

FALLON COUNTY TIMES

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# Study commission

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Following an organizational meeting where Jim Stark was elected chairman, Bernie Heiser vice chairman, Cora Moser secretary-treasurer and Clarence Schell Ex-Officio member and city representative, the Baker Study Commission forged ahead with their duties to present to the voters of Baker an alternate form of government.

A few weeks ago the commission attended training seminars at Helena where they learned how to coordinate a study and become familiar with the variety of options given to a local government's method of conducting business.

The Study Commission will review the existing form used by our city fathers; analyze alternative local forms legal in Montana; evaluate the strengths and weaknesses of each form and then present it to the voters for a public hearing prior to the election in 1986.

The five legal forms recognized by Montana include the system currently being used by Baker. This form is called the commission-executive form. (In an effort to keep this news story in perspective, we will refer to commission as council or councilman). The council-executive form of government consists of a mayor and a desig-

are similar to those under the other forms but can vary by the use of at-large or district elections, partisan or non-partisan campaigns, concurrent or overlapping terms, limiting the length of term to four years, size to a minimum of five commissioners, mandatory or optional community councils for advising the commission on citizen's needs or viewpoints.

Then there is the most direct form of democracy, the town meeting. In Montana it is only legal in towns of less than 2000 people. Baker, with its over 3000 population would not qualify.

The charter form of government was studied at great length ten years ago when the Montana laws stated the local forms of government must be studied. It was thought at that time this could possibly be a good method as it allows for a custom-made form written by the study commission from input by local citizens.

The charter form of government is similar to the state constitution and subject to both the Montana and United States Constitutions. The state legislature can rule against specifics contained in any local charter. There are some

limitations placed on the style of operations of government written into the charter.

Structure options specific to the town's needs can be written into the charter and might include the use of community councils, procedures for selecting local governmental officers, and the structure of departments.

The study commission will review all these methods and open their doors to comments and visitations from the public to draft an alternative method of doing business as a city officer. Ten years ago the city voted to maintain its present form, modifying it to appointment of the treasurer and adding a provision for self-governing powers.

The next meeting of the study commission will be Thursday, March 21, at 7:30 p.m. in the library basement.

consists of a mayor and a designated number of city council members elected by the voters. This system is the most widely used method in both the United States and England where it was originally developed in the seventeenth century. This form can be modified by various options to provide either a strong or weak executive (mayor).

Under the "strong mayor" option, the mayor holds the power to appoint and remove department heads and employees, has the sole responsibility for budget preparation, and also possesses a veto power which can be overridden only by a two-thirds vote of the council. The mayor could also be provided with an administrative assistant or an appointive financial officer.

The "weak mayor" form states the council and mayor together make the decisions and advisory boards. They are elected on overlapping terms of up to four years in length. A member may be designated as both chairperson and presiding officer. The council could be partisan or non-partisan.

In the commission-manager form the council chooses amongst themselves who will be the chief administrative officer. This officer is in charge of local governmental affairs, directs and supervises all departments and agencies, prepares and executes the local budget, appoints, suspends and is responsible for all employees and prepares the council agenda. The council is responsible for policies and direction, an ordinance-making body and depository of county or municipality powers. The manager is chosen on the basis of merit for an indefinite term and can be dismissed with a majority vote. There is a clear separation between policy-making and administrative functions; however, the manager is independent of the commission in day-to-day actions.

The commission form is used mainly by counties but can also be used by cities. The commission holds all legislative, executive and administrative powers and duties. There is a chairman chosen from the provisions given by this study commission. The options are: election within the commission, election by votes of the public, or selection as provided by local ordinance. The chairman has no greater powers than the other commissioners. The election of the commissioners can be at-large or by district - partisan or non-partisan. Terms of office can be concurrent or overlapping. The commission must be at least three in number but may be more and for no more than four years except under the traditional Montana "fourteen elected county officials plan" in which case the terms may run for six years maximum.

The commission-chairperson form is virtually unknown and untried in the United States and is a hybrid of a commission and strong mayor forms. It is comprised of an elected commission and a chairman selected by the members from themselves. The commissioners have only policy making powers while the chairperson is the chief executive officer. The chairman retains the same voting power as the other members. Options under this plan