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SENATE BILL NO. 178

INTRODUCED BY Tom Jenkins

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT ELECTIONS FOR COUNTY AND MUNICIPAL OFFICES, EXCEPT ELECTIONS FOR COUNTY COMMISSIONERS, BE CONDUCTED ON A NONPARTISAN BASIS; AND AMENDING SECTIONS 7-3-111, 7-3-112, 7-3-113, 7-3-114, 7-3-219, 7-3-314, 7-3-413, AND 7-3-704, MCA."

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

NEW SECTION. **Section 1. Elections to be nonpartisan.** Elections for all municipal offices provided for under this part must be conducted on a nonpartisan basis.

Section 2. Section 7-3-111, MCA, is amended to read:

"7-3-111. Statutory basis for elected county official government. (1) For the purpose of determining the statutory basis of existing units of local government after May 2, 1977, each unit of local government organized under the general statutes authorizing the elected county official form of government, shall be governed by the following sections govern:

- (a) 7-3-401;
- (b) 7-3-402;
- (c) 7-3-412(3);
- (d) 7-3-413(1);
- (e) 7-3-414(1);
- (f) 7-3-415(2);
- (g) 7-3-416(2);
- (h) 7-3-417(2);
- (i) 7-3-418;
- (j) 7-3-432(1);
- (k) 7-3-433(1);
- (l) 7-3-434(1);

- 1 (m) 7-3-435(1);
 2 (n) 7-3-436(1);
 3 (o) 7-3-437(1);
 4 (p) 7-3-438(1);
 5 (q) 7-3-439(1);
 6 (r) 7-3-440(1);
 7 (s) 7-3-441(1);
 8 (t) 7-3-442(1) if the county has elected an auditor;
 9 (u) 7-3-442(6) if the county has not elected an auditor.
 10 (2) This form has terms of 4 years for all elected officials, except commissioners, who are elected
 11 to 6-year terms. The commission consists of three members."
 12

13 **Section 3.** Section 7-3-112, MCA, is amended to read:

14 **"7-3-112. Statutory basis for county manager government.** (1) For the purpose of determining the
 15 statutory basis of ~~existing units of local government after May 2, 1977,~~ each unit of local government
 16 organized under the general statutes authorizing the county manager form of government, ~~shall be governed~~
 17 ~~by~~ the following sections govern:

- 18 (a) 7-3-301;
 19 (b) 7-3-303;
 20 (c) 7-3-304;
 21 (d) 7-3-305;
 22 (e) 7-3-312(2);
 23 (f) 7-3-313(1) or (2);
 24 (g) 7-3-314(2);
 25 (h) 7-3-315(1);
 26 (i) 7-3-316(2);
 27 (j) 7-3-317(2);
 28 (k) 7-3-318.

29 (2) Commissioners are elected to 6-year terms. The size of the commission ~~shall~~ must be
 30 established by ordinance, but it may not exceed five members."