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### Betty Babcock's testimony on Proposal 170

Betty Babcock

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MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, DISTINGUISHED DELEGATES AND INTERESTED CITIZENS. I AM BETTY BABCOCK, DELEGATE FROM DISTRICT 12, HELENA.

THANK YOU FOR THE OPPORTUNITY TO APPEAR BEFORE YOU THIS EVENING.

IN THE WORDS OF ABRAHAM LINCOLN: "IF WE COULD FIRST KNOW WHERE WE ARE; AND WHITHER WE ARE TENDING, WE COULD THEN JUDGE WHAT TO DO, AND HOW TO DO IT."

THIS IS A DILEMMA I FEEL CERTAIN MANY OF YOU AND MANY OF US ARE IN AT THIS POINT IN OUR DELIBERATIONS. IT HAS BEEN MY PRIVILEGE TO SERVE ON THE EXECUTIVE COMMITTEE AND TO CO-AUTHOR DELEGATE PROPOSAL 170 WITH THE HONORABLE ARCHIE WILSON. THIS PROPOSAL IS AN ARTICLE PERTAINING TO THE EXECUTIVE DEPARTMENT. IT REVISES ONLY SLIGHTLY, THE PRESENT EXECUTIVE ARTICLE OF THE CONSTITUTION BUT I BELIEVE OFFERS CHANGES THAT WILL BE BENEFICIAL TO THE CITIZENS OF OUR STATE.

I DRAW YOUR ATTENTION TO A CHANGE OF CONSIDERABLE IMPORTANCE IN ARTICLE VII SECTION 4 OF PROPOSAL 170. THE PRESENT CONSTITUTION STATES: "NO OFFICER MENTIONED IN THIS SECTION SHALL BE ELIGIBLE TO, OR HOLD ANY OTHER PUBLIC OFFICE, EXCEPT MEMBER OF THE STATE BOARD OF EDUCATION DURING HIS TERM OF OFFICE."

PROPOSAL 170 WOULD CHANGE THIS LANGUAGE TO READ: "NO ELECTED OFFICER OF THE EXECUTIVE DEPARTMENT WHILE HOLDING AN ELECTIVE OFFICE SHALL SEEK OR HOLD ANY OTHER OFFICE."

IN MY OPINION, IT IS IMPORTANT THAT IT BE CLEARLY UNDERSTOOD WHETHER IT IS NECESSARY FOR A PERSON TO RESIGN A POSITION

HE HOLDS BEFORE SEEKING ANOTHER. IF A MAN RUNS FOR A FOUR-YEAR TERM THE PEOPLE HAVE A RIGHT TO REQUIRE HIM TO FILL OUT THAT FOUR-YEAR TERM. IT WOULD ELIMINATE ANY TENDENCY TOWARDS POLITICAL OPPORTUNISM.

THIS IS NOT TO SAY THAT ALL PEOPLE WHO HAVE SOUGHT A HIGHER OFFICE WHILE HOLDING OFFICE ARE POLITICAL OPPORTUNISTS; MOST OF THEM HAVE BEEN VERY DEDICATED AND SINCERE PEOPLE. THIS PROPOSAL DOES NOT PRECLUDE THEM FROM RESIGNING IN ORDER TO SEEK A HIGHER OFFICE BUT WOULD MORE CLEARLY DEFINE THEIR RESPONSIBILITY TO THE PEOPLE.

ARTICLE VII, SECTION 4 FURTHER "PROVIDES THE LT. GOVERNOR, SHALL HAVE THE SAME QUALIFICATIONS AS THE GOVERNOR AND SHALL BE ELECTED AT THE SAME ELECTION, FOR THE SAME TERM, AND IN THE SAME MANNER, AS THE GOVERNOR; PROVIDED THAT THE VOTES CAST IN THE PRIMARY AND GENERAL ELECTIONS FOR THE NOMINEE FOR GOVERNOR SHALL BE DEEMED CAST FOR THE NOMINEE FOR LT. GOVERNOR OF THE SAME POLITICAL PARTY."

IT WAS IN THE YEAR 1959 THAT DONALD G. NUTTER AND TIM BABCOCK FILED FOR THE OFFICE OF GOVERNOR AND LT. GOVERNOR. THEY DECIDED TO CAMPAIGN AS A TEAM, EVEN THOUGH THEY WERE ADVISED AGAINST DOING SO BY SOME OF THEIR ASSOCIATES BECAUSE OF THE POLITICAL RISK INVOLVED. THEY WERE BOTH SUCCESSFUL IN THEIR EFFORTS AND WERE ELECTED. HOWEVER, ONE OR THE OTHER OF THE TEAM COULD HAVE BEEN DEFEATED UNDER THE STRUCTURE OF THE PRESENT CONSTITUTION. AS MOST OF YOU KNOW, ONE YEAR AND 25 DAYS LATER, A TRAGIC PLANE CRASH TOOK THE LIFE OF OUR VERY CLOSE FRIEND AND MONTANA'S GOVERNOR, DONALD G. NUTTER. TIM BABCOCK SUCCEEDED TO OFFICE

IMMEDIATELY. EVEN THOUGH ALL CONCERNED WERE GRIEF STRICKEN, MONTANA WAS FORTUNATE THAT THESE TWO MEN WERE OF THE SAME POLITICAL PARTY, HAD BEEN IN EACH OTHER'S CONFIDENCE, AND HAD VERY NEARLY THE SAME POLITICAL PHILOSOPHY. IF THIS HAD NOT BEEN THE CASE, AN ORDERLY TRANSITION AND CONTINUITY IN OUR GOVERNMENT WOULD HAVE BEEN IMPOSSIBLE.

THERE ARE MANY OTHER INSTANCES WHEN IT IS OF GREAT IMPORTANCE FOR THE GOVERNOR AND LT. GOVERNMENT TO BE POLITICALLY COMPATIBLE.

IN PROPOSAL 170 WE FURTHER STATE," THE LT. GOVERNOR SHALL PERFORM SUCH DUTIES AS MAY BE PRESCRIBED BY LAW AND AS MAY BE DELEGATED TO HIM BY THE GOVERNOR BUT NO POWER SPECIFICALLY VESTED IN THE GOVERNOR BY THIS CONSTITUTION SHALL BE DELEGATED TO THE LT. GOVERNOR PURSUANT TO THIS SECTION."

OUR PRESENT CONSTITUTION STATES THAT IN THE ABSENCE OF THE GOVERNOR, THE POWER AND DUTIES OF THE OFFICE DEVOLVE UPON THE LT. GOVERNOR. THIS ALSO CAN PROVE EMBARRASSING TO A GOVERNOR IF THE PARTIES INVOLVED ARE NOT COMPATIBLE. IT ALLOWS A LT. GOVERNOR TO FILL ANY VANACIES BY HIS OWN APPOINTMENT IN THE GOVERNOR'S ABSENCE IF HE SHOULD DECIDE TO DO SO.

IN THESE MODERN TIMES, MONTANA IS COMPETING WITH 49 OTHER STATES IN MANY RESPECTS FOR TOURISTS, INDUSTRY AND RECOGNITION. HISTORICALLY, AT THE TIME OUR PRESENT CONSTITUTION WAS WRITTEN, IT WOULD HAVE BEEN IMPOSSIBLE, AS WELL AS UNNECESSARY, FOR THE GOVERNOR TO BE OUT OF THE STATE FOR ANY LENGTH OF TIME.

TODAY HE IS CALLED UPON TO SERVE HIS STATE OUTSIDE ITS BORDERS AS WELL AS WITHIN THEM. MODERN COMMUNICATIONS MAKE IT POSSIBLE FOR HIM TO KEEP IN TOUCH WITH HIS OFFICE BY PHONE AND CROSS-COUNTRY AIRLINE SCHEDULES ENABLE HIM TO RETURN TO HIS STATE IMMEDIATELY IN THE CASE OF AN EMERGENCY. THEREFORE, LET'S NOT ALLOW OUR GOVERNOR TO BE WITHOUT THE POWER VESTED IN THAT OFFICE NO MATTER WHERE THE STATE'S BUSINESS MAY TAKE HIM.

MONTANA IS AN UNCOMMON LAND. IT IS MOUNTAINOUS AND FLAT, HOT AND COLD, BENIGN AND BENEVOLENT. THERE IS NOTHING MODERATE ABOUT THE STORY OF MONTANA. IT IS AN UNPREDICTABLE LAND OF EXTREMES. ITS PATTERN HAS BEEN SPECTACULAR, BRIEF AND EXPLOSIVE.

AS WE, IN THE COMMITTEE, DELIBERATE FURTHER, I HOPE WE WILL TAKE THE BEST OF ALL PROPOSALS AND BE ABLE TO PRESENT TO THE CONVENTION A COMMITTEE PROPOSAL WHICH THE DELEGATES CAN SUPPORT. THE FINISHED INSTRUMENT THAT THE ONE HUNDRED DELEGATES OF THIS CONVENTION PUT FORTH MUST MATCH MONTANA'S GREATNESS AND BE WORTHY OF OUR HERITAGE.