Introduced: 01/14/83
Referred to Committee on Judiciary: 01/14/83
Hearing: 1/24/83
Report: 01/25/83, Do Pass
2nd Reading: 01/27/83, Do Pass
3rd Reading: 01/29/83, Do Pass
Transmitted to Senate: 1/29/83

Referred to Committee on Judiciary: 01/31/83 Hearing: 2/8/83 Report: 02/08/83, Be Not Concurred In Bill Killed LC 0087/01

LOLLE BILL NO. 246 1 Mueller The The Etchart Bugh 2 INTRODUCED BY. BY REQUEST OF THE TASK FORCE ON CORRECTIONS 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR 5 STAGGERED TERMS FOR MEMBERS OF THE BOARD OF PARDONS: 6 7 AMENDING SECTION 2-15-2302, MCA." 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 10 Section 1. Section 2-15-2302, MCA, is amended to read: #2-15-2302. Board of pardons --- composition ---11 allocation --- quasi-judicial. (1) There is a board of 12 13 pardons. (2) The board consists of three members and an 14 auxiliary member, at least one of whom shall have particular 15 16 knowledge of Indian culture and problems. Members of the board, including the auxiliary member, shall possess 17 academic training which has gualified them for professional 18 practice in a field such as criminology, education, 1 psychiatry, psychology, law, social work, sociology, or 20 21 guidance and counseling. Related work experience in the areas listed may be substituted for these educational 22 requirements. 23

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

the auxilfary member has all the rights and responsibilities
 of a regular board member.

3 14) Each member, including the auxiliary member, shall

4 serve a stadgared 4-year term

5 (4)(2) The board is allocated to the department for 6 administrative purposes only as prescribed in 2-15-121. 7 However, the board may hire its own personnel, and 8 2-15-121(2)(d) does not apply.

9 (57(6) The board, including the auxiliary member, is 10 designated as a quasi-judicial board for purposes of 11 2-15-124, except board members shall be compensated as 12 provided by legislative appropriation and the terms of board

13 members shall be staggered.*

14 <u>NEW_SECTIONs</u> Section 2. Implementation of staggered 15 terms. (1) To implement the staggered term system provided 16 for in 2-15-2302(4), the first terms of the successors to 17 the three members whose terms expire January 7, 1985, shall 18 be as follows:

- 19 (a) one member shall serve a 4-year term;
- 20 (b) one weather shall serve a 3-year term; and
- 21 (c) one member shall serve a 1-year term.

(2) Upon expiration of the terms provided in (a)
through (c)of subsection (1), each member shall serve a
4-year term.

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48th Legislature

LC 0087/01

Approved by Committee on Judiciary

ores BILL NO. 246 1 Mueller Theft Wilson Etchart Boyle INTRODUCED BY z BY REQUEST OF THE TASK FORCE ON CORRECTIONS PORT 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR 5 STAGGERED TERMS FOR MEMBERS OF THE BOARD OF PARDONS; 6 7 AMENDING SECTION 2-15-2302+ MCA.* 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HONTANA: 9 Section 1. Section 2-15-2302, MCA, is amended to read: 10 #2-15-2302. Board of pardons -- composition --11 12 allocation --- quasi-judicial. (I) There is a board of 13 pardons. (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 gualified 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 23 requirements.

(3) The auxillary 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

[4] Each member, including the auxiliary member, shall 3

۸ serve a staggered 4-year term.

5 (4)(5) The board is allocated to the department for 6 administrative purposes only as prescribed in 2-15-121. However, the board may hire its own personne), and 7 2-15-121(2)(d) does not apply. 8

9 151(6) The board, including the auxiliary member, is designated as a quasi-judicial board for purposes of 10 2-15-124, except board members shall be compensated as 11 provided by legislative appropriation and the terms of board 12

13 members shall be staddered."

14 NEW SECTION. Section 2. Implementation of staggered 15 terms. (1) To implement the staggered term system provided 16 for in 2-15-2302(4), the first terms of the successors to 17 the three members whose terms expire January 7, 1985, shall be as follows: 18

- 19 (a) one member shall serve a 4-year term;
- 20 (b) one member shall serve a 3-year term; and
- (c) one member shall serve a 1-year term. 21

(2) Upon expiration of the terms provided in (a) 22 through (c)of subsection (1), each member shall serve a 23 24 4-year term.

-End- SECOND READING

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ED BY AND THE TASK FORCE ON CORRECTIONS Myley. 1 INTRODUCED BY 2 3 4 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR STAGGERED TERMS FOR MEMBERS OF THE BOARD OF PARDONS: 6 7 AMENDING SECTION 2-15-2302. MCA.* 8 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 Section 1. Section 2-15-2302, MCA, is amended to read: 11 #2-15-2302, Board of pardons --- composition -allocation - quasi-judicial. (1) There is a board of 12 13 pardons. (2) The board consists of three members and an 14 15 auxiliary member, at least one of whom shall have particular 16 knowledge of Indian colture and problems. Members of the 17 board, including the auxiliary member, shall possess academic training which has qualified them for professional 18 19 practice in a field such as criminology, education, psychiatry, psychology, law, social work, sociology, or 20 21 guidance and counseling. Related work experience in the 22 areas listed may be substituted for these educational 23 requirements.

24 (3) The auxiliary member shall attend any meeting that
 25 a regular board member is unable to attendy and at that time

the auxiliary member has all the rights and responsibilities
 of a regular board member.

3 (4) Each members including the auxiliary members shall

4 <u>Serve a staggered 4-year term</u>

5 <u>(47(2)</u> The board is allocated to the department for 6 administrative purposes only as prescribed in 2-15-121. 7 However: the board may hire its own personnel; and 8 2-15-121(2)(d) does not apply.

9 (57(6) The board, including the auxiliary member, is 10 designated as a quasi-judicial board for purposes of 11 2-15-124, except board members shall be compensated as 12 provided by legislative appropriation and the tarms of board 13 members shall be stadgered."

14 <u>NEW_SECTION_</u> Section 2. Implementation of staggered 15 terms. (1) To implement the staggered term system provided 16 for in 2-15-2302(4), the first terms of the successors to 17 the three members whose terms expire January 7, 1985, shall 18 be as follows:

- 19 (a) one member shall serve a 4-year term;
- 20 (b) one member shall serve a 3-year term; and
- 21 (c) one member shall serve a 1-year term.
- 22 (2) Upon expiration of the terms provided in (a)
- 23 through (c)of subsection (1), each member shall serve a
 - 4-year term.

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-End-