

HOUSE BILL 199

IN THE HOUSE

January 16, 1979	Introduced and referred to Committee on Local Govern- ment.
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.

1 HOUSE BILL NO. 199
 2 INTRODUCED BY Pysisteria
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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) ~~elect~~ elected at large;
 14 (2) elected by districts in which candidates must
 15 reside and which are apportioned by population;
 16 (3) ~~elect~~ 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) ~~elect~~ 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; local 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.

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

~~{3}--Sections 7-4-2102 through 7-4-2104 shall not apply to counties adopting an optional or alternative form of government authorized by laws"~~

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

"7-4-2104. Commissioners to be elected by district.

(1) At each general election, the member or members of the board of county commissioners to be elected shall be selected from by the residents and electors of the district or districts in which the vacancy occurs ~~but the election of such member or members of the board shall be submitted to the entire electorate of the county.~~

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

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

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

(3) Commissioners elected in 1982 shall serve a term

of 2 years.

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

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

-End-

Local Government

Objection Raised to
Adverse Committee Report

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