

CERTIFICATE

ESTABLISHING THE EXISTING PLAN OF GOVERNMENT

FOR

THE TOWN OF PLAINS

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

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) enforces 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.

COMPARISON OF EXISTING AND PROPOSED FORM OF GOVERNMENT

<u>Characteristics</u>	<u>Present Form</u>	<u>Proposed Form</u>
Form of Government	Mayor-Council	Same
Powers	GENERAL GOVERNMENT POWERS. State law defines functions and services local governments provide.	Sub-option selected by voters
Governing Body	6 council members, 2 elected from each of 3 wards.	Same
Size		
Elections	Partisan	Non-partisan
Term	4 year overlapping terms	Same
Presiding Officer	Mayor	Same
Duties	Policy-making body, also involved in administration.	Same
Other Elected Officials	Treasurer (May be elected) Mayor	Treasurer - appointed Mayor
Duties of Mayor (Some shared with council)	--carries out policy of council --enforces ordinances --votes in case of a tie	Same
Budget Preparation	--prepares budget in consultation with the council	Same
Appointment Power	--appoints department heads and boards with consent of council	appoints and removes with consent of majority of council
Veto Power	--may veto ordinances subject to a two-thirds veto override by the council	Same
Administration of Departments, Boards	Supervision and administration authorized by ordinance. Responsibility usually shared with council	Same
Community Councils (Neighborhood Councils)	None	None

(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 appointed.

(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 Plains do hereby certify that this is the existing Plan of Government as established by Section 47A-3-203, R.C.M. 1947.

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In testimony whereof, we set our hands.

Done at Plains, MT this 20 day of July 1976.

Warren W. Ursua
Sharon Smith
Gene W. Cohen
Bill Williams

ATTEST: M. Hettler
MUNICIPAL CLERK OF
Plains

Local Government Study Commissioners