

HOUSE BILL NO. 246

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

1 House BILL NO. 246
 2 INTRODUCED BY Sen. Thaller Staff Nelson Etcham Boyle
 3 BY REQUEST OF THE TASK FORCE ON CORRECTIONS Moffat
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR
 6 STAGGERED TERMS FOR MEMBERS OF THE BOARD OF PARDONS;
 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 --
 12 allocation -- quasi-judicial. (1) There is a board of
 13 pardons.

14 (2) The board consists of three members and an
 15 auxiliary member, at least one of whom shall have particular
 16 knowledge of Indian culture and problems. Members of the
 17 board, including the auxiliary member, shall possess
 18 academic training which has qualified them for professional
 19 practice in a field such as criminology, education,
 20 psychiatry, psychology, law, social work, sociology, or
 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 attend, and at that time

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

3 (4) Each member, including the auxiliary member, shall
 4 serve a staggered 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 (5)(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 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 1, 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
 24 4-year term.

-End-

INTRODUCED BILL

Approved by Committee
on Judiciary

1 *House* BILL NO. *246*
2 INTRODUCED BY *Sen. Mueller, Staff, Nelson, Etch and Boyle*
3 BY REQUEST OF THE TASK FORCE ON CORRECTIONS *Moffy*.
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11 2-15-124, except board members shall be compensated as
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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
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
24 4-year term.

-End- SECOND READING

1 House BILL NO. 246
 2 INTRODUCED BY Mr. Mueller Staff Nelson E. E. Boyle
 3 BY REQUEST OF THE TASK FORCE ON CORRECTIONS Moffey

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-End-