1                                                HOUSE BILL NO. 245

2                                              INTRODUCED BY D. SKEES

3

4      A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE NUMBER OF ASSOCIATE JUSTICES ON THE

5      SUPREME COURT; PROVIDING FOR THE ACCOMPLISHMENT OF THE REDUCTION; AMENDING SECTION

6      3-2-101, MCA; AND PROVIDING EFFECTIVE DATES."

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

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10           **Section 1.**  Section 3-2-101, MCA, is amended to read:

11           **"3-2-101.  Number, election, and term of office.** The supreme court consists of a chief justice and ~~six~~

12     four associate justices who are elected by the qualified electors of the state at large at the general state elections

13     next preceding the expiration of the terms of office of their predecessors, respectively, and hold their offices for

14     the term of 8 years from and after the first Monday of January next succeeding their election."

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16           NEW SECTION.  **Section 2.  Reduction in number of associate justices -- how accomplished.** The

17     two associate justice positions to be eliminated by [this act] are seats number 5 and 6, which were created in

18     1979 by enactment of Chapter 683, Laws of 1979, and the terms for which currently run from January 2005 to

19     January 2013. There will be no election for these positions in the general election to be held in November 2012.

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21           NEW SECTION.  **Section 3.  Saving clause.** [This act] does not affect rights and duties that matured,

22     penalties that were incurred, or proceedings that were begun before [the effective date of this act].

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24           NEW SECTION.  **Section 4. Severability.** If a part of [this act] is invalid, all valid parts that are severable

25     from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part

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

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28           NEW SECTION.  **Section 5.  Effective dates.** (1) Except as provided in subsection (2), [this act] is

29     effective on passage and approval.

30           (2) [Section 1] is effective January 7, 2013.

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