

1 HOUSE BILL NO. 30

2 INTRODUCED BY J. KARJALA

3 BY REQUEST OF THE STATE ADMINISTRATION AND VETERAN AFFAIRS INTERIM COMMITTEE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING PROVISIONS RELATED TO CONSERVATION
6 DISTRICT VACANCIES; AMENDING SECTION 76-15-312, MCA; AND PROVIDING AN IMMEDIATE
7 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 76-15-312, MCA, is amended to read:

12 **"76-15-312. Term of office and vacancies.** (1) (a) The term of office of each supervisor is 4 years,
13 except as provided in subsection (1)(b).

14 (b) The supervisors who are appointed by the department pursuant to 76-15-305 must be designated
15 to serve for terms of 2 years from the date of their appointment, after which the offices must be filled by election
16 conducted in accordance with Title 13, chapter 1, part 5. A supervisor appointed pursuant to 76-15-311 shall
17 serve a term of 3 years.

18 (c) An elected supervisor holds office until a successor has been elected and has qualified.

19 (2) A vacancy is created when any of the following events occurs before the expiration of the term of
20 the incumbent:

21 (a) death;

22 (b) a determination pursuant to Title 53, chapter 21, part 1, that the incumbent is mentally ill;

23 (c) resignation;

24 (d) removal from office;

25 (e) unexcused absence from three consecutive regular meetings of the board of supervisors;

26 (f) ceasing to reside in the district;

27 (g) conviction of a felony or a violation of official duties; or

28 (h) the decision of a court declaring void the incumbent's election or appointment.

1 (3) For the purpose of subsection (2)(e), a majority vote of the board of supervisors may excuse a
2 supervisor from attending a meeting.

3 (4) A vacancy occurring in the office of an elected supervisor must be filled by appointment by the
4 remaining supervisors ~~until the next election, when a successor must be elected~~ to serve the unexpired term.
5 ~~The election must be conducted in accordance with Title 13, chapter 1, part 5, in the year following the~~
6 ~~appointment."~~

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

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