

CHAPTER NO. 574

SENATE BILL NO. 435

INTRODUCED BY MEHRENS, HEALY, PETERSON, STIMATZ

IN THE SENATE

February 10, 1979	Introduced and referred to Committee on Highways and Transportation.
February 13, 1979	Fiscal note requested.
February 15, 1979	Committee recommend bill do pass. Report adopted.
February 16, 1979	Fiscal note returned. Printed and placed on members' desks.
February 17, 1979	Second reading, do pass.
February 19, 1979	Considered correctly engrossed.
February 20, 1979	Third reading, passed. Transmitted to second house.

IN THE HOUSE

February 21, 1979	Introduced and referred to Committee on Highways and Transportation.
March 8, 1979	Committee recommend bill be concurred in. Report adopted.
March 12, 1979	Second reading, concurred in.
March 15, 1979	Third reading, concurred in.

IN THE SENATE

March 16, 1979	Returned from second house. Concurred in. Sent to enrolling.
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March 22, 1979	Correctly enrolled. Signed by President.
March 23, 1979	Delivered to Governor.
March 28, 1979	Returned from Governor with recommended amendments. On motion, Governor's amendments placed on second reading the 73rd Legislative Day.
March 30, 1979	Second reading, amendments adopted.
March 31, 1979	Third reading, amendments adopted. Transmitted to second house.

IN THE HOUSE

April 2, 1979	On motion, Governor's amendments placed on second reading for the 76th Legislative Day.
April 3, 1979	Governor's amendments adopted on second reading.
April 4, 1979	Governor's amendments adopted on third reading.

IN THE SENATE

April 5, 1979	Returned from second house. Sent to enrolling. Reported correctly enrolled.
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1 *Senate* BILL NO. *435*
 2 INTRODUCED BY *Mehem Healy Pearson Smith*
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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCLUDE AN AUXILIARY
 5 MEMBER ON THE BOARD OF PARDONS; AMENDING SECTION 2-15-2302.
 6 MCA."

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 2-15-2302, MCA, is amended to read:
 10 *2-15-2302. Board of pardons -- composition --
 11 allocation -- quasi-judicial. (1) There is a board of
 12 pardons.

13 (2) The board consists of three members and an
 14 auxiliary member, at least one of whom shall have particular
 15 knowledge of Indian culture and problems. Members of the
 16 board, including the auxiliary member, shall possess
 17 academic training which has qualified them for professional
 18 practice in a field such as criminology, education,
 19 psychiatry, psychology, law, social work, sociology, or
 20 guidance and counseling. Related work experience in the
 21 areas listed may be substituted for these educational
 22 requirements.

23 (3) The auxiliary member shall attend any meeting that
 24 a regular board member is unable to attend, and at that time
 25 the auxiliary member has all the rights and responsibilities

1 of a regular board member.

2 ~~(3)(4)~~ The board is allocated to the department for
 3 administrative purposes only as prescribed in 2-15-121.
 4 However, the board may hire its own personnel, and
 5 2-15-121(2)(d) does not apply.

6 ~~(4)(5)~~ The board, including the auxiliary member, is
 7 designated as a quasi-judicial board for purposes of
 8 2-15-124, except board members shall be compensated as
 9 provided by legislative appropriation."

-End-

STATE OF MONTANA

REQUEST NO. 340-79

FISCAL NOTE

Form BD-15

In compliance with a written request received February 13, 19 79, there is hereby submitted a Fiscal Note for Senate Bill 435 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of Proposed Legislation:

An act to include an auxiliary member on the Board of Pardons.

Assumptions:

The auxiliary member will only attend meetings when one of the regular Board members is absent.

Fiscal Impact:

There will be no fiscal impact as a result of this Bill. Per diem and travel expenses will remain the same.

Richard L. Drury for

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 4/14/79

1 *Amended* BILL NO. *435*
 2 INTRODUCED BY *Mehmet Neddy Pearson Stumetz*
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCLUDE AN AUXILIARY
 5 MEMBER ON THE BOARD OF PARDONS; AMENDING SECTION 2-15-2302,
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 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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 15 knowledge of Indian culture and problems. Members of the
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 3 administrative purposes only as prescribed in 2-15-121.
 4 However, the board may hire its own personnel, and
 5 2-15-121(2)(d) does not apply.

6 ~~(4)(5)~~ The board, including the auxiliary member, is
 7 designated as a quasi-judicial board for purposes of
 8 2-15-124, except board members shall be compensated as
 9 provided by legislative appropriation."

-End-

SENATE BILL NO. 435

INTRODUCED BY MEHRENS, HEALY, PETERSON, STIMATZ

A BILL FOR AN ACT ENTITLED: "AN ACT TO INCLUDE AN AUXILIARY MEMBER ON THE BOARD OF PARDONS; AMENDING SECTION 2-15-2302, MCA."

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

Section 1. Section 2-15-2302, MCA, is amended to read:

"2-15-2302. Board of pardons -- composition -- allocation -- quasi-judicial. (1) There is a board of pardons.

(2) The board consists of three members and an auxiliary member, at least one of whom shall have particular knowledge of Indian culture and problems. Members of the board, including the auxiliary member, shall possess academic training which has qualified them for professional practice in a field such as criminology, education, psychiatry, psychology, law, social work, sociology, or guidance and counseling. Related work experience in the areas listed may be substituted for these educational requirements.

(3) The auxiliary member shall attend any meeting that a regular board member is unable to attend, and at that time the auxiliary member has all the rights and responsibilities

of a regular board member.

~~(3)(4)~~ The board is allocated to the department for administrative purposes only as prescribed in 2-15-121. However, the board may hire its own personnel, and 2-15-121(2)(d) does not apply.

~~(4)(5)~~ The board, including the auxiliary member, is designated as a quasi-judicial board for purposes of 2-15-124, except board members shall be compensated as provided by legislative appropriation."

-End-

1 SENATE BILL NO. 435

2 INTRODUCED BY MEHRENS, HEALY, PETERSON, STIMATZ

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCLUDE AN AUXILIARY
5 MEMBER ON THE BOARD OF PARDONS AND PROVIDING AN IMMEDIATE
6 EFFECTIVE DATE; AMENDING SECTION 2-15-2302, MCA."7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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12 pardons.13 (2) The board consists of three members and an
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24 a regular board member is unable to attend, and at that time
25 the auxiliary member has all the rights and responsibilities1 of a regular board member.2 ~~(3)(4)~~ The board is allocated to the department for
3 administrative purposes only as prescribed in 2-15-121.
4 However, the board may hire its own personnel, and
5 2-15-121(2)(d) does not apply.6 ~~(4)(5)~~ The board, including the auxiliary member, is
7 designated as a quasi-judicial board for purposes of
8 2-15-124, except board members shall be compensated as
9 provided by legislative appropriation."10 SECTION 2. EFFECTIVE DATE. THIS ACT IS EFFECTIVE UPON
11 PASSAGE AND APPROVAL.

-End-

March 29, 1979

GOVERNOR'S PROPOSED AMENDMENTS TO SENATE BILL NO. 435

1. Amend the title on line 5 after the word "PARDONS" by adding the following language: "AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"
2. Add a new section after line 9, page 2, as follows: "Section 2. This act is effective upon passage and approval."