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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: 2/11/72
Hour Meeting Held: 9:40 a.m.

Committee Chairman: Thomas F. Joyce

THE MINUTES OF THE THIRTY-FIRST MEETING OF THE EXECUTIVE COMMITTEE

SUBJECT OF MEETING: Discussion of 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>Excused</u>
Fred J. Martin	<u>Present</u>
Richard B. Roeder	<u>Present</u>
Margaret S. Warden	<u>Present</u>
Archie O. Wilson	<u>Present</u>

INTERESTED PERSONS TESTIFYING:

<u>Name</u>	<u>Occupation or Title</u>
Chet Blaylock	Convention Delegate
Lee N. Von Kuster	Professor - School of Education University of Montana Missoula, Montana

Mr. Chet Blaylock spoke briefly this morning on his proposal 25 which provides the legislature with the opportunity to override post session gubernatorial vetos by mail. He stressed the fact that in past sessions some of the most important bills have been passed by both houses and after adjournment of the legislature have been vetoed by the governor. This would give the legislators the opportunity to override these vetos. He felt also it would not be feasible to have the legislature call itself back into session to consider just one bill.

Question and answer period followed in which the committee felt if there were to be annual sessions and elimination of the pocket veto there would be no need for this proposal.

The committee recessed briefly and then decided to discuss again subsection 2 of Section 4 of the proposed draft of the executive article. This deals with the duties of the lieutenant governor and several members of the committee felt something should be inserted into the constitution concerning a salary for this office. It was discussed that the lieutenant governor should receive an amount equal to 75% of the governor's salary. It was finally decided the legislature should decide this. Also some felt more duties should be spelled out for the lieutenant governor and that he should not be presiding officer of the Senate. Both of these ideas were voted down by a hand vote. Subsection 3 dealing with the duties of the secretary of state was voted in unanimously. Subsection 4 regarding the attorney general was discussed briefly and it was decided to strike the words "and shall have supervision of the department of law enforcement and public safety". This subsection passed unanimously by a hand vote.

Chairman Joyce then thought the committee should discuss with the Education Committee our stand in regard to the superintendent and the board of education. The Education Committee is going for the two board concept and an elected superintendent. It was thought committee members should appear at the Romney Hearing to inform them how the Executive Committee was going to handle this office. There was further discussion on qualifications, terms, duties and salaries, but it was decided to leave this up to the legislature.

After a brief recess the committee commenced discussion on the two subsections of Section 5, Compensation. A lengthy discussion on this section took place. The first subsection was passed unanimously by a hand vote. It was decided that subsection 2 would be rewritten by the Chairman and Vice Chairman.

Next to be taken up was Section 6, Vacancy in Office. Very lengthy discussion commenced and it was also decided that this section should be rewritten in more detail.

The committee then recessed at 12:10 for lunch and returned at 2:45 p.m.

The committee met briefly to hear testimony by Dr. Lee Von Kuster, from the School of Education at the University of Montana. His prepared testimony is attached as Exhibit A and forms a part of these minutes. The committee then recessed at 3:00 p.m. to return to the floor where the Romney Hearing was in progress, and returned at 4:15 p.m.

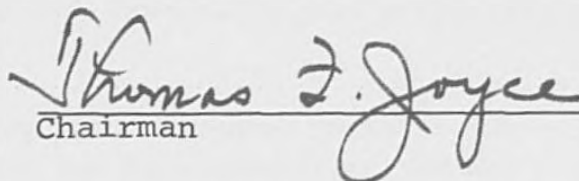
Section 7 concerning the 20 Department concept under reorganization was discussed briefly and a hand vote taken which was unanimous for keeping the section as drafted.

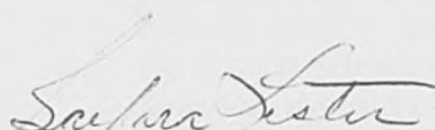
Section 8 was next discussed regarding Appointing Power. Lengthy discussion was held on the first subsection and it was felt there should be more continuity regarding heads of departments, and this was to be rewritten. Subsections 2 and 3 were discussed and voted on unanimously.

Section 9 regarding Budget and Messages was discussed briefly and passed unanimously by a hand vote.

The Chairman stated the committee would meet on adjournment tomorrow morning to complete the other sections of the proposed draft and after that a roll call vote would be taken on each section.

Time of Adjournment: 5:10 p.m.


Chairman


Secretary