

SENATE BILL NO. 6

INTRODUCED BY CRIPPEN

BY REQUEST OF THE JUDICIAL UNIFICATION AND FINANCE COMMISSION

A BILL FOR AN ACT ENTITLED: "AN ACT MAKING PERMANENT THE PROVISION SETTING THE NUMBER OF ASSOCIATE JUSTICES ON THE MONTANA SUPREME COURT AT SIX; REPEALING SECTION 5, CHAPTER 683, LAWS OF 1979, AND SECTION 1, CHAPTER 362, LAWS OF 1987; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Repealer.** Section 5, Chapter 683, Laws of 1979, and section 1, Chapter 362, Laws of 1987, are repealed.

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

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for SB0006, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

This bill makes permanent the provision setting the number of associate justices on the Montana Supreme Court at six.

ASSUMPTIONS:

1. Section 1, Chapter 362, Laws of 1987 extended the sunset provision for the two temporary associate justice positions on the Supreme Court until the first Monday of January, 1997. At that time, the number of associate justices authorized will revert to four from the present six. This bill will repeal the sunset provision and retain positions that would otherwise be eliminated midway through fiscal 1997.
2. It is assumed that, in the absence of this bill, 2.00 FTE associate justices, 4.00 FTE law clerks, and 1.00 FTE paraprofessional staff will be eliminated for the last six months of fiscal 1997. This would amount to a reduction of 3.50 FTE (7.00 FTE X 6/12). These FTE were funded for the full year in fiscal 1997 in the Governor's Executive Budget in accordance with the Judiciary request and 17-7-122(3), MCA, but it is assumed that the general appropriations act will be reduced accordingly in the absence of passage and approval of this bill.
3. Operating expenses are estimated to decrease in fiscal 1997 on the basis of one-half of the direct operating expenses in the Governor's Executive Budget for two of the seven justices.


FISCAL IMPACT:


Expenditures:

	<u>FY96</u>	<u>FY97</u>
	<u>Difference</u>	<u>Difference</u>
Supreme Court Operations:		
FTE	0.00	3.50
Personal Services	0	150,801
Operating Expenses	<u>0</u>	<u>2,428</u>
Total	0	153,229
General Fund (01)	0	153,229

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

A permanent reduction in the number of associate justices is estimated to reduce general fund expenditures by over \$300,000 each year.

 1-5-95
 DAVE LEWIS, BUDGET DIRECTOR DATE
 Office of Budget and Program Planning

 1-5-95
 BRUCE CRIPPEN, PRIMARY SPONSOR DATE

APPROVED BY COMMITTEE
ON JUDICIARY

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