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MONTANA CONSTITUTIONAL CONVENTION
STATE CAPITOL • HELENA, MONTANA 59601 • TELEPHONE 406/449-3750

BILL OF RIGHTS COMMITTEE

Place of Meeting: Room 331

Date of Meeting: 2/8/72

Hour of Meeting: 1:30 PM

Committee Chairman: Wade J. Dahood

MINUTES OF THE SEVENTH MEETING OF THE BILL OF RIGHTS
COMMITTEE

Subject of Meeting: Bill of Rights, Proposals

Roll Call:

Wade J. Dahood, Ch.	<u>present</u>
Chet Blaylock, V. Ch.	<u>present</u>
Bob Campbell	<u>present</u>
Dorothy Eck	<u>present</u>
Donald R. Foster	<u>present</u>
R. S. Hanson	<u>present</u>
George H. James	<u>present</u>
Rachell K. Mansfield	<u>present</u>
Lyle R. Monroe	<u>present</u>
Marshall Murray	<u>present</u>
Veronica Sullivan	<u>present</u>

INTERESTED PERSONS TESTIFYING: NONE
DISCUSSION

The Committee met today and studied the present Bill of Rights. They decided which Sections would need change and which ones would need no work. A copy of the results is attached.

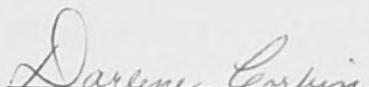
A short recess was taken and then several delegate proposals were then discussed. The results are as follows:

- #1 - The Committee decided to pass this one by for the time being.
- #3 - This is to be held in abeyance until we can ask the Churches what their stand is on this issue.
- #4 - No longer being considered.

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BILL OF RIGHTS COMMITTEE
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- #10 - Out, decided on 61 instead.
- #61 - after the word "rights" on line 16, the Committee decided to add "or, but not limited to". This change will have to be discussed. ~~Birth~~ add culture.
- #12 - Pass by for now.
- #13 - Adopt this one.
- #14 - Bob Campbell wants to add "Any interception of communications must be authorized by a court of record." Yes, this one will be adopted.
- #33 - Cross out "individual dignity, and free expression".
- #15 - We'll come back to this one later.
- #18 - Out, we already have this right.
- #20 - Consider this one later.
- #21 - Consider later.
- #30 - We decided to strike the present wording and insert in lieu thereof "The state and its subdivisions shall have no special immunity from suit."
- #32 - Out.
- ~~#33 - Out.~~
- #45 - Table.
- #34 - Leave this one in as it is.
- #38 - Leave this one in also.
- The meeting was adjourned until tomorrow.


Wade J. Dahood, Chairman


Secretary.

Preamble - can be improved upon and we will work on it.

Section I - "consent" instead of "will"?

Chet - "All political power lies with the people and comes from the people. Government rests on this principle."

Section II - retain
add "and duty"

Section III - Pass for now

Section IV - adopt first amendment
too wordy

Section V - leave as is

Section VI - Pass for now

Section VII - have amendment

Section VIII - delete references to justice court.

Section IX - Come back to it

Section X - add "and expression"

Sub-Committee - Bob, Dorothy, Bob, Chet
free speech, clarify it. Section 10 and 26 (combine?)

Section XI - leave as is

Section XII - leave as is

Section XIII - leave as is

Section XIV - have proposal hearing Thursday, 10:00 AM
Bob, Marshall and Wade - sub-committee
pass for now

Section XV - out of committee - Lyle look into it (Natural Res.?)

Section XVI - leave as is

Section XVII - leave as is

Section XVIII - after "offense" add "previously tried in any jurisdiction"

Section XIX - leave as is

Section XX - leave as is

Section XXI - leave as is

Section XXII - leave as is

Section XXIII - delete from "A jury".....

Bob and Marshall - waiver of felony jury trial -

"In all criminal actions, the verdict shall be unanimous."
(last sentence)

Section XXIV - pass for now

Section XXV - delete

Section XXVI - Adequate, retain - Chet - combine in sub-committee?

Section XXVII - leave the right in
maybe combine?

Section XXVIII - delete

Section XXIX - delete

Section XXX - leave as is

Section XXXI - leave as is