

CONSERVATION DISTRICTS

Proposed amendment to section 76-15-312, MCA

April 16, 2020 - phone call: Sheri Scurr, LSD, and Laurie Zeller, DNRC

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

(b) The supervisors who are appointed by the department pursuant to 76-15-305 must be designated to serve for terms of 2 years from the date of their appointment, after which the offices must be filled by election. A supervisor appointed pursuant to 76-15-311 shall serve a term of 3 years.

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

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

(a) death;

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

(c) resignation;

(d) removal from office;

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

(f) ceasing to reside in the district;

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

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

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

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