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BILL OF RIGHTS COMMITTEE HEARING
January 12, 1972, Missoula, Montana
Bob Campbell, Acting Chairman

Citizen suggestions were solicited at the Missoula meeting held at the University Center at the University of Montana. The citizens attending were well prepared, and the following is a summary of their concerns and proposals:

DISCRIMINATION

One of the most frequent suggestions was the addition of a provision prohibiting discrimination and specific suggestions were received from the American Association of University Women; the Montana Federation of Womens' Clubs; Womens' Club of Missoula; Missoula Business and Professional Womans' Club; Missoula Soroptimist Club; and Theodor and Eunice Shoemaker.

ENVIRONMENT

Another area of concern is a provision in the Bill of Rights to protect the Environment. The following individuals and groups presented proposals for an environmental addition to the Bill of Rights: William P. Cunningham, School of Forestry presenting the Public Trust Doctrine outlined by Bill Leaphart in the Winter 1972 Montana Law Review; Patti Meier for GASP; Don Aldrich; Mavis McKelvey for the League of Conservation Voters; and the Western Montana Fish and Game Association.

RELIGION

Two suggestions were received favoring and one opposing present restrictions of state aid to non-public schools.

Other suggestions included:

- Equal Rights for 18 year olds.
- Provision on Juvenile rights.
- Opposition to the Preamble in the Model State Constitution.
- An expanded right to bear arms.
- Public access to use of state lands.
- Open Governmental meetings.
- Recorded voting records for all state agencies, commissions and legislative bodies.

Respectfully submitted,



Bob Campbell



MONTANA CONSTITUTIONAL CONVENTION

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

BILL OF RIGHTS COMMITTEE

Place of meeting: Governor's Reception Room

Date of Hearing: 1/26/72

Hour of Hearing: 10:00 A.M.

Committee Chairman: Wade J. Dahood

MINUTES OF THE FIRST HEARING OF THE BILL OF RIGHTS COMMITTEE

SUBJECT OF HEARING: Preamble, Freedom of Speech and the
Press, and Freedom of Religion.

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:

Steve Coldiron	Mont.St. Low Income Organization
Duane W. Welker	Hamilton
Roy G. Crosby, Jr.	Citizens for Constitutional Government
Rev. James H. Provost	Montana Catholic Conference
Robert E. Miller	Montana Press Association
Robert D. Watt	Montana Student Presidents' Association
Gerald L. McCurdy	NHF
Carol and Francis Mitchell	Montana Common Cause

DISCUSSION:

Mr. Dahood welcomed the citizens and introduced all
members of the Committee.

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BILL OF RIGHTS COMMITTEE
JANUARY 25, 1972
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Mr. John Frankino was the first person to speak. He is director of the Montana Catholic Conference. His intent is to serve the common good of all the people in the state. He wants to: 1. offer the services of the Conference to the Committee. 2. re-submit documents to the Committee which were previously sent in, and 3. introduce a representative on religious liberty. He introduced:

Reverend James H. Provost, Chancellor of the Catholic Diocese, who presented a written statement. He recommended to the Committee that the Constitutional Convention delegates replace the existing state provision for religious freedom with language from the First Amendment to the United States Constitution. He does not advocate any state aid to non-public schools. Reverend provost stated that his group wanted Article XI, section 1, repealed and the Montana Bill of Rights changed because he feels that it would possibly mean the loss of federal funds in the future. He stated that the only aid parochial schools receive now is in the form of library books and the hot lunch program. He admitted also that it would be an entanglement of the church and state if they received state aid, as has been stated by the federal supreme court. He also feels that the wordiness in the present Constitution is confusing to some. Reverend Provost also feels that there is some question as to the availability of public facilities for parochial activities, meetings, etc.. Using the church's facilities is not always practical as it won't accommodate large enough crowds. He stated that the Committee will be presented appropriate language from an attorney. Mr. Dahood asked for thoughts on prayer in public places. It is his feeling that public officials should not dictate where prayer be deemed appropriate.

The Committee was in recess from 12:00 until 2:00 P.M.

Mr. Robert T. Miller presented a written statement. Mr. Campbell asked if he thought freedom of access and information should also be examined. Mr. Miller said yes, and in particular we should have open access to public records. Mr. Remington, editor of the Independent Record stated that he would submit language to the Committee regarding an open access provision. There may be a problem with open access depending on how a pending

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case turns out with the IAB. Mrs. Eck asked if it would involve opening records which might be persona., and if si, we should not endanger the right to privacy. Mr. Dahood stressed that we must maintain a balance of the freedom of the press and the right to privacy. In the doctor-patient, lawyer-client, etc. relationship, it is the professional that would be investigated. Mr. Remington will advise Mr. Foley that the Committee would be interested to see him.

Mr. Robert D. Watt stated his support of Proposal #13. 25 years ago, when he was a member of the legislature, he presented the fact that conditions were changing - the population had increased - education needs had increased. He stated then that if this segment (18-19 yrolds) were excluded from society, there would be serious results (hippies, flower children, drug users) Mr. Campbell asked if it could change the feeling of unresponsiveness toward the government to give people this age rights in our society. Mr. Watt stated - definitely. Mr. Foster also thinks people can assume greater responsibilities at a much younger age now, and that they are more knowledgeable. Mr. James inquired if 18 year olds still in high school would still be required to abide by the dress codes as set forth by the schools. Mr. Watt felt that this is only a superficial value. The possibility of 18 year olds holding public office was brought up, and we felt this should be taken up with the education Committee.

Roy Crosty, Jr. testified as per his written statement. He presented several books containing material which he stated is leaking into our state Constitutions. He feels that some of these ideas are Communistic. Mr. Campbell asked if he would accept "The Spirit of Our Creator" in the Preamble instead of "Almighty God". He stated that this would satisfy him, just so a Creator or God is mentioned in the Preamble. He stated that the young people were upset that God's name had been removed from the Preamble. He is very concerned about the type of Constitution which is planned in Model State Constitution.

Mr. and Mrs. Francis Mitchell are concerned with the citizens' access to the government. They presented the Committee with a "right to know" proposal. They feel

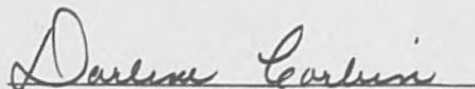
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this is the only way to improve accountability and accessibility to government documents. He believes it is the right of the citizen to have access to legislative committee meetings. Mr. Hanson asked how many members there were in this organization - 500. Mr. James feels that the phrase "any document" is too broad. Mitchell - the good outweighs the dangers for the citizen. It is the burden of the officials to accept this risk. Mrs. Mitchell - it is based on the premise that all citizens will act responsibly.

Mr. Steve Coldiron - Montana State Low Income Organization - His organization will support the right to know provisions tempered with the right to privacy. He feels that legislative decisions shouldn't be made behind closed doors.

The hearing adjourned at 4:55 P.M.


Wade J. Dahood, Chairman


Secretary



MONTANA CONSTITUTIONAL CONVENTION

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

BILL OF RIGHTS COMMITTEE

Place of Hearing: Governor's Reception Room

Date of Hearing: Jan. 26, 1972

Hour of Hearing: 10:00 A.M.

Committee Chairman: Wade J. Dahood

MINUTES OF THE SECOND HEARING OF THE BILL OF RIGHTS COMMITTEE

Subject of Hearing: Rights of the Accused - Preamble -
18 year old right to vote

Roll Call:

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

INTERESTED PERSONS TESTIFYING:

Gerald L. McCurdy	NHF
John Murphy	Intern
Francis J. Raucci	Montana Catholic Convergence
Steven F. Coldiron	Montana St. Low-Income Org.
Roy Crosby, Jr.	Citizens for Constitutional Government

DISCUSSION:

Mr. Dahood called the hearing to order and welcomed all guests and introduced members of the Committee.

Mr. Gerald McCurdy doesn't agree that the hippie movement has to do with the rights of the 18 year old vote being withheld. He feels, by his own experience that an 18 year old is not yet ready. Mr. McCurdy is in favor of the present preamble. He is not in favor of the preamble in the manual. He feels that a person who would hold any

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public office should be a mature family man who understands life and has had to earn a living. He also feels that a woman would be capable of holding such an office.


Mr. Francis Raucci testified as per his attached statement.

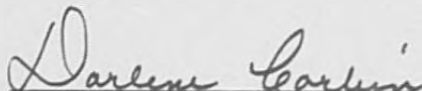
Mr. John Murphy, an intern, also testified. He supports Mr. Campbell's bill on the right to vote. He thinks every person should have the right to good health.

Mr. Roy Crosby, Jr. testified as per his attached statement on the rights of the accused.

Steve Coldiron, Montana State Low Income Organization, spoke in favor of Proposal #34.

The meeting was adjourned until 10:00 A.M. January 27, 1972.


Wade J. Dahood, Chairman


Secretary



MONTANA CONSTITUTIONAL CONVENTION

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

BILL OF RIGHTS COMMITTEE

Place of Hearing: Governor's Reception Room

Date of Hearing: Jan. 27, 1972

Hour of Hearing: 10:00 A.M.

Committee Chairman: Wade J. Dahood

MINUTES OF THE THIRD HEARING OF THE BILL OF RIGHTS COMMITTEE

Subject of Hearing: Rights of Privacy and the Environment

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:

William R. Cainan	Masons
Bonnie Wallem	League of Women Voters
N. D. Ostrander	Seventh-day Adventist church
Mrs. Irving Boettger	Housewife
Daniel J. Foley	Lee Newspapers

DISCUSSION:

Mr. Norman Ostrander testified as per his written testimony. He wants to keep Article III, section 4 intact.


Mrs. Irving Boettger testified on the Right to Privacy and a healthful environment. Her written statement is enclosed.

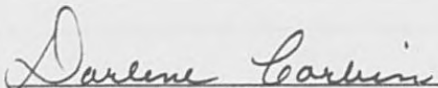
Mr. William Cainan spoke in support of Mr. Ostrander's testimony.

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Mr. Daniel Foley, Lee Newspapers testified as per his written testimony.

Bonnie Wallem, State Board Director of League of Women Voters testified as per her written testimony.


Wade J. Dahood, Chairman


Secretary



MONTANA CONSTITUTIONAL CONVENTION

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BILL OF RIGHTS COMMITTEE

Place of Hearing: Room 331

Date of Hearing: 1/28/72

Hour of Hearing: 11:00 A.M.

Committee Chairman: Wade J. Dahood

MINUTES OF THE FOURTH HEARING OF THE BILL OF RIGHTS COMMITTEE

Subject of Hearing: Right to Bear Arms, Discrimination

Roll Call:

Wade J. Dahood, Ch.	<u>excused</u>
Chet Blaylock, V. Ch.	<u>excused</u>
Bob Campbell	<u>present</u>
Dorothy Eck	<u>present</u>
Doanld 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>absent</u>
Veronica Sullivan	<u>present</u>

INTERESTED PERSONS TESTIFYING:

Evelyn Schallaire	Individual
Lewis E. Yearout	Montana Arms Collectors Association

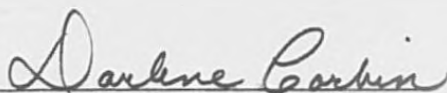
DISCUSSION:

Mr. Bob Campbell served as Chairman at today's hearing.

Mrs. Schallaire testified on discrimination.

Mr. Yearout testified against gun registration as per his attached statement.


Bob Campbell, Acting Chairman


Secretary.



MONTANA CONSTITUTIONAL CONVENTION

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BILL OF RIGHTS COMMITTEE

Place of Hearing: Governor's Reception Room

Date of Hearing: 1/29/72

Hour of Hearing: 10:00 A.M.

Committee Chairman: Chet Blaylock

MINUTES OF THE FIFTH HEARING OF THE BILL OF RIGHTS COMMITTEE

Subject of Hearing: Right to Bear Arms
Discrimination
Environmental Protection

Roll Call:

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

INTERESTED PERSONS TESTIFYING:

Kenneth W. Henry	Individual
Raymond Hoem	Mont. Rifle Assn.
Raymond Lay	National Assn. to Keep & Bear Arms
Orson Topham	"
Bernard L. Den	Individual
Bess R. Feed	Mont. Federation Women's Clubs
Elma Peck	Business & Professional Women
Sidney Smith	Dept. Labor & Industry
Maxine Johnson	AAUW



MONTANA CONSTITUTIONAL CONVENTION

STATE CAPITOL

HELENA, MONTANA 59601

TELEPHONE 406/449-3750

BILL OF RIGHTS COMMITTEE

Place of Meeting: Governor's Reception Room

Date of Hearing: 1/31/72

Hour of Hearing: 10:20 AM

Committee Chairman: Wade J. Dahood

MINUTES OF THE SIXTH HEARING OF THE BILL OF RIGHTS COMMITTEE

Subject of Hearing: Youth Council Hearing

Roll Call:

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

INTERESTED PERSONS TESTIFYING:

Mary Anne Fisher	Montana Advisory Council on Children & Youth
Mrs. Lois K. McMeekin	Individual
Vincent P. Matule	Children
Mavis Scott	Ft. Peck Indian Res.
Lynn Leuppe	Ft. Peck Indian Res.

DISCUSSION:

Mr. Dahood introduced all members of the Committee and our special guest, Mr. Leo Graybill, president of the Constitutional Convention. Mr. Graybill gave an opening statement to the Youth Group.

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Mrs. Lois McMeekin presented a written statement to the secretary and spoke in favor of the rights and protection of our young people. She answered questions from the Committee.

Mr. Vincent Matule presented a written statement and was also urging strong protection and rights of children.

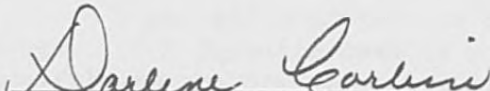
Mavis Scott and Lynn Leuppe testified. They presented a written statement. Their young people want to learn to speak in their original Indian language and regain customs of their people.

Mary Ann Fisher also presented a written statement and feels that children, if given certain liberties should also be held responsible for their actions.

Libby Baker, Great Falls, wanted to ask questions of the Committee. Mr. Dahood permitted those questions which were pertinent and would expand on the testimony already given by witnesses.

The meeting was adjourned at 12:05 P.M.


Wade J. Dahood, Chairman


Secretary



MONTANA CONSTITUTIONAL CONVENTION

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

BILL OF RIGHTS COMMITTEE

Place of Hearing: Governor's Conference Room

Date of Hearing: 2/1/72

Hour of Hearing: 1:30 PM

Committee Chairman: Wade J. Dahood

MINUTES OF THE SEVENTH HEARING OF THE BILL OF RIGHTS COMMITTEE

Subject of Hearing: Joint hearing with the Natural
Resources Committee - environment of the state
of Montana.

Roll Call:

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

INTERESTED PERSONS TESTIFYING:

Mr. George Darrow	State Representative
Louise Cross	Delegate
Robert LeProwse	Montana Woodland Council
Cecil Garland	Montana Wilderness Assn.
Mavis McKelvey	Montana League of Conservation Voters
Darlene Grove	Individual
William Tomlinson	Wildlife Federation
C. B. McNeil	Delegate
	Polson Outdoors

DISCUSSION:

Delegate Louise Cross introduced members of the Natural
Resources Committee. Mr. Dahood introduced our members.

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Mr. George Darrow, State Representative, presented a written statement and proposals regarding the preservation of our environment in the state.

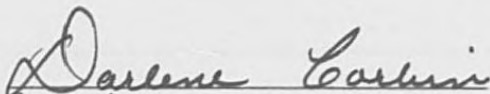
Louise Cross also presented a written statement to the Committee which is attached.

Delegate C. B. McNeil, Polson, presented his proposals, #20 and 21, to the Committees.

Also testifying in favor of any issues to preserve our environment were Robert LeProwse, Cecil Garland, Darlene Grove, Mavis McKelvey and William Tomlinson, who testified for Don Aldrich of the Montana Wildlife Association.

Meeting was adjourned at 3:45 P.M.


Wade J. Dahood, Chairman


Secretary.



MONTANA CONSTITUTIONAL CONVENTION

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

BILL OF RIGHTS COMMITTEE

Place of Hearing: Governor's Reception Room

Date of Hearing: 2/2/72

Hour of Hearing: 11:00 A.M.

Committee Chairman: Wade J. Dahood

MINUTES OF THE EIGHTH HEARING OF THE BILL OF RIGHTS COMMITTEE

Subject of Hearing: Discrimination

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 P. 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>
Veronice Sullivan	<u>present</u>

INTERESTED PERSONS TESTIFYING:

Virginia Blend	Delegate
Francis Satterthwaite	Inter-Tribal Policy Board
Kenneth Henry	Individual
Barney Reagan	Individual
Keith Schwab	EPA
Dave Wagoner	EPA
Robert DeSpain	EPA
Irwin Dickstein	EPA
Leonard Campbell	EPA

DISCUSSION:

Mr. Chet Blaylock was acting Chairman for today's meeting.

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BILL OF RIGHTS COMMITTEE
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Delegate Virginia Blend presented a written statement on discrimination because of sex. She also spoke on her Proposal, #10, equal rights, also emphasizing that along with freedom comes responsibilities.

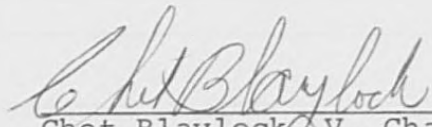
Delegate Mae Nan Robinson presented her proposal, #32, also on discrimination. She does not think any person, man or woman should be discriminated against because of superficial qualities. Her proposal would supplement #10 by increasing the applicability of the discriminatory prohibition of an equal protection clause to include private discrimination.

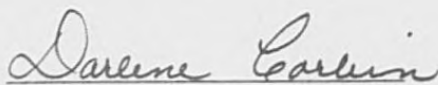
During the afternoon session, the Committee heard Bernie Reagan. He was in favor of repealing Ordinance I, Section 2, relating to Indian lands. Reagan asserted that the state disclaimer was no longer necessary.

Mrs. Francis Satterthwaite spoke in favor of incorporating the spirit of the Ordinance to allay suspicions of termination of the reservations or undue interference with Indian affairs.

The Committee then went into joint session with the Natural Resources Committee to hear Federal Environmental Protection Agency officials support strong state constitutional provisions on the environment, a strong preamble, the public trust doctrine and the citizen suit. Testifying for the EPA were Mr. Keith Schwab, Dave Wagoner, Robert DeSpain, Irwin Dickstein, and Leonard Campbell. They also felt that a clean environment and a good economic development are compatible.

The meeting was adjourned at 5:00 P.M.


Chet Blaylock, V. Chairman.


Secretary



MONTANA CONSTITUTIONAL CONVENTION

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

BILL OF RIGHTS COMMITTEE

Place of Hearing: Senate Chambers Date of Hearing: 2/3/72
Hour of Hearing: 11:00 AM

Committee Chairman: Wade J. Dahood

MINUTES OF THE NINTH HEARING OF THE BILL OF RIGHTS COMMITTEE

Subject of Hearing: 18 year old vote, Proposal # 13
Right to Die

Roll Call:

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

INTERESTED PERSONS TESTIFYING:

Carl Postad	Individual
Joyce Franks	Individual
William Koerner	Individual
Ed Smith	Individual
Kurt Krueger	Individual
Mike Barrett	Hellgate High School
James Tomlinson	Hellgate High School
Jerry Cate	Delegate
Kenneth Henry	Individual
Stephen M. Sherick	MSU
Will Roscoe	Sentinel High School
Steve Coldiron	Low Income Organization
Duane Welker	Individual
Larry Juelfs	Individual

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Jim Raniere	Welfare Rights Org.
Malyn Oleson	"
Doris Flesch	"
Minnie McReynolds	"
Shirley Maluck	"
Irene Houle	"
Sister Providencia	The Church and Academic Communities
Professor Larry Elison	Individual

DISCUSSION:

Bob Campbell presented his proposal, #13, on the 18 year old vote. He compared the arguments to the 1889 Convention over women's suffrage.

Mr. Jerome Cate also testified in support of this proposal. He stated that anyone who could vote should be able to hold any office.

Several others supported this proposal also. Mr. William Koerner spoke against the proposal.

Mr. Champoux spoke in favor of his proposal #61.

Mrs. Joyce Franks presented the theory to the Committee that all persons should be able to choose his own death with dignity.

Professor Larry Elison spoke on the concept of the right of privacy. He feels this is the most important of all freedoms.

At 4:00 P.M. the Committee went into a joint session with the Public Health Committee to hear Proposal # 45.

Mr. Lyle Monroe presented proposal # 45.

First to testify in favor of this proposal was Sister Providencia. She was especially interested in that section having to do with adequate nourishment.

Several others testified in favor of this proposal.


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BILL OF RIGHTS COMMITTEE
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Duane Welker testified against the proposal.

Those who did not have time to testify were invited to return tomorrow afternoon to testify.

The meeting was adjourned at 6:00 P.M.


Wade J. Dahood, Chairman


Secretary



MONTANA CONSTITUTIONAL CONVENTION

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

BILL OF RIGHTS COMMITTEE

Place of Hearing: Convention Hall Date of Hearing: 2/4/72
Hour of Hearing: 1:30 PM

Committee Chairman: Wade J. Dahood

MINUTES OF THE ELEVENTH HEARING OF THE BILL OF RIGHTS COMMITTEE

Subject of Hearing: Capital Punishment

Roll Call:

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

INTERESTED PERSONS TESTIFYING:

Robert Jovick	Montana Student President's Association
Frank Dudas	Associated Students - MSU
Wayne Gildroy	Montana Student President's Association
John Christensen	Associated Students - U.of M.
Stan Juneau	Indian Club - EMC
Calvin Herrera	"
Clara Lee McMakin	"
Dale Kindness	"
Rayola Adele Eder	EMC
Frank LaMere	EMC
Leroy Berven	Associated Students of Mont.
John Murphy	Student, U of M
Tom Daily	"
Patricia Denny	"

Chet Blaylock was acting Chairman for today's meeting
Today was a joint hearing with the Education Committee.

The first to testify was Robert Jovick, Frank Dudas, and Wayne Gildroy, representing the Montana Student Presidents' Association. They presented a copy of a book on "Recommendations for Constitutional Revision and Implementation" a copy of which is attached. Mr. Dudas, representing the Associated Students of M.S.U. also spoke for them. A copy of his statement is attached.

Next to speak was John Christensen representing the Associated Students of the U of M. He said there should be free public schools for everyone. Delete the restrictive age limits of 6 - 21. He felt it was unfair to send some children to kindegarden while other couldn't afford to go. He also felt there should be a student on the Board of Regents. The input now is not serving the total purpose because the student does not have a vote. He said the number of ex-officios on the boards should not turn into a political hassel. The Board of Regents are very seldom on campus and they must get there more often.

Stan Juneau speaking for the Indian Club at Eastern Montana College felt there should be Indian people or Indian educators on advisory boards of Montana Education. He felt it should be mandatory that there be an orientation period for all educators and educational administrators for the purpose of orienting these people into the Indian community life.

Calvin Herrera also speaking for the Indian Club testified. He said they wanted a course in Indian Culture introduced into the Public School systems. Now it is taught that the Indians are only savages. He said the Indians have a beautiful culture which has been degraded by the public schools system.

Clara Lee McMakin from the Indian Club spoke next. She said the whites have a better chance of getting jobs even though an Indian as gone through school. She said give the Indians a chance to live and support themselves.

Dale Kindness from EMC speaking for the Indian Club said they wanted to see a section in the Constitution guaranteeing equal education opportunities. He felt there should be Indian members on the school boards according to the number of Indian students. This would give them a voice in their own education and future which at present is practically nil.

Rayola Adele Eder from E.M.C. spoke next. She talked about the social-economic issues. She said many Indian families don't have T.V.'s, radios, books, etc., so they be expected to keep up with what is happening. She said in many schools faculty-student relations aren't what they should be.

Frank LaMere from EMC testified next. He is a sophomore in pre-law. There are 185 Indians attending E,C and they are trying to get something going. He said one main problem was that most of them had attended religious schools and they felt they were in prison. The schools in Montana aren't involved with community happenings. Equality is being demanded in the constitution.

Leroy Berven representing the Association Students of University of Montana felt that the Superintendent of Public Instruction should be appointed by two boards. The board members to include a student member.

John Murphy a student from U of M spoke next. A copy of his statement is attached. The main two points stresses were a student on the Board of Regents with voting priveleges and two boards of education with complete atonomy.

Tom Daily also a student said that in addition to two boards and an appointed superintendent he felt higher education should be divided into trade type schools, teaching hard sciences, chemistry, etc leading to specific occupations and the liberal arts program.

Patricia Denny an elementary education student at the U of M spoke next. She said there is a necessity for the constitution to provide for two Boards. Not so that the Board can spend more than 95% of its time on higher education, but so that it can spend more than 5% of its time on public education.

This concluded the hearing.

The Committee then met for a few minuted to discuss the Romney Hearings. The reason for the hearings are: (1) to get a summary of the committees work (2) highlight certain issues (3) to get public reaction and (4) for publicity purposes.

Mrs. Cain volunteered to act as a liason between Local Governemnt and our committee.

Meeting adjourned.

Chairman

Darlene Carson
Secretary



MONTANA CONSTITUTIONAL CONVENTION

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

BILL OF RIGHTS COMMITTEE

Place of Hearing: Governor's Conference Room

Date of Hearing: 2/10/72

Hour of Hearing: 10:00 AM

Committee Chairman: Wade J. Dahood

MINUTES OF THE TWELFTH HEARING OF THE BILL OF RIGHTS COMMITTEE

Subject of Hearing: Eminent Domain

Roll Call:

Wade J. Dahood, Ch.	<u>present</u>
Chet Blaylock, V. Ch.	<u>present</u>
Bob Campbell	<u>present</u>
Dorothy Eck	<u>absent</u>
Donald R. Foster	<u>present</u>
R. S. Hanson	<u>present</u>
George H. James	<u>absent</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:

George Darrow	State Representative
Donald A. Douglas	Department of Highways
John Carl	Montana Power
Charles C. Lovell	Great Falls Gas Company
Edwin S. Booth	Montana Railroad Association
Willis M. McKeon	Montana Associated Utilities
Gene A. Picotte	General Telephone
	Montana Dakota Utilities
John B. Staigmiller, Representative	Individual

DISCUSSION:

Mr. Donald Douglass, representing the department of Highways spoke to the Committee on an informative basis. He stated that improvement of highways is essential to the growth of Montana. He was concerned that if the

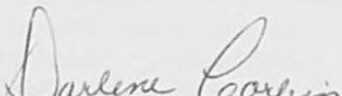
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eminent domain law is changed Montana will not get as much highway per dollar or per year as will be expected. Mr. Dahood stated that it is the attitude of the Highway Commission that brought this proposal about. He asked Mr. Douglas if he feels it is the responsibility of the Highway Commission to act in fairness to the government as well as the citizens. He stated that it is.

Mr. John Carl spoke in opposition to Delegate Proposal #75 as did Mr. Charles C. Lovell, Mr. Edwin S. Booth, Mr. Willis McKeon and Mr. Gene A. Picotte.

The meeting was adjourned at 12:15 P.M.


Wade J. Dahood, Chairman


Secretary