

FINAL REPORT

**and proposed alternative
form of government**



**local government study commission
of Belt, Montana**

August 1, 1976

To the Citizens of Belt.

Local government study commissions were authorized by the 1974 session of the Montana Legislature to implement the Local Government Article of the 1972 Constitution. The responsibility of the study commission is to "study the form and power of government and existing procedures for the delivery of local government services and compare them with other forms available under the laws of the State of Montana."

After completing these two phases of the study, it is the responsibility of the study commission to submit an alternative form of government to the qualified electors. An alternative form of government is defined as one "which must differ in some manner from the existing form." We are submitting a modification of the existing mayor-council form of government as the alternative form.

The question on the alternative form of government will be placed on the ballot November 2, 1976. At that time voters will have the choice of retaining the existing form of government or adopting the alternative form proposed in the report of the study commission.

Respectfully submitted,

BELT LOCAL GOVERNMENT STUDY COMMISSION

Members:

Joyce M. Bast

David C. Stroop

Gordon D. McMillan

Summary of Recommendations

The Belt local government study commission having thoroughly studied our present form of government and the alternative forms of government available to cities and towns under state law, submit the following:

1. That the mayor-council (also known as commission-executive) form of government with the following modification(s), be placed on the ballot as the alternative form of government.

a. Election of council members at large in non-partisan elections.

2. The question on the form of government will be submitted to the voters of Belt, in a special election to be held with the general election on November 2, 1976 in the following form:

BALLOT ON ALTERNATIVE FORM OF LOCAL GOVERNMENT

Vote for One.

- For adoption of the mayor-council form of government as modified in the report of the Belt local government study commission.
- For the existing mayor-council form of government.

Findings of the Study Commission

It is the conclusion of the study commission that the Mayor-Council form can best meet the needs of this town. We have submitted certain changes to comply with the requirements of the law that an alternative form must be placed on the ballot. The voters of this town can decide if these changes are desirable.

COMPARISON OF EXISTING AND PROPOSED FORM OF GOVERNMENT

Characteristics	Present Form	Proposed Form	Comments
Form of Government	Mayor-Council	No Change	None
Powers	GENERAL GOVERNMENT POWERS. State law defines functions and services local governments provide.	No Change	None
Governing Body	Six (6) council members, Two (2) elected from each of Three (3) wards.	Six (6) council members elected at large	More responsive to needs of entire community. Get City-wide perspective.
Size			
Elections	Partisan	Non-Partisan	Size of community prohibits Partisan elections.
Term	4 year overlapping terms	No Change	None
Presiding Officer	Mayor	No Change	None
Duties	Policy-making body, also involved in administration.	No Change	None
Other Elected Officials	Treasurer Mayor	No Change	None

COMPARISON OF EXISTING AND PROPOSED FORM OF GOVERNMENT (Con't.)

Characteristics	Present Form	Proposed Form	Comments
<p>Duties of Mayor (Some shared with council)</p>	<p>--carries out policy of council --enforces ordinances --votes in case of a tie</p>	<p>No Change</p>	<p>None</p>
<p>Budget Preparation</p>	<p>--prepares budget in consultation with the council</p>	<p>No Change</p>	<p>None</p>
<p>Appointment Power</p>	<p>--appoints department heads and boards with consent of council</p>	<p>Requires council consent for appointment and removal</p>	<p>None</p>
<p>Veto Power</p>	<p>--may veto ordinances subject to a two-thirds veto override by the council</p>	<p>No veto power</p>	<p>None</p>
<p>Administration of Departments, Boards</p>	<p>Supervision and administration authorized by ordinance. Responsibility usually shared with council</p>	<p>No Change</p>	<p>None</p>
<p>Community Councils (Neighborhood Councils)</p>	<p>None</p>	<p>No Change</p>	<p>None</p>

CERTIFICATE
ESTABLISHING THE PROPOSED PLAN OF GOVERNMENT
FOR
THE TOWN OF BELT

If adopted by the voters, the government of the town of Belt shall be organized under the following provisions of Section 47A-3-203, R.C.M. 1947, Commission-executive form:

- (1)
- (2)
- (3)(a)(ii)
- (3)(b)(iii)
- (3)(c)(ii)
- (3)(d)(ii)
- (3)(e)(ii)
- (3)(f)(i)
- (3)(g)(i)
- (3)(h)(ii)
- (3)(i)(i)
- (3)(j)(iii)
- (3)(k)(ii)
- (3)(l)(ii)
- (3)(m)

- (4)(a)

47A-2-203. Commission-executive form.

(1) The commission-executive form (which may be called the "council-executive", the "council-mayor", or the "commission-mayor" form) consists of an elected commission (which may be referred to as the "council" and one elected executive (who may be referred to as the "mayor") who is elected at large.

- (2) The executive shall:
- (a) enforce laws, ordinances, and resolutions;
 - (b) perform duties required of him by law, ordinance, or resolution;
 - (c) administer affairs of the local government;
 - (d) carry out policies established by the commission;
 - (e) recommend measures to the commission;

Page 2: Certificate of Proposed Plan of Government

(f) report to the commission on the affairs and financial condition of the local government;

(g) execute bonds, notes, contracts, and written obligations of the commission, subject to the approval of the commission;

(h) report to the commission as the commission may require;

(i) attend commission meetings and may take part in discussions;

(j) execute the budget adopted by the commission;

(k) appoint, with the consent of the commission, all members of boards; except, the executive may appoint without the consent of the commission temporary advisory committees established by the executive.

(3) The plan of government submitted to the qualified electors shall further define the structural characteristics of the form by including the items listed below:

(a) The executive:

(ii) may appoint one or more administrative assistants to assist him in the supervision and operation of the local government. Such administrative assistants shall be answerable solely to the executive.

(b) The executive may:

(ii) appoint and remove, with the consent of a majority of the commission, all employees of the local government;

(c) The executive may:

(iii) sign all ordinances and resolutions with no veto power.

(d) The executive may:

(ii) prepare the budget in consultation with the commission and department heads.

(e) The executive may:

(ii) exercise control and supervision of all departments and boards to the degree authorized by ordinance of the commission.

(f) A financial officer (who may be called the "treasurer"):

(i) shall be elected.

(g) The commission shall be:

(i) elected at large.

Page 3: Certificate of Proposed Plan of Government

- (h) Local government elections shall be conducted on a:
 - (ii) nonpartisan basis as provided in this title.
- (i) The commission shall have a chairman who shall be:
 - (ii) selected as provided by ordinance.
- (j) The presiding officer of the commission shall be:
 - (iii) the executive who shall decide all tie votes of the commission, but shall have no other vote. The chairman of the commission shall preside if the executive is absent.
- (k) Commission members shall be elected for:
 - (ii) overlapping terms of office.
- (l) The size of the commission, which shall be a number not less than three (3), shall be established when the form is adopted by the voters; and
 - (ii) community councils to advise commissioners may be authorized by ordinance.

The size of the commission shall be six (6) members.

- (m) The term of office of elected officials may not exceed four (4) years, and shall be established when the form is adopted by the voters.

The term of office of elected officials shall be four (4) years.

- (4) The plan of government submitted to the qualified electors shall determine the powers of the local government unit by authorizing:
 - (a) general government powers.

We, the Study Commissioners of the town of Belt do hereby certify that this is the proposed Plan of Government as established by Section 47A-3-203, R.C.M. 1947.

S E A L

In testimony whereof, we the undersigned have set our hands this 1st day of August, 1976, at Belt, Montana.
Montana.

ATTEST:

Candice J. Gray
MUNICIPAL CLERK OF BELT, MONTANA

Jesse M. Boster
Paul C. Stump
Gordon McMillan
Local Government Study Commissioners

CERTIFICATE
ESTABLISHING THE EXISTING PLAN OF GOVERNMENT
FOR
THE TOWN OF BELT

If retained by the voters, the government of the town of Belt shall be organized under the following provisions of Section 47A-3-203: Revised Codes of Montana, 1947. Commission-executive form.

- (1)
- (2)
- (3)(a)(ii)
- (3)(b)(iii)
- (3)(c)(ii)
- (3)(d)(ii)
- (3)(e)(ii)
- (3)(f)(i)
- (3)(g)(ii)
- (3)(h)(i)
- (3)(i)(i)
- (3)(j)(iii)
- (3)(k)(ii)
- (3)(l)(ii)
- (3)(m)
- (4)(a)

47A-3-203. Commission-executive form.

(1) The commission-executive form (which may be called the "council-executive," the "council-mayor," or the "commission-mayor" form) consists of an elected commission (which may be referred to as the "council") and one elected executive (who may be referred to as the "mayor") who is elected at large.

(2) The executive shall:

- (a) enforce laws, ordinances, and resolutions;
- (b) perform duties required of him by law, ordinance, or resolution;
- (c) administer affairs of the local government;
- (d) carry out policies established by the commission;
- (e) recommend measures to the commission;
- (f) report to the commission on the affairs and financial condition of the local government;

- (g) execute bonds, notes, contracts, and written obligations of the commission, subject to the approval of the commission;
- (h) report to the commission as the commission may require;
- (i) attend commission meetings and may take part in discussions;
- (j) execute the budget adopted by the commission;
- (k) appoint, with the consent of the commission, all members of boards; except, the executive may appoint without the consent of the commission temporary advisory committees established by the executive.

(3) The plan of government shall further define the structural characteristics of the form by including the items listed below:

(a) The executive may appoint one or more administrative assistants to assist in the supervision and operation of the local government. Such administrative assistants shall be answerable solely to the executive.

(b) The executive may appoint, with the consent of a majority of the commission, all department heads. The executive may remove department heads and may appoint and remove all other department employees.

(c) The executive may veto ordinances and resolutions subject to override by a two-thirds vote of the commission.

(d) The executive may prepare the budget in consultation with the commission and department heads.

(e) The executive may exercise control and supervision of all departments and boards to the degree authorized by ordinance of the commission.

(f) A financial officer (who may be called the "treasurer") shall be elected.

(g) The commission shall be elected by districts in which candidates must reside and which are apportioned by population.

(h) Local government elections shall be conducted on a partisan basis as provided in this title.

(i) The commission shall have a chairman who shall be elected by the members of the commission from their own number for a term established by ordinance.

(j) The presiding officer of the commission shall be the executive who shall decide all tie votes of the commission, but shall have no other vote. The chairman of the commission shall preside if the executive is absent.

(k) Commission members shall be elected for overlapping terms of office.

(1) The size of the commission shall be six (6) members, two (2) to be elected from each of three (3) districts, and community councils to advise commissioners may be authorized by ordinance.

(m) The term of office of elected officials shall be four (4) years.

(4) The plan of government shall authorize general government powers.

We, the Study Commissioners of the town of Belt do hereby certify that this is the existing Plan of Government as established by Section 47A-3-203, R.C.M. 1947.

S E A L

In testimony whereof, we set our hands.

Done at Belt, Montana this 1st day of August, 1976.

Jerry M. Bast
Paul C. Stief
Gordon D. McMillan

Local Government Study Commissioners

ATTEST:

Carolee J. Gray
MUNICIPAL CLERK OF BELT, MONTANA

CERTIFICATE

ESTABLISHING THE DATE OF THE
SPECIAL ELECTION AT WHICH THE
ALTERNATIVE FORM OF GOVERNMENT
SHALL BE PRESENTED TO THE ELECTORS
OF BELT, MONTANA.

The alternative form of government proposed by the Local Government
Study Commission shall be submitted to the voters of Belt at a special
election to be held with the general election on November 2, 1976.

We, the Study Commissioners of Belt, do hereby certify that
this is the date of the special election approved by the Study
Commissioners of Belt.

In testimony whereof, we set our hands.

Done at Belt, Montana this 1st day of August, 1976.

James M. Daulton
David C. Stump
Gordon D. McMillon

S E A L

Local Government Study Commissioners

ATTEST:

Candice J. Gray
MUNICIPAL CLERK OF BELT, MONTANA.

CERTIFICATE

ESTABLISHING THE OFFICIAL BALLOT

FOR THE NOVEMBER 2, 1976 SPECIAL ELECTION

Instructions to voters: Place an "X" in the boxes which express your preferences. The full text of the proposed form of government and of the existing form of government are available at your polling place.

OFFICIAL BALLOT

BALLOT ON ALTERNATIVE FORM OF LOCAL GOVERNMENT

Vote for One.

- For adoption of the mayor-council form of government as modified in the report of the Belt local government study commission.
- For the existing mayor-council form of government.

We, the Study Commissioners of Belt, Montana, do hereby certify that this is the official ballot approved by the Study Commissioners of Belt, Montana.

In testimony whereof, we set our hands.

Done at Belt, Montana this 1st day of August, 1976.

S E A L

Jamie M. Besta
David C. Hays
London O. McMillan

ATTEST:

Candice J. Gray
MUNICIPAL CLERK OF BELT, MONTANA.

LOCAL GOVERNMENT STUDY COMMISSIONERS