

HOUSE BILL 199

IN THE HOUSE

January 16, 1979	Introduced and referred to Committee on Local Government.
January 30, 1979	Committee recommend bill, do not pass.
	Report adopted. Objection.
January 31, 1979	Printed and placed on members' desks.
February 1, 1979	Second reading, do not pass.

House BILL NO. 199

1 INTRODUCED BY Psychiatric

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THAT THE
5 ELECTION OF COUNTY COMMISSIONERS BE FROM SINGLE-MEMBER
6 DISTRICTS; AMENDING SECTIONS 7-3-412, 7-3-417, 7-4-2102, AND
7 7-4-2104, MCA; AND PROVIDING AN EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 7-3-412, MCA, is amended to read:

11 "7-3-412. Selection of commission members. The
12 commission shall be:

13 ~~1~~--elected-at-large

14 ~~2~~ elected by districts in which candidates must
15 reside and which are apportioned by population.

16 ~~3~~--elected--at--large--and--nominated--by--a--plan--of
17 nomination--that--may--not--preclude--the--possibility--of--the
18 majority--of--the--electors--nominating--candidates--for--the
19 majority--of--the--seats--on--the--commission--from--persons
20 residing--in--the--district--or--districts--where--the--majority--of
21 the--electors--reside--or

22 ~~4~~--elected--by--any--combination--of--districts--in--which
23 candidates--must--reside--and--which--are--apportioned--by
24 population--and--at--large."

25 Section 2. Section 7-3-417, MCA, is amended to read:

1 "7-3-417. Size of commission and community councils.
2 The size of the commission, which shall be a number not less
3 than three, shall be established when the form is adopted by
4 the voters, and:

5 (1) community councils of at least three members shall
6 may be elected within each district to advise the
7 commissioner from that district to--governments
8 conducting elections at large shall--district--according--to
9 population--for--the--purpose--of--electing--community--councils
10 or

11 (2) community councils to advise commissioners may be
12 authorized by ordinance."

13 Section 3. Section 7-4-2102, MCA, is amended to read:

14 "7-4-2102. Division of county into commissioner
15 districts. (1) In every county of the state, following each
16 federal decennial census, the board of county commissioners
17 shall divide their respective counties into three
18 commissioner districts, as compact and equal in population
19 and area as possible. Such apportionment may take place at
20 any time for the purpose of equalizing in population and
21 area such commissioner districts. However, no commissioner
22 district shall at any time be changed to affect the term of
23 office of any county commissioner who has been elected. No
24 change in the boundaries of any commissioner district shall
25 be made within 6 months next preceding a general election.

1 (2) The district judge or judges of the county shall
2 review the action of the commissioners to determine whether
3 or not such action meets the requirements of this section.

4 ~~(3) Sections 7-4-2102 through 7-4-2104 shall not apply~~
5 ~~to counties adopting an optional or alternative form of~~
6 ~~government authorized by law.~~

7 Section 4. Section 7-4-2104, MCA, is amended to read:

8 "7-4-2104. Commissioners to be elected by district.
9 (1) At each general election, the member or members of the
10 board of county commissioners to be elected shall be
11 selected from by the residents and electors of the district
12 or districts in which the vacancy occurs; but the election
13 of such member or members of the board shall be submitted to
14 the entire electorate of the county.

15 (2) No one shall be elected as a member of said board
16 who has not resided in said district for at least 2 years
17 next preceding the time when he shall become a candidate for
18 said office."

19 Section 5. Transition. (1) Commissioners holding
20 office on July 1, 1979, shall hold office for the complete
21 term for which they were elected or until a qualified
22 successor is elected.

23 (2) Commissioners elected in 1980 shall serve a term
24 of 4 years.

25 (3) Commissioners elected in 1982 shall serve a term

1 of 2 years.

2 (4) Beginning in 1984 all commissioners must be
3 elected by district as provided in 7-3-412 or 7-4-2104. The
4 three commissioners elected in 1984 shall draw lots for a
5 term of 2 years, a term of 4 years, or a full term of 6
6 years in order to insure staggered election of county
7 commissioners. Thereafter commissioners shall be elected to
8 a term of 6 years.

9 Section 6. Effective date. Sections 1 through 4 are
10 effective January 1, 1984.

-End-

Local Government

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