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# Five amendments proposed for November

Voters of Anaconda-Deer Lodge County will accept or reject five amendments, proposed by the A-DLC Study Commission, at the ballot box in November.

The commission, meeting for a 54th regular meeting Thursday night, approved the five:

- Requiring all county boards to be created by ordinance with specific requirements;
- Amending the Charter to give veto power to the chief executive, subject to commission override;
- Eliminating the advisory councils, and changing the method of filling vacancies on the county commission;
- Changing the position of county attorney from partisan to non-partisan; (County Attorney-Elect Mike Grayson abstained when this vote was taken.);

Defining the duties and limitations for the chief of law enforcement.

The five proposed amendments are the culmination of two years' work by the five-member study commission, elected themselves by voters

Nov. 8, 1994, or appointed afterward.

In their opening statement on the tentative report to the county, the members said their primary goal was to assess the county's strengths and weaknesses within the charter form of government, and the board believes the five recommended amendments will provide a governmental framework to meet the changing needs of A-DLC.

Their conclusions were reached after approximately 650 hours of discussion as a commission; four public hearings; a public survey; and interviews of approximately 90% of county employees, department heads and board members. Also interviewed were current and former city-county commissioners, former study commissioners and one former city county manager and the current chief executive.

A 12-page document outlines the five proposed amendments, with advantages and disadvantages listed for each, as well as any economic impact to the county.

Most lengthy of the amendment discussions is the proposal to define duties and limitations for the Chief of Law Enforcement, a proposal which has drawn adamant opposition from some members of the Anaconda Police Department.

In their list of 13 responsibility categories, only two drew opposition from law enforcement officers, with minor objection to the proposition that the chief of law enforcement "performs such other duties as are required by law or ordinance, at the direction of the Chief Executive."

Chief of Law Enforcement Jim Connors, and to a greater extend, County Attorney Ed Beaudette at one public meeting, objected to this, questioning its inclusion. Study commission members said they drew their list of duties from three sources: state law concerning sheriffs, state law concerning police chiefs, and the County Administrative Code.

No new authority would be given to the Chief of Law Enforcement, rather, all of these duties have been

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# Amendments . . .

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performed by the Chief since consolidation. The commission believes its proposals give clarity, with no lingering confusion about duties of the Chief.

Chief Connors, the county's current coroner, and two or three of the deputy coroners, voice their objections to the recommendation to have two separate individuals — one as coroner, one as law enforcement offices, at a death.

The commission gives three advantages: Clarification of duties; checks and balances, and the example found in other Montana counties. All counties with an urban area have separate sheriffs and police chiefs or coroners, and of 29 counties with consolidated coroner and sheriff positions, the larger cities here have a separate police chief.

Disadvantages of the commission's stance (separate offices) are ending a tradition in A-DLC, but, they note, with nothing in the current Charter requiring this. The commission notes the argument that keeping the chief as coroner maintains police control of the occasional homicide or suspicious death and helps to facilitate cooperation and to preserve evidence.

Also argued is that prohibiting the chief from running other departments could limit flexibility of local government to make cuts and to consolidate other departments with the department of law enforcement.

Subsequent actions by the Study Commission are to prepare the 12-page document — reduced to six pages through using both sides of a sheet plus running typing continuously (rather than each proposed

amendment starting on a fresh page) — for Tracey Sweeney, County Clerk and Recorder, to include in a mail-out to voters prior to the November election; and to decide wording of the proposed amendments as they are to appear on the ballot.

This deadline is August 15. "Keep it simple and straight forward, with no extemporaneous questions," said vice chairman Tom Radonich.

Chairman Jake Maciag and member Mike Grayson emphasized that their approval last night was of the content, or intent, of the amendments, not the exact wording on their tentative report.

Also, the numbered amendments they may not appear on the ballot in the same sequence.

Although public hearings have been conducted, with publicity through advertising and news stories, the commission members believe the voters should have access to read the proposed amendments, with the full pro and con arguments.

"Balance is important," Maciag said.

"We want our statement of what is proposed to have a pro and con for each, not too long, but fair," he said. The state does have specific requirements as to length of entries on a ballot, he said.

Maciag said the final report should go to everyone, "...even if 80% don't read it."

Other board members echoed the sentiment: the voter should have a copy in the mailbox, not obtaining a copy to read from the courthouse or library.

Members also are available to schedule talks to civic groups to explain the proposed amendments.

But, for now, the task is to ensure that the wording on the ballot is clear, concise, and understandable.

To achieve this, members will continue contact with Beaudette, who has suggested a questionable ballot option which the commission members believe is too ambiguous and misleading.

Such ballot item was not included when the A-DLC Charter was amended in 1977 and 1986, nor on the recent ballot in Butte-Silver Bow County.

Maciag said the commission will meet with Beaudette and Garth Jacobsen, attorney for the Montana Secretary of State and Assistant Attorney General, to determine if the voter marks only five boxes — for the five proposed amendments — or a sixth, as Beaudette has included, to vote for or against "Amendment of the Anaconda-Deer Lodge County Charter, as proposed by

the A-DLC County Study Commission..."

That inclusion, as a first item on that block of the ballot, would be confusing, and could lead to an inadvertent rejection all five amendments, with the majority voting for them, said Grayson, voicing the concern of all members.