

HB 745 INTRODUCED BY RAMIREZ, ET AL.  
AMENDING REQUIREMENT THAT VOTERS APPROVE COUNTY  
BOUNDARY CHANGES

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	64	29
2/23	3RD READING FAILED	45	54
2/24	RECONSIDERED ACTION ON 3RD READING	50	46
2/24	2ND READING PASSED AS AMENDED	50	48
2/24	3RD READING FAILED	49	50

Constitutional amendment

1 House BILL NO. 745  
2 INTRODUCED BY Ramirez, Fritz & Brown Jones

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE  
5 QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE XI,  
6 SECTION 2, OF THE MONTANA CONSTITUTION TO PROVIDE FOR A  
7 COUNTY BOUNDARY COMMISSION EVERY TWENTIETH YEAR TO FORMULATE  
8 A PLAN FOR CONSOLIDATING AND REORGANIZING EXISTING COUNTIES;  
9 AND PROVIDING AN EFFECTIVE DATE."

10  
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
12 Section 1. Article XI, section 2, of The Constitution  
13 of the State of Montana is amended to read:

14 "Section 2. Counties. (1) The counties of the state  
15 are those that exist on the date of ratification of this  
16 constitution. No Except as provided in subsection (3), no  
17 county boundary may be changed or county seat transferred  
18 until approved by a majority of those voting on the question  
19 in each county affected.

20 (2) In the 1989 legislative session and in every 10th  
21 session thereafter, a commission of nine citizens, none of  
22 whom may be public officials, shall be selected to prepare a  
23 plan for consolidating and reorganizing existing counties.  
24 The majority and minority leaders of each house shall each  
25 designate two commissioners. Within 20 days after their

1 designation, the eight commissioners shall select the ninth  
2 member, who shall serve as chairman of the commission. If  
3 the eight members fail to select the ninth member within the  
4 time prescribed, a majority of the supreme court shall  
5 select him.

6 (3) The commission shall submit its plan for  
7 consolidating and reorganizing existing counties to the next  
8 legislative session after its appointment. The legislature  
9 shall return the plan with its recommendations within 30  
10 days of submission. Within 30 days thereafter, the  
11 commission shall file its final plan for county  
12 consolidation and reorganization with the secretary of  
13 state, and it shall become law.

14 (4) Upon filing its final plan, the commission is  
15 dissolved."

16 NEW SECTION. Section 2. Effective date. If approved  
17 by the electorate, this amendment is effective January 1,  
18 1989.

19 NEW SECTION. Section 3. Submission to electorate.  
20 This amendment shall be submitted to the electors of Montana  
21 at the general election to be held November 8, 1988, by  
22 printing on the ballot the full title of this act and the  
23 following:

24  FOR a commission appointed by the legislature to  
25 consolidate and reorganize existing counties every



LC 1631/01

1           20 years.  
2            AGAINST a commission appointed by the legislature to  
3           consolidate and reorganize existing counties every  
4           20 years.

-End-

CONSTITUTIONAL AMENDMENT  
APPROVED BY COMM.  
ON LOCAL GOVERNMENT

HOUSE BILL NO. 745

INTRODUCED BY RAMIREZ, FRITZ, J. BROWN, SALES

A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE XI, SECTION 2, OF THE MONTANA CONSTITUTION TO PROVIDE FOR THAT A COUNTY BOUNDARY COMMISSION EVERY--TWENTIETH--YEAR--TO SHALL FORMULATE A PLAN FOR CONSOLIDATING AND REORGANIZING EXISTING COUNTIES; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Article XI, section 2, of The Constitution of the State of Montana is amended to read:

"Section 2. Counties. (1) The counties of the state are those that exist on the date of ratification of this constitution. No Except as provided in subsection (3), no county boundary may be changed or county seat transferred until approved by a majority of those voting on the question in each county affected.

(2) ~~In the 1989 legislative session and in every 10th session thereafter, a commission of nine citizens, none of whom may be public officials, shall be selected to prepare a plan for consolidating and reorganizing existing counties. The majority and minority leaders of each house shall each designate two commissioners. Within 20 days after their~~

~~designation, the eight commissioners shall select the ninth member, who shall serve as chairman of the commission. If the eight members fail to select the ninth member within the time prescribed, a majority of the supreme court shall select him. A COUNTY BOUNDARY COMMISSION APPOINTED BY THE LEGISLATURE SHALL PREPARE A PLAN FOR CONSOLIDATING AND REORGANIZING EXISTING COUNTIES.~~

(3) The commission shall submit its plan for consolidating and reorganizing existing counties to the next legislative session after its appointment. The legislature shall return the plan with its recommendations within 30 days of submission. Within 30 days thereafter, the commission shall file its final plan for county consolidation and reorganization with the secretary of state, and it shall become law.

(4) Upon filing its final plan, the commission is dissolved."

NEW SECTION. Section 2. Effective date. If approved by the electorate, this amendment is effective January 1, 1989.

NEW SECTION. Section 3. Submission to electorate. This amendment shall be submitted to the electors of Montana at the general election to be held November 8, 1988, by printing on the ballot the full title of this act and the following:



1 FOR a commission appointed by the legislature to  
2 consolidate and reorganize existing counties every  
3 20 years.

4 AGAINST a commission appointed by the legislature to  
5 consolidate and reorganize existing counties every  
6 20 years.

-End-

## CONSTITUTIONAL AMENDMENT

HOUSE BILL NO. 745

INTRODUCED BY RAMIREZ, FRITZ, J. BROWN, SALES

A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE XI, SECTION 2, OF THE MONTANA CONSTITUTION TO PROVIDE FOR THAT A COUNTY BOUNDARY COMMISSION EVERY ~~TWENTY-FIFTH~~ YEAR ~~TO~~ SHALL FORMULATE A PLAN FOR CONSOLIDATING AND REORGANIZING EXISTING COUNTIES; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Article XI, section 2, of The Constitution of the State of Montana is amended to read:

"Section 2. Counties. (1) The counties of the state are those that exist on the date of ratification of this constitution. No Except as provided in subsection (3), no county boundary may be changed or county seat transferred until approved by a majority of those voting on the question in each county affected.

(2) In the 1989 legislative session and in every 18th session thereafter, a commission of nine citizens, none of whom may be public officials, shall be selected to prepare a plan for consolidating and reorganizing existing counties. The majority and minority leaders of each house shall each designate two commissioners. Within 20 days after their

designation, the eight commissioners shall select the ninth member, who shall serve as chairman of the commission. If the eight members fail to select the ninth member within the time prescribed, a majority of the supreme court shall select him. A COUNTY BOUNDARY COMMISSION APPOINTED BY THE LEGISLATURE SHALL PREPARE A PLAN FOR CONSOLIDATING AND REORGANIZING EXISTING COUNTIES.

(3) The commission shall submit its plan for consolidating and reorganizing existing counties to the next legislative session after its appointment. The legislature shall return the plan with its recommendations within 30 days of submission. Within 30 days thereafter, the commission shall file its final plan for county consolidation and reorganization with the secretary of state, and it shall become law.

(4) Upon filing its final plan, the commission is dissolved."

NEW SECTION. Section 2. Effective date. If approved by the electorate, this amendment is effective January 1, 1989.

NEW SECTION. Section 3. Submission to electorate. This amendment shall be submitted to the electors of Montana at the general election to be held November 8, 1988, by printing on the ballot the full title of this act and the following:

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- 1         FOR a commission appointed by the legislature to  
2            consolidate and reorganize existing counties every  
3            20-years.
- 4         AGAINST a commission appointed by the legislature to  
5            consolidate and reorganize existing counties every  
6            20-years.

-End-