Local Gov't Senate Committee

SB-157 CA Retention Ballot Bill

Senate Local Govt. Comm.
Exhibit No. 1
Date 01-13-2005
Bill No. 157

Mr. Chairman, Committee Members

BZ - MCA

- speaking on behalf of MCAA in opposition to SB-157
- Rep. Nearly all of Montana's CAs (One hasn't pd. fees)
- 130 miles on the other side of storm

Trial this AM in UC - happy to report St. prevailed

Drove through the snow storm to here

Mention not just to indicate importance to me

- but also to indicate kind of dedicated professionals most CAs are
  - most are career public servants who have amassed sign. skill + knowledge that directly benefit citizens

Oppose bill because it is superflous

- mechanisms already in place to retain (or not) the CA - hold CA accountable
  - subject to popular election + recall if we don't want him or her

used to feel special re. surviving unopposed

- until friends & AG's office reminded me no-one else wants my job
- all kidding aside - very real concern in many rural counties
  - if no vote should prevail - very real poss. that no-one else would be available or int. in the post

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Another concern is that I am uncertain that it will pass const. muster as it treats a member of a similarly situated class of people (local elected officials) differently

- at the least, it is unfair -
- because it doesn't apply to all local officials
- don't misunderstand - I don't think should apply to anyone
  - but the retention vote cannot be applicable to only 1 Cnty. offc.

single why out CA

Sheriff Cnty Commrs.

CA is not part of judicial branch - executive

* Last concern is that it is ineffectual
  - has there ever been an elected official in MT who has lost seat as a result of a no vote
  - I think not

So, let us not fill our time with superfluous, unfair + ineffectual legislation

✓ For these reasons MCAA opposes SB-157