

SENATE BILL NO. 300

INTRODUCED BY AKLESTAD, GALT, ABRAMS, BECK, NORMAN

BY REQUEST OF THE SENATE AGRICULTURE COMMITTEE

IN THE SENATE

JANUARY 31, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON AGRICULTURE, LIVESTOCK & IRRIGATION.
	FIRST READING.
FEBRUARY 2, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 3, 1989	PRINTING REPORT.
FEBRUARY 4, 1989	SECOND READING, DO PASS.
FEBRUARY 6, 1989	ENGROSSING REPORT.
FEBRUARY 7, 1989	THIRD READING, PASSED. AYES, 50; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 2, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON AGRICULTURE, LIVESTOCK & IRRIGATION.
FEBRUARY 20, 1989	FIRST READING.
MARCH 7, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 9, 1989	SECOND READING, CONCURRED IN.
MARCH 10, 1989	THIRD READING, CONCURRED IN. AYES, 87; NOES, 1.
	RETURNED TO SENATE.

MARCH 10, 1989

IN THE SENATE

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. *300*
 2 INTRODUCED BY *FAIRBANKS* *Bill* *Norman*
 3 BY REQUEST OF THE SENATE AGRICULTURE COMMITTEE

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE TERMS OF
 6 OFFICE OF THE MEMBERS OF THE MONTANA WHEAT AND BARLEY
 7 COMMITTEE; AMENDING SECTION 2-15-3002, MCA; AND PROVIDING AN
 8 IMMEDIATE EFFECTIVE DATE."
 9

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

11 **Section 1.** Section 2-15-3002, MCA, is amended to read:

12 **"2-15-3002. Montana wheat and barley committee --**
 13 **composition -- allocation.** (1) There is a Montana wheat and
 14 barley committee.

15 (2) The committee consists of seven members and three
 16 ex officio, nonvoting members.

17 (3) The governor shall appoint one member from each of
 18 the following districts:

19 (a) District I, consisting of Daniels, Sheridan, and
 20 Roosevelt Counties;

21 (b) District II, consisting of Valley, Phillips,
 22 Blaine, and Hill Counties;

23 (c) District III, consisting of Liberty, Toole,
 24 Glacier, and Pondera Counties;

25 (d) District IV, consisting of Chouteau and Teton

1 Counties;

2 (e) District V, consisting of Lewis and Clark,
 3 Cascade, Judith Basin, Fergus, Petroleum, Meagher,
 4 Broadwater, Wheatland, Golden Valley, and Musselshell
 5 Counties;

6 (f) District VI, consisting of Big Horn, Yellowstone,
 7 Stillwater, Carbon, Sweet Grass, Park, Gallatin, Madison,
 8 Jefferson, Silver Bow, Beaverhead, and all counties west of
 9 the continental divide;

10 (g) District VII, consisting of Garfield, McCone,
 11 Rosebud, Richland, Dawson, Wibaux, Prairie, Carter, Custer,
 12 Fallon, Powder River, and Treasure Counties.

13 (4) The ex officio members are:

14 (a) the director of the department of agriculture;

15 (b) the dean of agriculture of Montana state
 16 university;

17 (c) a representative of the grain trade in Montana
 18 elected by a majority of the appointed members.

19 (5) Each of the appointed members shall be a citizen
 20 of Montana, derive a substantial portion of his income from
 21 growing wheat or barley in this state, and be a resident of
 22 and have farming operations in the district from which
 23 appointed. No more than four of the appointed members may be
 24 of the same political party.

25 (6) A list of nominees for appointment may be

1 submitted to the governor by the Montana farmers union,
 2 Montana farm bureau, Montana grange, and the Montana grain
 3 growers association. Names of nominees shall be submitted
 4 within 91 days before the expiration of a committeeman's
 5 term.

6 (7) The appointed members shall serve staggered terms
 7 of 5 3 years. A member may not serve more than three
 8 consecutive 3-year terms. The ex officio representative of
 9 the grain trade shall serve at the pleasure of the
 10 committee.

11 (8) A member may be removed by the governor, after a
 12 full public hearing before the governor, for malfeasance,
 13 misfeasance, or neglect of duty. Removal proceedings may
 14 not be started except upon duly verified written charges.
 15 The member shall be given a copy of the written charges at
 16 least 10 days in advance of the hearing. At the hearing, the
 17 member may be represented by an attorney and may present
 18 witnesses in his behalf.

19 (9) A member who ceases to reside in the state or in
 20 the district from which he was appointed or who ceases to
 21 grow wheat or barley in the state or district is
 22 disqualified from membership and his office becomes vacant.
 23 If the member refuses to recognize his disqualification, the
 24 refusal is cause for removal.

25 (10) The committee is allocated to the department for

1 administrative purposes only as prescribed in 2-15-121."

2 NEW SECTION. **Section 2.** Effective date. [This act] is
 3 effective on passage and approval.

-End-

APPROVED BY COMMITTEE
ON AGRICULTURE LIVESTOCK
& IRRIGATION

BILL NO. 300

INTRODUCED BY THURSTAD Nathan Chapman Paul
BY REQUEST OF THE SENATE AGRICULTURE COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE TERMS OF
OFFICE OF THE MEMBERS OF THE MONTANA WHEAT AND BARLEY
COMMITTEE; AMENDING SECTION 2-15-3002, MCA; AND PROVIDING AN
IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 2-15-3002, MCA, is amended to read:

"2-15-3002. Montana wheat and barley committee --
composition -- allocation. (1) There is a Montana wheat and
barley committee.

(2) The committee consists of seven members and three
ex officio, nonvoting members.

(3) The governor shall appoint one member from each of
the following districts:

(a) District I, consisting of Daniels, Sheridan, and
Roosevelt Counties;

(b) District II, consisting of Valley, Phillips,
Blaine, and Hill Counties;

(c) District III, consisting of Liberty, Toole,
Glacier, and Pondera Counties;

(d) District IV, consisting of Chouteau and Teton

Counties;

(e) District V, consisting of Lewis and Clark,
Cascade, Judith Basin, Fergus, Petroleum, Meagher,
Broadwater, Wheatland, Golden Valley, and Musselshell
Counties;

(f) District VI, consisting of Big Horn, Yellowstone,
Stillwater, Carbon, Sweet Grass, Park, Gallatin, Madison,
Jefferson, Silver Bow, Beaverhead, and all counties west of
the continental divide;

(g) District VII, consisting of Garfield, McCone,
Rosebud, Richland, Dawson, Wibaux, Prairie, Carter, Custer,
Fallon, Powder River, and Treasure Counties.

(4) The ex officio members are:

(a) the director of the department of agriculture;

(b) the dean of agriculture of Montana state
university;

(c) a representative of the grain trade in Montana
elected by a majority of the appointed members.

(5) Each of the appointed members shall be a citizen
of Montana, derive a substantial portion of his income from
growing wheat or barley in this state, and be a resident of
and have farming operations in the district from which
appointed. No more than four of the appointed members may be
of the same political party.

(6) A list of nominees for appointment may be

1 submitted to the governor by the Montana farmers union,
2 Montana farm bureau, Montana grange, and the Montana grain
3 growers association. Names of nominees shall be submitted
4 within 91 days before the expiration of a committeeman's
5 term.

6 (7) The appointed members shall serve staggered terms
7 of 5 3 years. A member may not serve more than three
8 consecutive 3-year terms. The ex officio representative of
9 the grain trade shall serve at the pleasure of the
10 committee.

11 (8) A member may be removed by the governor, after a
12 full public hearing before the governor, for malfeasance,
13 misfeasance, or neglect of duty. Removal proceedings may
14 not be started except upon duly verified written charges.
15 The member shall be given a copy of the written charges at
16 least 10 days in advance of the hearing. At the hearing, the
17 member may be represented by an attorney and may present
18 witnesses in his behalf.

19 (9) A member who ceases to reside in the state or in
20 the district from which he was appointed or who ceases to
21 grow wheat or barley in the state or district is
22 disqualified from membership and his office becomes vacant.
23 If the member refuses to recognize his disqualification, the
24 refusal is cause for removal.

25 (10) The committee is allocated to the department for

1 administrative purposes only as prescribed in 2-15-121."

2 NEW SECTION. **Section 2.** **Effective date.** (This act) is
3 effective on passage and approval.

-End-

1 *Senate* BILL NO. *300*
2 INTRODUCED BY *Franklin* *Walt* *Quinn* *Reed*
3 *Norman*
4 BY REQUEST OF THE SENATE AGRICULTURE COMMITTEE

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE TERMS OF
6 OFFICE OF THE MEMBERS OF THE MONTANA WHEAT AND BARLEY
7 COMMITTEE; AMENDING SECTION 2-15-3002, MCA; AND PROVIDING AN
8 IMMEDIATE EFFECTIVE DATE."

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

11 **Section 1.** Section 2-15-3002, MCA, is amended to read:

12 "2-15-3002. Montana wheat and barley committee --
13 composition -- allocation. (1) There is a Montana wheat and
14 barley committee.

15 (2) The committee consists of seven members and three
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17 (3) The governor shall appoint one member from each of
18 the following districts:

19 (a) District I, consisting of Daniels, Sheridan, and
20 Roosevelt Counties;

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22 Blaine, and Hill Counties;

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24 Glacier, and Pondera Counties;

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1 Counties;

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3 Cascade, Judith Basin, Fergus, Petroleum, Meagher,
4 Broadwater, Wheatland, Golden Valley, and Musselshell
5 Counties;

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7 Stillwater, Carbon, Sweet Grass, Park, Gallatin, Madison,
8 Jefferson, Silver Bow, Beaverhead, and all counties west of
9 the continental divide;

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11 Rosebud, Richland, Dawson, Wibaux, Prairie, Carter, Custer,
12 Fallon, Powder River, and Treasure Counties.

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19 (5) Each of the appointed members shall be a citizen
20 of Montana, derive a substantial portion of his income from
21 growing wheat or barley in this state, and be a resident of
22 and have farming operations in the district from which
23 appointed. No more than four of the appointed members may be
24 of the same political party.

25 (6) A list of nominees for appointment may be

submitted to the governor by the Montana farmers union, Montana farm bureau, Montana grange, and the Montana grain growers association. Names of nominees shall be submitted within 91 days before the expiration of a committeeman's term.

(7) The appointed members shall serve staggered terms of 5 3 years. A member may not serve more than three consecutive 3-year terms. The ex officio representative of the grain trade shall serve at the pleasure of the committee.

(8) A member may be removed by the governor, after a full public hearing before the governor, for malfeasance, misfeasance, or neglect of duty. Removal proceedings may not be started except upon duly verified written charges. The member shall be given a copy of the written charges at least 10 days in advance of the hearing. At the hearing, the member may be represented by an attorney and may present witnesses in his behalf.

(9) A member who ceases to reside in the state or in the district from which he was appointed or who ceases to grow wheat or barley in the state or district is disqualified from membership and his office becomes vacant. If the member refuses to recognize his disqualification, the refusal is cause for removal.

(10) The committee is allocated to the department for

administrative purposes only as prescribed in 2-15-121."

NEW SECTION. **Section 2.** Effective date. [This act] is effective on passage and approval.

-End-

SENATE BILL NO. 300

INTRODUCED BY AKLESTAD, GALT, ABRAMS, BECK, NORMAN

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(2) The committee consists of seven members and three ex officio, nonvoting members.

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(a) District I, consisting of Daniels, Sheridan, and Roosevelt Counties;

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Counties;

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(5) Each of the appointed members shall be a citizen of Montana, derive a substantial portion of his income from growing wheat or barley in this state, and be a resident of and have farming operations in the district from which appointed. No more than four of the appointed members may be of the same political party.

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