

House Bill 438

In The House

January 23, 1981

Introduced and referred  
to Committee on Local  
Government.

April 23, 1981

Died in Committee.

HOUSE BILL NO. 438

INTRODUCED BY *Carol W. Anderson* *MAH* *Solis*  
*Toni Bergene* *Switzer* *Vinny Jensen*

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND LOCAL GOVERNMENT ALTERNATIVE FORMS LAW BY ALLOWING AN ALTERNATIVE FORM OF LOCAL GOVERNMENT TO BE PROPOSED ONLY BY PETITION AND REQUIRING SEPARATE MAJORITIES OF EACH LOCAL GOVERNMENT TO APPROVE COUNTY-MUNICIPAL CONSOLIDATION; AMENDING SECTIONS 7-3-123 AND 7-3-149, MCA."

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

Section 1. Section 7-3-123, MCA, is amended to read:

"7-3-123. Alteration of existing forms of local government. ~~An Except for a decennial review as constitutionally required,~~ an alteration of an existing form of local government may be proposed only by a petition of the electors."

Section 2. Section 7-3-149, MCA, is amended to read:

"7-3-149. Election on alternative form. (1) The governing body shall call a special election on the question of an alternative form of government to be held within 120 days of the date of filing with the records administrator under 7-3-146. The special election may be held in conjunction with any other election. The records administrator shall prepare and print notices of the special

election.

(2) The cost of the election shall be paid for by the local government.

(3) (a) The affirmative vote of a simple majority of those voting on the question is required for adoption.

(b) In any election involving the question of ~~county-municipal~~ consolidation, each question shall be submitted to the electors in the county and requires an affirmative vote of a simple majority of the votes cast in ~~the county~~ on the question by those residing within the municipality or municipalities proposed for consolidation and a simple majority of those voting on the question residing in the remainder of the county for adoption. ~~There is no requirement for separate majorities in local governments voting on consolidation.~~

(c) In any election involving the question of county merger, the questions shall be submitted to the electors in the counties affected and requires a majority of the votes cast on the questions in each affected county for adoption.

(d) If the electors disapprove the proposed new form of local government, amendments, or consolidation plan, the local government retains its existing form."

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