

HOUSE BILL NO. 430

INTRODUCED BY S. FITZPATRICK, A. DOANE, J. ESSMANN, K. HANSEN, G. HERTZ, E. HILL, S. LAVIN,
N. MCCONNELL, M. MONFORTON, A. PERSON, N. SWANDAL

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR AN INTERIM JUDICIAL REDISTRICTING
COMMISSION; PROVIDING AN APPROPRIATION; 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 redistricting commission. (1) There is a judicial redistricting
commission. The commission consists of the following seven members:

~~(a) a senator appointed by the president of the senate;~~

~~———— (b) a representative who is not from the same political party as the senator appointed in (1)(a) appointed
by the speaker of the house;~~

(A) A LEGISLATIVE MEMBER JOINTLY APPOINTED BY THE MAJORITY LEADERS OF THE HOUSE AND THE SENATE;

(B) A LEGISLATIVE MEMBER WHO IS FROM THE OPPOSITE CHAMBER OF THE PERSON APPOINTED UNDER
SUBSECTION (1)(A) AND WHO IS JOINTLY APPOINTED BY THE MINORITY LEADERS OF THE HOUSE AND THE SENATE;

(c) two district court judges appointed by the chief justice of the supreme court;

(d) a district court clerk appointed by the Montana association of clerks of district court;

(e) a county commissioner appointed by the Montana association of counties; and

(f) a member of the state bar of Montana appointed by the president of the state bar of Montana.

(2) The commission shall study whether judicial redistricting is necessary as determined by the following
factors:

(a) the population of the judicial districts as determined by the latest figures prepared and issued by the
United States census bureau;

(b) each judicial district's weighted caseload as determined by judicial workload studies;

(c) the relative proportions of civil, criminal, juvenile, and family law cases in each judicial district;

(d) the extent to which special masters, alternative dispute resolution techniques, and other measures
have been used in the judicial districts;



1 (e) the distances in highway miles between county seats in existing judicial districts and any judicial
2 districts that may be proposed by the commission;

3 (f) the impact on counties of any changes proposed in the judicial districts; and

4 (g) any other factors that the commission considers significant to the determination of whether the state's
5 judicial districts should be redistricted.

6 (3) The commission shall report the results of its study to the 65th regular session of the legislature. If
7 the commission determines that redistricting is necessary based on the factors provided in subsection (2), the
8 commission shall recommend legislation to redistrict the state's judicial districts for introduction in the 65th regular
9 session of the legislature.

10 (4) Commission members appointed under subsection (1) shall be appointed within 30 days of [the
11 effective date of this act]. If a vacancy occurs, a new member must be selected in the same manner as the
12 original appointment. Commission member terms expire June 30, 2017.

13 (5) (a) A member of the commission who is not a legislator or an employee of the state or a political
14 subdivision of the state is eligible to be reimbursed and compensated as provided in 2-15-124(7).

15 (b) A member of the commission who is not a legislator but is an employee of the state or a political
16 subdivision of the state is not entitled to compensation but is entitled to be reimbursed for expenses as provided
17 in 2-18-501 through 2-18-503.

18 (c) A legislator who is a member of the commission is eligible to be compensated and reimbursed as
19 provided in 5-2-302.

20 (6) At the commission's first meeting, a majority of commission members shall select a presiding officer.

21 (7) The legislative services division shall provide staff assistance to the judicial redistricting commission.

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23 **NEW SECTION. Section 2. Appropriation.** There is appropriated \$20,170 from the general fund to the
24 legislative services division for the biennium beginning July 1, 2015, to support the commission provided for in
25 [section 1].

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27 **NEW SECTION. Section 3. Effective date.** [This act] is effective July 1, 2015.

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29 **NEW SECTION. Section 4. Termination.** [This act] terminates June 30, 2017.

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