

SENATE BILL NO. 77

Introduced: 01/07/83

Referred to Committee on state Administration: 01/07/83

Rereferred to Committee on Local Government: 01/10/83

Hearing: 01/18/83

Report: 01/19/83, Do Not Pass. Report Adopted.

On Motion, 1/19/83, That The Bill Be Printed and Placed On
2nd Reading. Motion Passed.

On Motion, 1/19/83, That the Bill Be Taken From Second
Reading and Rereferred to The Committee on Local
Government. Motion Passed.

Report: 02/03/83, Do Not Pass. Report Adopted.

Bill Killed.

1 *Senate* BILL NO. 77
2 INTRODUCED BY Richard E. Manning
3 *Christiane*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT COUNTY
5 COMMISSIONERS IN COUNTIES HAVING A POPULATION OF 50,000 OR
6 MORE BE NOMINATED AND ELECTED AT LARGE RATHER THAN BY
7 DISTRICT; AMENDING SECTIONS 7-4-2102 THROUGH 7-4-2104, MCA."

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

10 Section 1. Section 7-4-2102, MCA, is amended to read:

11 "7-4-2102. Division of county of less than 50,000
12 population into commissioner districts. (1) In every county
13 of the state with a population of less than 50,000,
14 following each federal decennial census, the board of county
15 commissioners shall divide their respective counties into
16 three commissioner districts, as compact and equal in
17 population and area as possible. Such apportionment may take
18 place at any time for the purpose of equalizing in
19 population and area such commissioner districts. However, no
20 commissioner district shall at any time be changed to affect
21 the term of office of any county commissioner who has been
22 elected. No change in the boundaries of any commissioner
23 district shall be made within 6 months next preceding a
24 general election.

25 (2) The district judge or judges of the county shall

1 review the action of the commissioners to determine whether
2 or not such action meets the requirements of this section.

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

6 Section 2. Section 7-4-2103, MCA, is amended to read:

7 "7-4-2103. Filing of certificate designating
8 districts. When in counties of less than 50,000 population,
9 following each decennial census, when such division of
10 commissioner districts has been made, there shall be filed
11 in the office of the county clerk and recorder of such
12 county a certificate designating the metes and bounds of the
13 boundary lines and limits of each commissioner district. The
14 certificate shall be dated and signed by the district court
15 judge or judges of the county."

16 Section 3. Section 7-4-2104, MCA, is amended to read:

17 "7-4-2104. Commissioners to be elected == by district
18 == at large. (1) At each general election, in counties
19 with a population of less than 50,000, as determined by the
20 federal decennial census:

21 (a) the member or members of the board of county
22 commissioners to be elected shall be selected from the
23 residents and electors of the district or districts in which
24 the vacancy occurs, but the election of such member or
25 members of the board shall be submitted to the entire

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1 electorate of the county. 1 and
 2 (2)(b) No one shall be elected as a member of said
 3 board who has not resided in said district for at least 2
 4 years next preceding the time when he shall become a
 5 candidate for said office.
 6 (2) In counties with a population of 50,000 or more as
 7 determined by the federal decennial census, the member or
 8 members of the board of county commissioners to be elected
 9 must be selected from the residents and electors of the
 10 entire county at large without regard to districts, and the
 11 election of such member or members of the board shall be
 12 submitted to the entire electorate of the county."

-End-