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

EXECUTIVE COMMITTEE

Place of Meeting: Room 430-31

Date Meeting Held: 2/5/72
Hour Meeting Held: 11:45 a.m.

Committee Chairman: Thomas F. Joyce

THE MINUTES OF THE TWENTY-FOURTH MEETING OF THE EXECUTIVE COMMITTEE

SUBJECT OF MEETING: Committee Questionnaire pertaining to Executive Article

Roll Call:

Thomas F. Joyce, Chairman	<u>Present</u>
J. C. Garlington, Vice Chairman	<u>Present</u>
Harold Arbanas	<u>Present</u>
Betty Babcock	<u>Present</u>
James R. Felt	<u>Present</u>
Fred J. Martin	<u>Present</u>
Richard B. Roeder	<u>Absent</u>
Margaret S. Warden	<u>Excused</u>
Archie O. Wilson	<u>Present</u>

INTERESTED PERSONS TESTIFYING:

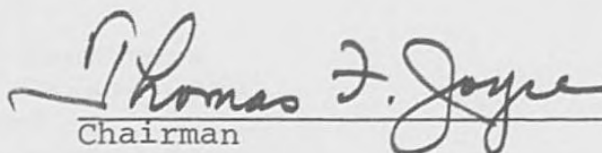
Name

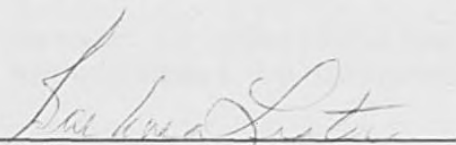
Occupation or Title

NONE

The Chairman passed out a questionnaire that he and Vice Chairman Garlington had prepared pertaining to various sections of the Executive Article regarding questions raised by the committee in the last couple of weeks. A copy of this questionnaire is attached as Exhibit A. Time was then given for committee members to vote on this. These questionnaires were then given to the Chairman for tabulation.

Time of Adjournment: 12:05 p.m.


Chairman


Secretary

Vote
Yes or No

Governor - full time, supreme executive

Lt. Governor

- a. filing in primary with Governor as a team
- b. filing in primary independently
- c. serve part-time, and preside over Senate
- d. serve full time, as delegated by Governor

Secretary of State

- (At present, is on: 1. Board of Examiners
2. Board of Prison Comm.
3. Land Board
4. Official record keeping)

- a. Retain as constitutional official.
- b. Appointment by Governor

Attorney General

- (At present, is on: 1. Board of Examiners
2. Board of Education
3. Board of Land Comm.
4. Board of Prison Comm.)

- a. Retain as constitutional official.
- b. Appointment by Governor

Superintendent of Public Instruction

- (At present, is on: 1. Board of Education (XI-11)
2. Land Board (XI-4)

- a. Retain as constitutional official
- b. Appointment by Governor
- c. Appointment by Board of Education

State Treasurer

- (At present, is on Depository Board (XII-14)

- a. Retain as constitutional official
- b. Appointment by Governor
- c. Should he be eligible for re-election

State Auditor

- (At present, is on Depository Board (XII-14)

- a. Retain as constitutional official
- b. Appointment by Governor

Board of Examiners (VII-20)

- (Governor-Attorney General-Secretary of State)

- a. Retain as constitutional board
- b. Eliminate from Constitution

Vote
Yes or No

Board of Land Commissioners (XI-4)
(Governor-Secretary of State-Atty-Gen.-Supt P.I.)

- a. Retain as constitutional board
- b. Eliminate from Constitution

Board of Equalization (XII-15)
(3 members, appointed by Gov., 6 year term)

- a. Retain as constitutional board
- b. Eliminate from Constitution

Board of Education (XI-11)
(Ex-officio Gov, Atty Gen, Supt.PI, 8 appointees)

- a. Retain as constitutional board
- b. Eliminate from Constitution
- c. Eliminate ex officio members in any event

Board of Prison Commissioners (VII-20)
(Gov. Secy State, Atty Gen)

- a. Retain as constitutional board
- b. Eliminate from Constitution

Board of Pardons (VII-9)
(Legislative appointment)

- a. Retain as constitutional board
- b. Eliminate from Constitution

Depository Board (XII-14)
(Gov.-Auditor-Treas.)

- a. Retain as constitutional board
- b. Eliminate from Constitution

State Examiner (VII-8)

- a. Retain as constitutional official
- b. Eliminate from Constitution

Department of Agriculture (XVIII-1)
(Commissioners appointed, 4 year term, by Gov.)

- a. Retain as constitutional department.
- b. Eliminate from Constitution

Department of Labor (XVIII-1)
(Commissioners appointed, 4 year term by Gov.)

- a. Retain as constitutional department
- b. Eliminate from Constitution

Veto Power (VII-12 & 13)

- a. How many days to exercise veto? _____
- b. Eliminate pocket veto? Yes _____ No _____
- c. Permit admendatory veto?
(Executive, p. 59) Yes _____ No _____
- d. Permit reduction veto?
(Executive, P. 59) Yes _____ No _____
- e. Permit line item veto only? Yes _____ No _____
- f. Permit veto Constitutional amendment? Yes _____ No _____
- g. What vote to override veto?
 - a. 2/3 members present? Yes _____ No _____
 - b. 3/5 members present? Yes _____ No _____
 - c. After adjournment by
 - 1. Special Session Yes _____ No _____
 - 2. By mail Yes _____ No _____

Salary Change

- a. Permit salary to be increased during term? Yes _____ No _____
 - b. Permit salary to be decreased during term? Yes _____ No _____
 - c. Permit salary to be set by special commission Yes _____ No _____
 - d. Permit salary to be set only by Legislature? Yes _____ No _____
- Should merit system for State employees by included
in Constitution? Yes _____ No _____
- Should specific provision for Governor's staff be
made in the Constitution? Yes _____ No _____
- Should the provision for succession to the
Governor's office include:
- a. a method of determining physical or
mental disability? Yes _____ No _____
 - b. continuance of Governor's authority
during his absence from the State? Yes _____ No _____

Remove all age qualifications

Yes _____ No _____

Remove all residency qualifications

Yes _____ No _____

When should the terms of office begin

a. First Monday - December _____

b. First Monday - January _____

	<u>Vote</u> <u>Yes or No</u>	
Governor - full time, supreme executive	<u>9</u> <u>0</u>	
<u>Lt. Governor</u>		
a. filing in primary with Governor as a team	<u>8</u> <u>1</u>	
b. filing in primary independently	<u>3</u> <u>5</u>	1
c. serve part-time, and preside over Senate	<u>0</u> <u>8</u>	
d. serve full time, as delegated by Governor	<u>8</u> <u>1</u>	1
<u>Secretary of State</u>		
(At present, is on: 1. Board of Examiners 2. Board of Prison Comm. 3. Land Board 4. Official record keeping)		
a. Retain as constitutional official.	<u>5</u> <u>4</u>	
b. Appointment by Governor	<u>3</u> <u>4</u>	2?
<u>Attorney General</u>		
(At present, is on: 1. Board of Examiners 2. Board of Education 3. Board of Land Comm. 4. Board of Prison Comm.)		
a. Retain as constitutional official.	<u>6</u> <u>3</u>	
b. Appointment by Governor	<u>4</u> <u>3</u>	2?
<u>Superintendent of Public Instruction</u>		
(At present, is on: 1. Board of Education (XI-11) 2. Land Board (XI-4)		
a. Retain as constitutional official	<u>4</u> <u>4</u>	1 prob
b. Appointment by Governor	<u>0</u> <u>7</u>	2?
c. Appointment by Board of Education	<u>4</u> <u>3</u>	2?
<u>State Treasurer</u>		
(At present, is on Depository Board (XII-14)		
a. Retain as constitutional official	<u>3</u> <u>6</u>	
b. Appointment by Governor	<u>5</u> <u>3</u>	1?
c. Should he be eligible for re-election	<u>7</u> <u>0</u>	2?
<u>State Auditor</u>		
(At present, is on Depository Board (XII-14)		
a. Retain as constitutional official	<u>4</u> <u>5</u>	
b. Appointment by Governor	<u>1</u> <u>7</u>	1?
<u>Board of Examiners (VII-20)</u>		
(Governor-Attorney General-Secretary of State)		
a. Retain as constitutional board	<u>0</u> <u>0</u>	1?
b. Eliminate from Constitution	<u>0</u> <u>1</u>	

Vote
Yes or No

Board of Land Commissioners (XI-4)
(Governor-Secretary of State-Atty-Gen.-Supt P.I.)

- | | | | |
|-----------------------------------|---|---|----|
| a. Retain as constitutional board | 5 | 2 | 2? |
| b. Eliminate from Constitution | 2 | 4 | 3? |

Board of Equalization (XII-15)
(3 members, appointed by Gov., 6 year term)

- | | | | |
|-----------------------------------|---|---|----|
| a. Retain as constitutional board | 3 | 5 | 1? |
| b. Eliminate from Constitution | 5 | 2 | 2? |

Board of Education (XI-11)
(Ex-officio Gov, Atty Gen, Supt.PI, 8 appointees)

- | | | | |
|--|---|---|----|
| a. Retain as constitutional board | 7 | 1 | 1? |
| b. Eliminate from Constitution | 1 | 6 | 2? |
| c. Eliminate ex officio members in any event | 7 | 2 | |

Board of Prison Commissioners (VII-20)
(Gov. Secy State, Atty Gen)

- | | | | |
|-----------------------------------|---|---|----|
| a. Retain as constitutional board | 0 | 8 | 1? |
| b. Eliminate from Constitution | 9 | 0 | |

Board of Pardons (VII-9)
(Legislative appointment)

- | | | | |
|-----------------------------------|---|---|----|
| a. Retain as constitutional board | 2 | 6 | 1? |
| b. Eliminate from Constitution | 7 | 2 | |

Depository Board (XII-14)
(Gov.-Auditor-Treas.)

- | | | | |
|-----------------------------------|---|---|----|
| a. Retain as constitutional board | 2 | 5 | 2? |
| b. Eliminate from Constitution | 6 | 2 | 1? |

State Examiner (VII-8)

- | | | | |
|--------------------------------------|---|---|----|
| a. Retain as constitutional official | 0 | 8 | 1? |
| b. Eliminate from Constitution | 9 | 0 | |

Department of Agriculture (XVIII-1)
(Commissioners appointed, 4 year term, by Gov.)

- | | | | |
|---|---|---|----|
| a. Retain as constitutional department. | 3 | 4 | 2? |
| b. Eliminate from Constitution | 5 | 3 | 1? |

Department of Labor (XVIII-1)
(Commissioners appointed, 4 year term by Gov.)

- | | | | |
|--|---|---|----|
| a. Retain as constitutional department | 3 | 4 | 2? |
| b. Eliminate from Constitution | 5 | 3 | 1? |

Veto Power (VII-12 & 13)

20 - 1
5-25 3
10 - 1
15 - 1
25 - 1

- a. How many days to exercise veto? Yes 8 No 1
- b. Eliminate pocket veto? Yes 5 No 3
- c. Permit admendatory veto?
(Executive, p. 59) Yes 4 No 5
- d. Permit reduction veto?
(Executive, P. 59) Yes 4 No 4
- e. Permit line item veto only? Yes 2 No 7
- f. Permit veto Constitutional amendment? Yes 9 No 0
- g. What vote to override veto?
 - a. 2/3 members present? Yes 6 No 3
 - b. 3/5 members present? Yes 4 No 5
 - c. After adjournment by
 - 1. Special Session Yes 6 No 3
 - 2. By mail Yes 4 No 5

Salary Change

- a. Permit salary to be increased during term? Yes 3 No 5
- b. Permit salary to be decreased during term? Yes 0 No 9
- c. Permit salary to be set by special commission Yes 1 No 5
- d. Permit salary to be set only by Legislature? Yes 9 No 0

Should merit system for State employees by included in Constitution? Yes 1 No 8

Should specific provision for Governor's staff be made in the Constitution? Yes 1 No 8

Should the provision for succession to the Governor's office include:

- a. a method of determining physical or mental disability? Yes 9 No 0
- b. continuance of Governor's authority during his absence from the State? Yes 9 No 0

Remove all age qualifications

Yes 3 No 6

Remove all residency qualifications

Yes 2 No 7

When should the terms of office begin

a. First Monday - December

7

b. First Monday - January

0