

1 HOUSE BILL NO. 431

2 INTRODUCED BY G. OVERSTREET

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE SPEAKER OF THE HOUSE OF
5 REPRESENTATIVES TO APPOINT A PERSON TO FILL CERTAIN ANTICIPATED VACANCIES ON THE
6 JUDICIAL STANDARDS COMMISSION; AMENDING SECTION 3-1-1115, MCA; AND PROVIDING AN
7 IMMEDIATE EFFECTIVE DATE."

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

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11 **Section 1.** Section 3-1-1115, MCA, is amended to read:

12 **"3-1-1115. Legislative nomination panel.** (1) There is a nomination panel made up of members of
13 the house of representatives for the purposes of providing recommendations to the speaker of the house about
14 appointments made as provided in 3-1-1101(1)(a). Within 3 days of the start of each regular legislative session,
15 the speaker of the house shall appoint three representatives to the legislative nomination panel. The panel must
16 have at least one member from the minority party. If a vacancy occurs on the panel, the speaker may appoint a
17 replacement.

18 (2) When a vacancy occurs or a vacancy is anticipated to occur due to the expiration of a term on
19 the judicial standards commission in a position appointed as provided in 3-1-1101(1)(a), the speaker of the
20 house shall notify the district court judges, who shall present the nomination panel with a list of all district court
21 judges who are willing to serve as a commissioner. After consideration of the judges' qualifications, the
22 nomination panel shall forward no fewer than three names to the speaker of the house, who shall select a
23 commissioner from that pool of names.

24 (3) Members of the nomination panel serve until the start of the first regular session after their
25 appointment unless they are reappointed.

26 (4) The nomination panel may meet between regular sessions of the legislature to fill vacancies."
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28 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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