

HB 744 INTRODUCED BY RAMIREZ, ET AL.
APPROPRIATING MONEY FOR A COUNTY CONSOLIDATION
COMMISSION

2/14	INTRODUCED		
2/14	REFERRED TO LOCAL GOVERNMENT		
2/18	HEARING		
2/18	COMMITTEE REPORT--BILL PASSED AS AMENDED		
2/20	2ND READING PASSED AS AMENDED	63	30
2/20	REREFERRED TO APPROPRIATIONS		
3/21	HEARING		
3/21	COMMITTEE REPORT--BILL PASSED AS AMENDED		
3/25	2ND READING PASSED AS AMENDED	77	20
3/27	3RD READING PASSED	72	18
	TRANSMITTED TO SENATE		
3/31	REFERRED TO FINANCE & CLAIMS		
4/06	HEARING		
4/09	ADVERSE COMMITTEE REPORT ADOPTED	46	0
4/10	RETURNED TO HOUSE NOT CONCURRED		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INTRODUCED BY *House* BILL NO. *744*
Ramsey Fish J. Brown SALES

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO THE LEGISLATIVE COUNCIL FOR AN INTERIM STUDY OF COUNTY CONSOLIDATION AND REORGANIZATION; AUTHORIZING AN INTERIM SUBCOMMITTEE TO PREPARE A PLAN FOR REDUCING THE NUMBER OF COUNTIES TO 30 OR FEWER; SPECIFYING FACTORS TO BE CONSIDERED IN CONSOLIDATING AND REORGANIZING COUNTIES; AND PROVIDING FOR CONTINGENT DISPOSITION OF THE SUBCOMMITTEE'S RECOMMENDATIONS."

WHEREAS, it is widely acknowledged that the citizens and taxpayers of Montana are supporting more county governments than are necessary for efficient management of local affairs; and

WHEREAS, twenty-eight counties were formed between 1910 and 1925 without benefit of a comprehensive plan; and

WHEREAS, the legislature is uniquely qualified to address the question of county consolidation and reorganization from a statewide perspective and to determine what factors ought to be considered in developing a comprehensive plan for consolidation and reorganization; and

WHEREAS, a study of factors relevant to a comprehensive plan for county consolidation and reorganization undertaken

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

in the 1988-89 biennium will facilitate the legislative districting and apportionment required in 1990 by Article V, section 14, of the Montana Constitution.

THEREFORE, the legislature finds that a study of county consolidation and reorganization is of vital importance to the social and economic well-being of the citizens of Montana.

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

Section 1. Subcommittee to study county consolidation and reorganization. (1) An interim subcommittee consisting of one member of each party from each house shall be appointed as provided in 5-5-211 to prepare recommendations for consolidating and reorganizing existing counties in such a way as to reduce the number of counties to 30 or fewer, taking into consideration the factors listed in section 3.

(2) The subcommittee shall submit its recommendations to the 51st legislature on or before the 10th legislative day of the 1989 regular session.

Section 2. Appropriation for interim study of county consolidation and reorganization. There is appropriated \$7,500 from the general fund to the legislative council for the purpose of preparing the county consolidation and reorganization study required by section 1. The legislative council shall use the money for the compensation and

1 expenses of interim subcommittee members, for other expenses
2 associated with public hearings, and for necessary equipment
3 and supplies.

4 Section 3. Criteria for consolidation and
5 reorganization of counties -- public hearings. (1) In
6 preparing its recommendations for county consolidation and
7 reorganization, the subcommittee shall consider and attempt
8 to give approximately equal weight to all of the following
9 factors:

- 10 (a) existing county boundaries;
- 11 (b) existing legislative districts;
- 12 (c) natural features such as the continental divide,
13 major rivers and drainages, and other divides and
14 ridgelines;
- 15 (d) transportation routes;
- 16 (e) population distribution;
- 17 (f) market areas;
- 18 (g) natural resources; and
- 19 (h) major industries, institutions, and other social
20 and economic resources.

21 (2) Between July 1, 1987, and November 1, 1988,
22 following an initial meeting in Helena, the subcommittee
23 shall meet and in conjunction with its meeting hold a public
24 hearing in each of the following cities:

- 25 (a) Kalispell;

- 1 (b) Missoula;
- 2 (c) Butte;
- 3 (d) Great Falls;
- 4 (e) Lewistown;
- 5 (f) Havre;
- 6 (g) Sidney;
- 7 (h) Miles City; and
- 8 (i) Billings.

9 Section 4. Technical and clerical services. The
10 executive director of the legislative council shall provide
11 the technical staff and clerical services needed by the
12 subcommittee for its study of county consolidation and
13 reorganization.

14 Section 5. Effect of study contingent on
15 constitutional amendment. (1) If the constitutional
16 amendment proposed by ___ Bill No. ___ [LC 1631] is approved
17 by the electorate at the election to be held on November 8,
18 1988, the 51st legislature shall appoint a county boundary
19 commission and direct it to consider the subcommittee's
20 recommendations in developing its plan for county
21 consolidation and reorganization.

22 (2) If the constitutional amendment proposed by ___
23 Bill No. ___ [LC 1631] is not passed and approved by the
24 legislature or is not approved by the electorate at the
25 election to be held on November 8, 1988, the subcommittee's

LC 1632/01

1 recommendations must be distributed, following legislative
2 review, to the governing body of each affected county. The
3 governing body of each affected county shall by resolution
4 direct that the question of the proposed consolidation or
5 reorganization be submitted to the qualified electors of the
6 county at the next countywide election, and the provisions
7 of Title 7, chapter 2, for creation of new counties and
8 consolidation of existing counties apply.

-End-

RE-REFERRED AND
APPROVED BY COMMITTEE
ON APPROPRIATIONS
AS AMENDED

HOUSE BILL NO. 744

INTRODUCED BY RAMIREZ, FRITZ, J. BROWN, SALES

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO
~~THE LEGISLATIVE COUNCIL FOR AN INTERIM STUDY OF COUNTY~~
~~CONSOLIDATION AND REORGANIZATION FOR A COUNTY BOUNDARY~~
COMMISSION; AUTHORIZING AN INTERIM SUBCOMMITTEE THE
COMMISSION TO PREPARE A PLAN FOR REDUCING THE NUMBER OF
COUNTIES TO 30 OR FEWER CONSOLIDATING AND REORGANIZING
COUNTIES AND A PLAN FOR CONSOLIDATING SERVICES; SPECIFYING
FACTORS TO BE CONSIDERED IN CONSOLIDATING AND REORGANIZING
COUNTIES; AND PROVIDING FOR CONTINGENT DISPOSITION OF THE
SUBCOMMITTEE'S RECOMMENDATIONS COMMISSION'S PLAN PLANS; AND
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, it is widely acknowledged that the citizens
and taxpayers of Montana are supporting more county
governments than are necessary for efficient management of
local affairs; and

WHEREAS, twenty-eight counties were formed between 1910
and 1925 without benefit of a comprehensive plan; and

WHEREAS, the legislature is uniquely qualified to
address the question of county consolidation and
reorganization from a statewide perspective and to determine
what factors ought to be considered in developing a

comprehensive plan for consolidation and reorganization; and
WHEREAS, a study of factors relevant to a comprehensive
plan for county consolidation and reorganization undertaken
in the 1988-89 biennium will facilitate the legislative
districting and apportionment required in 1990 by Article V,
section 14, of the Montana Constitution; AND

WHEREAS, IF THE VOTERS REJECT COUNTY CONSOLIDATION AND
REORGANIZATION, AN ALTERNATIVE PLAN WILL BE NEEDED TO REDUCE
THE EXPENSE OF COUNTY GOVERNMENT BY CONSOLIDATING SERVICES.

THEREFORE, the legislature finds that ~~a study of~~ PLAN
~~FOR county consolidation and reorganization is~~ PLANS FOR
CONSOLIDATING COUNTY SERVICES AND FOR EVENTUAL CONSOLIDATION
AND REORGANIZATION OF COUNTIES ARE of vital importance to
the social and economic well-being of the citizens of
Montana.

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

Section 1. ~~Subcommittee to study~~ COUNTY BOUNDARY
COMMISSION TO PREPARE A PLAN FOR county consolidation and
reorganization AND A PLAN FOR CONSOLIDATING SERVICES. (1) ~~An~~
~~interim-subcommittee-consisting-of-one-member-of-each-party~~
~~from-each-house-shall-be-appointed-as-provided-in-5-5-211-to~~
~~prepare-recommendations~~ A COMMISSION OF NINE CITIZENS OF THE
STATE, NONE OF WHOM MAY BE PUBLIC OFFICIALS, SHALL BE
APPOINTED BY THE 1987 LEGISLATURE TO PREPARE A PLAN FOR



1 CONSOLIDATING AND REORGANIZING EXISTING COUNTIES AND A PLAN
 2 FOR CONSOLIDATING SERVICES WITHIN DISTRICTS CONSISTING OF
 3 TWO OR MORE EXISTING COUNTIES. THE MAJORITY AND MINORITY
 4 LEADERS OF EACH HOUSE SHALL EACH DESIGNATE TWO-COMMISSIONERS
 5 ONE COMMISSIONER FROM EACH CONGRESSIONAL DISTRICT, AFTER
 6 CONFERRING TO ACHIEVE GEOGRAPHIC REPRESENTATION. WITHIN 20
 7 DAYS AFTER THEIR APPOINTMENT, THE EIGHT COMMISSIONERS SHALL
 8 SELECT THE NINTH MEMBER, WHO SHALL SERVE AS CHAIRMAN OF THE
 9 COMMISSION. IF THE EIGHT MEMBERS FAIL TO SELECT THE NINTH
 10 MEMBER WITHIN THE TIME PRESCRIBED, A MAJORITY OF THE SUPREME
 11 COURT SHALL SELECT HIM.

12 (2) THE COMMISSION SHALL PREPARE A-PLAN THE FOLLOWING
 13 TWO PLANS:

14 (A) A PLAN for consolidating and reorganizing existing
 15 counties in such a way as to reduce the number of counties
 16 to 30 45 or fewer, taking into consideration the factors
 17 listed in section 3. THE PLAN SHALL PROVIDE A SCHEDULE FOR
 18 AN ORDERLY TRANSITION FROM THE EXISTING TO THE PROPOSED
 19 COUNTIES.

20 (B) A PLAN FOR CONSOLIDATING SERVICES WITHIN THE
 21 DISTRICTS DESCRIBED IN SECTION 4.

22 (2)(3) The subcommittee COMMISSION shall submit its
 23 recommendations PLAN BOTH PLANS to the 51st legislature on
 24 or before the 10th legislative day of the 1989 regular
 25 session.

1 Section 2. Appropriation for ~~interim-study--of~~ county
 2 consolidation and reorganization PLAN. There is appropriated
 3 ~~\$7,500~~ ~~\$30,000~~ \$50,000 from the general fund to the
 4 legislative council for the purpose of preparing the county
 5 ~~consolidation--and--reorganization-study-PLAN~~ PLANS required
 6 by section 1. The legislative council shall use the money
 7 for the compensation and expenses of ~~interim-subcommittee~~
 8 COMMISSION members, for other expenses associated with
 9 public hearings, and for necessary equipment and supplies.

10 Section 3. Criteria for consolidation and
 11 reorganization of counties ~~----public--hearings--(1)~~. In
 12 preparing its ~~recommendations~~ PLAN for county consolidation
 13 and reorganization, the subcommittee COUNTY BOUNDARY
 14 COMMISSION shall consider and attempt to give approximately
 15 equal weight to all of the following factors:

- 16 (a)(1) existing county boundaries;
- 17 (b)(2) existing legislative districts;
- 18 (c)(3) natural features such as the continental
- 19 divide, major rivers and drainages, and other divides and
- 20 ridgelines;
- 21 (d)(4) transportation routes;
- 22 (e)(5) population distribution;
- 23 (f)(6) market areas;
- 24 (g)(7) natural resources; and
- 25 (h)(8) major industries, institutions, and other

1 social and economic resources; AND
 2 ~~(f)~~(9) TAXABLE VALUATION.
 3 SECTION 4. PLAN FOR CONSOLIDATION OF SERVICES WITHIN
 4 DISTRICTS. (1) THE COUNTY BOUNDARY COMMISSION SHALL PREPARE
 5 A PLAN FOR CONSOLIDATING SERVICES IN EACH OF THE FOLLOWING
 6 DISTRICTS OR IN SIMILAR DISTRICTS, EACH OF WHICH COMPRISES
 7 AT LEAST TWO ADJOINING COUNTIES:
 8 (A) DISTRICT 1: LEWIS AND CLARK, BROADWATER, AND
 9 JEFFERSON COUNTIES;
 10 (B) DISTRICT 2: SILVER BOW, BEAVERHEAD, AND MADISON
 11 COUNTIES;
 12 (C) DISTRICT 3: DEER LODGE, GRANITE, AND POWELL
 13 COUNTIES;
 14 (D) DISTRICT 4: MISSOULA, MINERAL, AND RAVALLI
 15 COUNTIES;
 16 (E) DISTRICT 5: FLATHEAD, LAKE, SANDERS, AND LINCOLN
 17 COUNTIES;
 18 (F) DISTRICT 6: TOOLE, GLACIER, TETON, AND PONDERA
 19 COUNTIES;
 20 (G) DISTRICT 7: HILL, LIBERTY, AND BLAINE COUNTIES;
 21 (H) DISTRICT 8: CASCADE AND CHOUTEAU COUNTIES;
 22 (I) DISTRICT 9: FERGUS, JUDITH BASIN, WHEATLAND, AND
 23 PETROLEUM COUNTIES;
 24 (J) DISTRICT 10: GALLATIN, MEACHER, PARK, AND SWEET
 25 GRASS COUNTIES;

1 (K) DISTRICT 11: YELLOWSTONE, BIG HORN, CARBON,
 2 STILLWATER, GOLDEN VALLEY, AND MUSSELSHELL COUNTIES;
 3 (L) DISTRICT 12: CUSTER, ROSEBUD, TREASURE, POWDER
 4 RIVER, FALLON, AND CARTER COUNTIES;
 5 (M) DISTRICT 13: DAWSON, RICHLAND, MCCONE, GARFIELD,
 6 PRAIRIE, AND WIBAUX COUNTIES;
 7 (N) DISTRICT 14: PHILLIPS, VALLEY, ROOSEVELT,
 8 SHERIDAN, AND DANIELS COUNTIES.
 9 (2) THE PLAN MUST PROVIDE FOR:
 10 (A) CONSOLIDATION OF THE FOLLOWING OFFICES IN EACH
 11 DISTRICT:
 12 (I) SHERIFF;
 13 (II) CLERK OF THE DISTRICT COURT;
 14 (III) COUNTY ATTORNEY;
 15 (IV) COUNTY SUPERINTENDENT OF SCHOOLS;
 16 (V) COUNTY SURVEYOR;
 17 (VI) COUNTY TREASURER;
 18 (VII) CORONER;
 19 (VIII) PUBLIC ADMINISTRATOR;
 20 (IX) COUNTY CLERK AND RECORDER;
 21 (X) COUNTY COMMISSIONERS;
 22 (B) REVISION OF ANY JUDICIAL DISTRICTS DEFINED IN
 23 3-5-101 THAT DO NOT FALL WHOLLY WITHIN A DISTRICT DEFINED
 24 UNDER THIS SECTION, WITH APPROPRIATE ADJUSTMENTS IN THE
 25 NUMBER OF JUDGES ASSIGNED TO EACH JUDICIAL DISTRICT UNDER

1 3-5-102; AND

2 (C) CONSOLIDATION OF THE OFFICES OF SCHOOL
3 SUPERINTENDENTS FOR CONTIGUOUS SECOND- AND THIRD-CLASS
4 ELEMENTARY SCHOOL DISTRICTS.

5 (3) (A) THE COMMISSION'S PLAN FOR CONSOLIDATION OF
6 SERVICES MUST DESIGNATE ONE COUNTY SEAT AS THE CENTRAL
7 LOCATION FOR EACH OFFICE LISTED IN SUBSECTION (2)(A) AND,
8 EXCEPT AS PROVIDED IN SUBSECTION (3)(B), PROVIDE FOR A
9 BRANCH OFFICE STAFFED BY ONE OR MORE DEPUTIES IN EACH OF THE
10 OTHER COUNTIES IN THE DISTRICT.

11 (B) THE PLAN MUST PROVIDE THAT, WHILE A DISTRICT COURT
12 MAY BE HELD IN EACH COUNTY WITHIN A DISTRICT, EACH DISTRICT
13 IS SERVED BY ONLY ONE CLERK OF THE DISTRICT COURT.

14 (4) IF THE PLAN CALLS FOR CONSOLIDATION OF THE OFFICES
15 OF SCHOOL SUPERINTENDENTS FOR TWO OR MORE ELEMENTARY SCHOOL
16 DISTRICTS, IT MUST INCLUDE A PROCEDURE BY WHICH THE TRUSTEES
17 OF THE SCHOOL DISTRICTS SHALL SELECT THE SUPERINTENDENT AND
18 DESIGNATE A CONVENIENT LOCATION FOR THE CONSOLIDATED
19 SUPERINTENDENT'S OFFICE.

20 (5) THE COMMISSION'S PLAN FOR CONSOLIDATION OF
21 SERVICES MAY NOT PROPOSE TO:

22 (A) ALTER COUNTY BOUNDARIES;
23 (B) RELOCATE A COUNTY SEAT; OR
24 (C) CONSOLIDATE ELEMENTARY SCHOOL DISTRICTS.

25 SECTION 5. PUBLIC HEARINGS. (2) Between July 1, 1987,

1 and November 1, 1988, following an initial meeting in
2 Helena, the subcommittee COUNTY BOUNDARY COMMISSION shall
3 meet and in conjunction with its meeting hold a public
4 hearing in AT LEAST each of the following cities:

5 (a)(1) Kalispell;
6 (b)(2) Missoula;
7 (c)(3) Butte;
8 (d)(4) Great Falls;
9 (e)(5) Lewistown;
10 (f)(6) BOZEMAN;
11 (f)(g)(7) Havre;
12 (g)(h)(8) Sidney;
13 (h)(i)(9) Miles City; and
14 (i)(j)(10) Billings.

15 Section 6. Technical and clerical services. The
16 executive director of the legislative council shall provide
17 the technical staff and clerical services needed by the
18 subcommittee COUNTY BOUNDARY COMMISSION for its study of
19 county consolidation and reorganization. TO PREPARE THE
20 PLANS REQUIRED BY SECTION 1.

21 Section 7. Effect of study plan contingent on
22 constitutional amendment. (i) If the constitutional
23 amendment proposed by Bill No. (BE-163) is approved
24 by the electorate at the election to be held on November 8,
25 1987, THE COUNTY BOUNDARY COMMISSION SHALL SUBMIT ITS PLAN

1 ~~FOR COUNTY CONSOLIDATION AND REORGANIZATION TO the 51st~~
 2 ~~legislature shall appoint a county boundary commission and~~
 3 ~~direct it to consider the subcommittee's recommendations in~~
 4 ~~developing its plan for county consolidation and~~
 5 ~~reorganization. THE LEGISLATURE SHALL RETURN THE PLAN WITH~~
 6 ~~ITS RECOMMENDATIONS WITHIN 30 DAYS OF SUBMISSION. WITHIN 30~~
 7 ~~DAYS THEREAFTER, THE COMMISSION SHALL FILE ITS FINAL PLAN~~
 8 ~~FOR COUNTY CONSOLIDATION AND REORGANIZATION WITH THE~~
 9 ~~SECRETARY OF STATE, AND IT SHALL BECOME LAW.~~

10 (2) If the constitutional amendment proposed by
 11 Bill No. ~~1631~~ is not passed and approved by the
 12 legislature or is not approved by the electorate at the
 13 election to be held on November 8, 1988, the subcommittee's
 14 COMMISSION'S recommendations DISPOSITION OF PLANS. (1) THE
 15 COUNTY BOUNDARY COMMISSION SHALL SUBMIT ITS PLAN FOR COUNTY
 16 CONSOLIDATION AND REORGANIZATION TO THE 51ST LEGISLATURE.
 17 THE LEGISLATURE SHALL RETURN THE PLAN WITH ITS
 18 RECOMMENDATIONS WITHIN 30 DAYS OF SUBMISSION. WITHIN 30 DAYS
 19 AFTER THE PLAN IS RETURNED TO THE COMMISSION, IT must be
 20 distributed following legislative review, to the governing
 21 body of each affected county. The governing body of each
 22 affected county shall by resolution direct that the question
 23 of the proposed consolidation or reorganization be submitted
 24 to the qualified electors of the county at the next
 25 countywide election, and the provisions of Title 7, chapter

1 2, for creation of new counties and consolidation of
 2 existing counties apply.

3 (2) THE COMMISSION SHALL SUBMIT ITS PLAN FOR
 4 CONSOLIDATION OF SERVICES TO THE 51ST LEGISLATURE IN THE
 5 FORM OF BILLS DRAFTED BY LEGISLATIVE COUNCIL STAFF AND
 6 SPONSORED BY THE CHAIRMAN OF THE LEGISLATIVE COUNCIL. EACH
 7 BILL MUST PROVIDE FOR THE CONSOLIDATION OF A SPECIFIC OFFICE
 8 IN EACH OF THE 14 DISTRICTS DESCRIBED IN SECTION 4 OR OTHER
 9 DISTRICTS DEFINED BY THE COMMISSION.

10 SECTION 8. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON
 11 PASSAGE AND APPROVAL.

-End-

1 HOUSE BILL NO. 744

2 INTRODUCED BY RAMIREZ, FRITZ, J. BROWN, SALES

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO
5 ~~THE LEGISLATIVE COUNCIL FOR AN INTERIM STUDY OF COUNTY~~
6 ~~CONSOLIDATION AND REORGANIZATION~~ FOR A COUNTY BOUNDARY
7 COMMISSION; AUTHORIZING AN ~~INTERIM~~ SUBCOMMITTEE THE
8 COMMISSION TO PREPARE A PLAN FOR ~~REDUCING THE NUMBER OF~~
9 ~~COUNTIES TO 30 OR FEWER~~ CONSOLIDATING AND REORGANIZING
10 COUNTIES AND A PLAN FOR CONSOLIDATING SERVICES; SPECIFYING
11 FACTORS TO BE CONSIDERED IN CONSOLIDATING AND REORGANIZING
12 COUNTIES; AND PROVIDING FOR ~~CONTINGENT~~ DISPOSITION OF THE
13 ~~SUBCOMMITTEE'S RECOMMENDATIONS~~ COMMISSION'S PLAN PLANS; AND
14 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

15
16 WHEREAS, it is widely acknowledged that the citizens
17 and taxpayers of Montana are supporting more county
18 governments than are necessary for efficient management of
19 local affairs; and

20 WHEREAS, twenty-eight counties were formed between 1910
21 and 1925 without benefit of a comprehensive plan; and

22 WHEREAS, the legislature is uniquely qualified to
23 address the question of county consolidation and
24 reorganization from a statewide perspective and to determine
25 what factors ought to be considered in developing a

1 comprehensive plan for consolidation and reorganization; and
2 WHEREAS, a study of factors relevant to a comprehensive
3 plan for county consolidation and reorganization undertaken
4 in the 1988-89 biennium will facilitate the legislative
5 districting and apportionment required in 1990 by Article V,
6 section 14, of the Montana Constitution; AND

7 WHEREAS, IF THE VOTERS REJECT COUNTY CONSOLIDATION AND
8 REORGANIZATION, AN ALTERNATIVE PLAN WILL BE NEEDED TO REDUCE
9 THE EXPENSE OF COUNTY GOVERNMENT BY CONSOLIDATING SERVICES.

10 THEREFORE, the legislature finds that a study of ~~PLAN~~
11 ~~FOR county consolidation and reorganization is~~ PLANS FOR
12 CONSOLIDATING COUNTY SERVICES AND FOR EVENTUAL CONSOLIDATION
13 AND REORGANIZATION OF COUNTIES ARE of vital importance to
14 the social and economic well-being of the citizens of
15 Montana.

16
17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

18 Section 1. ~~Subcommittee to study~~ COUNTY BOUNDARY
19 COMMISSION TO PREPARE A PLAN FOR county consolidation and
20 reorganization AND A PLAN FOR CONSOLIDATING SERVICES. (1) An
21 ~~interim subcommittee consisting of one member of each party~~
22 ~~from each house shall be appointed as provided in 5-5-211 to~~
23 ~~prepare recommendations~~ A COMMISSION OF NINE CITIZENS OF THE
24 STATE, NONE OF WHOM MAY BE PUBLIC OFFICIALS, SHALL BE
25 APPOINTED BY THE 1987 LEGISLATURE TO PREPARE A PLAN FOR

1 CONSOLIDATING AND REORGANIZING EXISTING COUNTIES AND A PLAN
 2 FOR CONSOLIDATING SERVICES WITHIN DISTRICTS CONSISTING OF
 3 TWO OR MORE EXISTING COUNTIES. THE MAJORITY AND MINORITY
 4 LEADERS OF EACH HOUSE SHALL EACH DESIGNATE TWO-COMMISSIONERS
 5 ONE COMMISSIONER FROM EACH CONGRESSIONAL DISTRICT, AFTER
 6 CONFERRING TO ACHIEVE GEOGRAPHIC REPRESENTATION. WITHIN 20
 7 DAYS AFTER THEIR APPOINTMENT, THE EIGHT COMMISSIONERS SHALL
 8 SELECT THE NINTH MEMBER, WHO SHALL SERVE AS CHAIRMAN OF THE
 9 COMMISSION. IF THE EIGHT MEMBERS FAIL TO SELECT THE NINTH
 10 MEMBER WITHIN THE TIME PRESCRIBED, A MAJORITY OF THE SUPREME
 11 COURT SHALL SELECT HIM.

12 (2) THE COMMISSION SHALL PREPARE A-PLAN THE FOLLOWING
 13 TWO PLANS:

14 (A) A PLAN for consolidating and reorganizing existing
 15 counties in such a way as to reduce the number of counties
 16 to 30 45 or fewer, taking into consideration the factors
 17 listed in section 3. THE PLAN SHALL PROVIDE A SCHEDULE FOR
 18 AN ORDERLY TRANSITION FROM THE EXISTING TO THE PROPOSED
 19 COUNTIES.

20 (B) A PLAN FOR CONSOLIDATING SERVICES WITHIN THE
 21 DISTRICTS DESCRIBED IN SECTION 4.

22 {2}{3} The subcommittee COMMISSION shall submit its
 23 recommndations PLAN BOTH PLANS to the 51st legislature on
 24 or before the 10th legislative day of the 1989 regular
 25 session.

1 Section 2. Appropriation for ~~interim-study--of~~ county
 2 consolidation and reorganization PLAN. There is appropriated
 3 ~~\$7,500~~ ~~\$30,000~~ \$50,000 from the general fund to the
 4 legislative council for the purpose of preparing the county
 5 ~~consolidation--and--reorganization-study-PLAN~~ PLANS required
 6 by section 1. The legislative council shall use the money
 7 for the compensation and expenses of ~~interim-subcommittee~~
 8 COMMISSION members, for other expenses associated with
 9 public hearings, and for necessary equipment and supplies.

10 Section 3. Criteria for consolidation and
 11 reorganization of counties ~~---public--hearings--{t}~~. In
 12 preparing its ~~recommndations~~ PLAN for county consolidation
 13 and reorganization, the ~~subcommittee~~ COUNTY BOUNDARY
 14 COMMISSION shall consider and attempt to give approximately
 15 equal weight to all of the following factors:

- 16 {a}{1} existing county boundaries;
- 17 {b}{2} existing legislative districts;
- 18 {c}{3} natural features such as the continental
- 19 divide, major rivers and drainages, and other divides and
- 20 ridgelines;
- 21 {d}{4} transportation routes;
- 22 {e}{5} population distribution;
- 23 {f}{6} market areas;
- 24 {g}{7} natural resources; and
- 25 {h}{8} major industries, institutions, and other

1 social and economic resources; AND
 2 ~~(8)~~ (9) TAXABLE VALUATION.
 3 SECTION 4. PLAN FOR CONSOLIDATION OF SERVICES WITHIN
 4 DISTRICTS. (1) THE COUNTY BOUNDARY COMMISSION SHALL PREPARE
 5 A PLAN FOR CONSOLIDATING SERVICES IN EACH OF THE FOLLOWING
 6 DISTRICTS OR IN SIMILAR DISTRICTS, EACH OF WHICH COMPRISES
 7 AT LEAST TWO ADJOINING COUNTIES:
 8 (A) DISTRICT 1: LEWIS AND CLARK, BROADWATER, AND
 9 JEFFERSON COUNTIES;
 10 (B) DISTRICT 2: SILVER BOW, BEAVERHEAD, AND MADISON
 11 COUNTIES;
 12 (C) DISTRICT 3: DEER LODGE, GRANITE, AND POWELL
 13 COUNTIES;
 14 (D) DISTRICT 4: MISSOULA, MINERAL, AND RAVALLI
 15 COUNTIES;
 16 (E) DISTRICT 5: FLATHEAD, LAKE, SANDERS, AND LINCOLN
 17 COUNTIES;
 18 (F) DISTRICT 6: TOOLE, GLACIER, TETON, AND PONDERA
 19 COUNTIES;
 20 (G) DISTRICT 7: HILL, LIBERTY, AND BLAINE COUNTIES;
 21 (H) DISTRICT 8: CASCADE AND CHOCTEAU COUNTIES;
 22 (I) DISTRICT 9: FERGUS, JUDITH BASIN, WHEATLAND, AND
 23 PETROLEUM COUNTIES;
 24 (J) DISTRICT 10: GALLATIN, MEAGHER, PARK, AND SWEET
 25 GRASS COUNTIES;

1 (K) DISTRICT 11: YELLOWSTONE, BIG HORN, CARBON,
 2 STILLWATER, GOLDEN VALLEY, AND MUSSELSHELL COUNTIES;
 3 (L) DISTRICT 12: CUSTER, ROSEBUD, TREASURE, POWDER
 4 RIVER, FALLON, AND CARTER COUNTIES;
 5 (M) DISTRICT 13: DAWSON, RICHLAND, MCCONE, GARFIELD,
 6 PRAIRIE, AND WIBAUX COUNTIES;
 7 (N) DISTRICT 14: PHILLIPS, VALLEY, ROOSEVELT,
 8 SHERIDAN, AND DANIELS COUNTIES.
 9 (2) THE PLAN MUST PROVIDE FOR:
 10 (A) CONSOLIDATION OF THE FOLLOWING OFFICES IN EACH
 11 DISTRICT:
 12 (I) SHERIFF;
 13 (II) CLERK OF THE DISTRICT COURT;
 14 (III) COUNTY ATTORNEY;
 15 (IV) COUNTY SUPERINTENDENT OF SCHOOLS;
 16 (V) COUNTY SURVEYOR;
 17 (VI) COUNTY TREASURER;
 18 (VII) CORONER;
 19 (VIII) PUBLIC ADMINISTRATOR;
 20 (IX) COUNTY CLERK AND RECORDER;
 21 (X) COUNTY COMMISSIONERS;
 22 (B) REVISION OF ANY JUDICIAL DISTRICTS DEFINED IN
 23 3-5-101 THAT DO NOT FALL WHOLLY WITHIN A DISTRICT DEFINED
 24 UNDER THIS SECTION, WITH APPROPRIATE ADJUSTMENTS IN THE
 25 NUMBER OF JUDGES ASSIGNED TO EACH JUDICIAL DISTRICT UNDER

1 3-5-102; AND
 2 (C) CONSOLIDATION OF THE OFFICES OF SCHOOL
 3 SUPERINTENDENTS FOR CONTIGUOUS SECOND- AND THIRD-CLASS
 4 ELEMENTARY SCHOOL DISTRICTS.
 5 (3) (A) THE COMMISSION'S PLAN FOR CONSOLIDATION OF
 6 SERVICES MUST DESIGNATE ONE COUNTY SEAT AS THE CENTRAL
 7 LOCATION FOR EACH OFFICE LISTED IN SUBSECTION (2)(A) AND,
 8 EXCEPT AS PROVIDED IN SUBSECTION (3)(B), PROVIDE FOR A
 9 BRANCH OFFICE STAFFED BY ONE OR MORE DEPUTIES IN EACH OF THE
 10 OTHER COUNTIES IN THE DISTRICT.
 11 (B) THE PLAN MUST PROVIDE THAT, WHILE A DISTRICT COURT
 12 MAY BE HELD IN EACH COUNTY WITHIN A DISTRICT, EACH DISTRICT
 13 IS SERVED BY ONLY ONE CLERK OF THE DISTRICT COURT.
 14 (4) IF THE PLAN CALLS FOR CONSOLIDATION OF THE OFFICES
 15 OF SCHOOL SUPERINTENDENTS FOR TWO OR MORE ELEMENTARY SCHOOL
 16 DISTRICTS, IT MUST INCLUDE A PROCEDURE BY WHICH THE TRUSTEES
 17 OF THE SCHOOL DISTRICTS SHALL SELECT THE SUPERINTENDENT AND
 18 DESIGNATE A CONVENIENT LOCATION FOR THE CONSOLIDATED
 19 SUPERINTENDENT'S OFFICE.
 20 (5) THE COMMISSION'S PLAN FOR CONSOLIDATION OF
 21 SERVICES MAY NOT PROPOSE TO:
 22 (A) ALTER COUNTY BOUNDARIES;
 23 (B) RELOCATE A COUNTY SEAT; OR
 24 (C) CONSOLIDATE ELEMENTARY SCHOOL DISTRICTS.
 25 SECTION 5. PUBLIC HEARINGS. (2) Between July 1, 1987,

1 and November 1, 1988, following an initial meeting in
 2 Helena, the subcommittee COUNTY BOUNDARY COMMISSION shall
 3 meet and in conjunction with its meeting hold a public
 4 hearing in AT LEAST each of the following cities:
 5 (a)(1) Kalispell;
 6 (b)(2) Missoula;
 7 (c)(3) Butte;
 8 (d)(4) Great Falls;
 9 (e)(5) Lewistown;
 10 (f)(6) BOZEMAN;
 11 (g)(7) Havre;
 12 (h)(8) Sidney;
 13 (i)(9) Miles City; and
 14 (j)(10) Billings.
 15 Section 6. Technical and clerical services. The
 16 executive director of the legislative council shall provide
 17 the technical staff and clerical services needed by the
 18 subcommittee COUNTY BOUNDARY COMMISSION ~~for its study of~~
 19 ~~county consolidation and reorganization.~~ TO PREPARE THE
 20 PLANS REQUIRED BY SECTION 1.
 21 Section 7. ~~Effect of study plan contingent on~~
 22 ~~constitutional amendment. (i) If the constitutional~~
 23 ~~amendment proposed by Bill No. 1631 is approved~~
 24 ~~by the electorate at the election to be held on November 8,~~
 25 ~~1987, THE COUNTY BOUNDARY COMMISSION SHALL SUBMIT ITS PLAN~~

1 ~~FOR COUNTY CONSOLIDATION AND REORGANIZATION TO the 51st~~
 2 ~~legislature shall appoint a county boundary commission and~~
 3 ~~direct it to consider the subcommittee's recommendations in~~
 4 ~~developing its plan for county consolidation and~~
 5 ~~reorganization. THE LEGISLATURE SHALL RETURN THE PLAN WITH~~
 6 ~~ITS RECOMMENDATIONS WITHIN 30 DAYS OF SUBMISSION, WITHIN 30~~
 7 ~~DAYS THEREAFTER, THE COMMISSION SHALL FILE ITS FINAL PLAN~~
 8 ~~FOR COUNTY CONSOLIDATION AND REORGANIZATION WITH THE~~
 9 ~~SECRETARY OF STATE, AND IT SHALL BECOME LAW.~~

10 (2) ~~If the constitutional amendment proposed by~~
 11 ~~Bill No. {bC-1631} is not passed and approved by the~~
 12 ~~legislature or is not approved by the electorate at the~~
 13 ~~election to be held on November 8, 1988, the subcommittee's~~
 14 ~~COMMISSION'S recommendations DISPOSITION OF PLANS. (1) THE~~
 15 ~~COUNTY BOUNDARY COMMISSION SHALL SUBMIT ITS PLAN FOR COUNTY~~
 16 ~~CONSOLIDATION AND REORGANIZATION TO THE 51ST LEGISLATURE.~~
 17 ~~THE LEGISLATURE SHALL RETURN THE PLAN WITH ITS~~
 18 ~~RECOMMENDATIONS WITHIN 30 DAYS OF SUBMISSION. WITHIN 30 DAYS~~
 19 ~~AFTER THE PLAN IS RETURNED TO THE COMMISSION, IT must be~~
 20 ~~distributed, following legislative review, to the governing~~
 21 ~~body of each affected county. The governing body of each~~
 22 ~~affected county shall by resolution direct that the question~~
 23 ~~of the proposed consolidation or reorganization be submitted~~
 24 ~~to the qualified electors of the county at the next~~
 25 ~~countywide election, and the provisions of Title 7, chapter~~

1 2, for creation of new counties and consolidation of
 2 existing counties apply.

3 (2) THE COMMISSION SHALL SUBMIT ITS PLAN FOR
 4 CONSOLIDATION OF SERVICES TO THE 51ST LEGISLATURE IN THE
 5 FORM OF BILLS DRAFTED BY LEGISLATIVE COUNCIL STAFF AND
 6 SPONSORED BY THE CHAIRMAN OF THE LEGISLATIVE COUNCIL, EACH
 7 BILL MUST PROVIDE FOR THE CONSOLIDATION OF A SPECIFIC OFFICE
 8 IN EACH OF THE 14 DISTRICTS DESCRIBED IN SECTION 4 OR OTHER
 9 DISTRICTS DEFINED BY THE COMMISSION.

10 SECTION 8. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON
 11 PASSAGE AND APPROVAL.

-End-