPREME COURT
 8 ADMINISTRATOR HAS PAID EXPENSES SPECIFIED IN 3-5-901. FOR
 9 THE PURPOSES OF 3-5-901(2), THE STUDY DESCRIBED IN [SECTION
 10 4] IS A COST OF ADMINISTERING CERTAIN DISTRICT COURT
 11 EXPENSES DESCRIBED IN 3-5-901.

12 (C) IF THE AMOUNT AVAILABLE FOR ALLOCATION UNDER
 13 SUBSECTION (3)(B) IS LESS THAN \$10,000, THERE IS
 14 APPROPRIATED TO THE LEGISLATIVE COUNCIL FROM FUNDS COLLECTED
 15 PURSUANT TO 61-3-509(2) THAT ARE NOT APPROPRIATED FOR
 16 DISTRICT COURT EXPENSES, AS PROVIDED IN 3-5-901, AN AMOUNT
 17 NOT TO EXCEED \$10,000 FOR THE PURPOSE OF CONDUCTING THE
 18 STUDY IN [SECTION 4], THE SUM OF THE ALLOCATION IN
 19 SUBSECTION (3)(B) AND THE APPROPRIATION IN THIS SUBSECTION
 20 (C) MAY NOT EXCEED \$10,000.

21 (4) The appropriation APPROPRIATIONS and allocation
 22 under subsection (3) are biennial.

23 (5) AS REQUIRED UNDER 17-2-108, THE LEGISLATIVE COUNCIL
 24 SHALL EXPEND SPECIAL REVENUE ALLOCATED IN SUBSECTION (3)(A)
 25 OF THIS SECTION BEFORE EXPENDING ANY AMOUNT ALLOCATED IN

1 SUBSECTION (3)(B) OR CONTINGENTLY APPROPRIATED IN [SECTION
 2 6]. IF ANY FUNDS APPROPRIATED OR ALLOCATED FOR THE STUDY
 3 UNDER SUBSECTION (3)(A) OR [SECTION 6(1)] REMAIN UNEXPENDED
 4 ON JUNE 30, 1995, THE FUNDS MUST REVERT BE CREDITED TO THE
 5 STATE GENERAL FUND. IF ANY FUNDS APPROPRIATED OR ALLOCATED
 6 FOR THE STUDY UNDER SUBSECTION (3)(B) OR [SECTION 6(2)]
 7 REMAIN UNEXPENDED ON JUNE 30, 1995, THE FUNDS MUST REVERT BE
 8 CREDITED TO THE DISTRICT COURT CRIMINAL REIMBURSEMENT
 9 PROGRAM FUNDED UNDER 3-5-901.

10 NEW SECTION: Section 6. Coordination instruction: (1)
 11 If [this act] and House Bill No. 2 are both passed and
 12 approved and if House Bill No. 2 contains an appropriation
 13 in excess of \$33,000 to the judiciary for the district court
 14 criminal reimbursement program [program 7], then the
 15 following language must be included in House Bill No. 2,
 16 within the appropriation to the judiciary:

17 "If [Bill No. 2] is passed and approved,
 18 then \$33,000 of the appropriation to the district court
 19 criminal reimbursement program [program 7] must be
 20 transferred to the legislative council for the purpose of
 21 conducting the study of judicial unification and finance."

22 (2) If [this act] and House Bill No. 2 are both passed
 23 and approved and if House Bill No. 2 does not contain an
 24 appropriation in excess of \$33,000 to the judiciary for the
 25 district court criminal reimbursement program [program 7],

then-~~{section-5(b)}~~-of-~~{this--act}~~--must--be--amended--to
read:

"~~{3}--(b)~~-There---is--appropriated--to--the--legislative
council-from-the-general-fund-\$33,000--for--the--purpose--of
conducting-the-study-described-in-~~{section-4}~~." "

NEW SECTION. **SECTION 6.** COORDINATION INSTRUCTION. IF
HOUSE BILL NO. 278 IS NOT PASSED AND APPROVED IN A FORM THAT
INCLUDES A STATUTORY APPROPRIATION OF FUNDS RECEIVED UNDER
61-3-509, THEN THE FOLLOWING LANGUAGE IS INCLUDED IN HOUSE
BILL NO. 2, WITHIN THE APPROPRIATION TO THE JUDICIARY:

"IF HOUSE BILL NO. 525 IS PASSED AND APPROVED, THEN
\$33,000 OF THE APPROPRIATION TO THE DISTRICT COURT CRIMINAL
REIMBURSEMENT PROGRAM (PROGRAM 7) MUST BE ALLOCATED TO THE
LEGISLATIVE COUNCIL FOR THE PURPOSE OF CONDUCTING THE STUDY
OF JUDICIAL UNIFICATION AND FINANCE."

NEW SECTION. **SECTION 7.** CONTINGENT VOIDNESS. IF HOUSE
BILL NO. 278 IS NOT PASSED AND APPROVED IN A FORM THAT
INCLUDES A STATUTORY APPROPRIATION OF FUNDS RECEIVED UNDER
61-3-509 AND THE APPROPRIATION IN HOUSE BILL NO. 2 TO THE
JUDICIARY FOR THE DISTRICT COURT CRIMINAL REIMBURSEMENT
PROGRAM (PROGRAM 7) IS LESS THAN \$33,000, THEN [THIS ACT] IS
VOID.

NEW SECTION. **Section 8.** Effective date. [This act] is
effective July 1, 1993.

NEW SECTION. **Section 9.** Termination. [This act]

1 terminates June 30, 1995.

-End-