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# MONTANA CONSTITUTIONAL CONVENTION

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## GENERAL GOVERNMENT AND

## CONSTITUTIONAL AMENDMENT COMMITTEE

Room 410, Capitol Building

February 2, 1972  
10:30 a.m.

Committee Chairman: Mark Etchart

### MINUTES OF THE TWELVETH MEETING OF THE GENERAL GOVERNMENT AND CONSTITUTIONAL AMENDMENT COMMITTEE

Article XI, Section 1 ; Article XI, Section 10;  
Discussion of Mr. Habedank's proposal on initiative  
and referendum.

#### Roll Call:

Mark Etchart, Chairman	Present
Paul K. Harlow, V. Chairman	Present
Don E. Belcher	Present
Bruce M. Brown	Present
Lyman W. Choate	Present
Otto T. Habedank	Present
Peter Lorello	Present
Robert Vermillion	Present

#### INTERESTED PERSONS TESTIFYING:

<u>Name</u>	<u>Address</u>	<u>Occupation</u>
Marjorie Cain	Libby	Delegate
Marian Erdmann	Great Falls	Delegate

The TWELVETH meeting of the General Government and Constitutional Amendment Committee was called to order by Chairman Etchart at 10:30 a.m. Wednesday, February 2, 1972 in Room 410. Roll call was taken and the minutes of the last meeting were read. They would like the minutes of the last meeting to state that they were in favor of continuing without a recess.

Marjorie Cain of the Education Committee testified on Article XI, Section 1. She said her purpose was two fold. The first purpose was to point out the difference between the interest generated during partisan elections and the general lack of interest shown in non-partisan elections. Her other purpose was the economic reason, the cost of elections. She said one week, the school bonds and levies are held and the next week the municipal election is held. These elections are held in different places but they could be held together. The issue that worries her about the proposal is whether it is statutory or constitutional. Mr. Vermillion asked her if she thought the school elections could be held in the general elections. Mrs. Cain said the intent of the original constitution is that they should be separated so as to keep politics out of school elections. Mr. Belcher said he didn 't think politics would enter into the school election but his concern was to cut costs. Mrs. Cain said there is no lack of interest in a bond issue but the reason people stay away is because they think they are going to defeat a levy or bond. Special elections on Saturdays are also bad. She does feel that there should be a period of time between the school elections and the general elections.

Mariann Erdmann presented her Proposal No. 29 to the committee. She said she is speaking for the taxpayer and her first thought is for economy. She thinks the school elections should be held at the same time the municipal elections are held and this would save a lot of money. She said it cost \$14,000 for school elections and \$17,000 for a city election in Great Falls.

After much discussion it was decided that the wording in Mrs. Erdmann's proposal read as follows: SCHOOL AND MUNICIPAL ELECTIONS. Except for special elections allowed by the legislature, all elections for school district officers, mill levies or indebtedness shall be held at the same time and, so far as practical, with elections at which municipal officers or levies are voted upon.

The meeting recessed at noon and reconvened at 1:30 p.m. the same day.

Delegate Proposals 29 and 47 were brought up. Mr. Brown recommended that we delete the section in the constitution referred to in Delegate Proposal 29 (referring to Article XI, Section 10) and that we don't adopt Proposal No. 47 and leave the matter to the legislature as covered in Mr. Brown's Proposal Section 3.

Mr. Habedank recommended that the Education Committee be advised of the position of our committee and further be advised that in the event that they don't concur with the deletion of Section 10, Article XI that we then propose Delegate Proposal 28 as amended. The Education Committee is invited to appear before this committee if they do not agree. The recommendation was carried.

Mr. Grady talked about the final report on suffrage.

Mr. Etchart said Saturday will be the last day scheduled for hearings on suffrage and elections and constitutional revision.

Mr. Habedank read his committee proposal on initiative and referendum and explained why he made the changes. His proposal will take care of Delegate Proposals 52 and 58. Under his proposal amendments would come to the legislature and a majority vote would be all that was required; but they couldn't change the intent. All they could do is screen and make the necessary changes so when the majority vote gets through with any amendment, the proposal has to go back to the Secretary of State. Mr. Habedank advised the committee that Mr. Mahoney was in complete agreement with the committee proposal that Mr. Habedank has written.

Mr. Harlow met with the Legislative Committee to discuss initiative, referendum and recall. They were a little reluctant to take initiative out of their section but they were in full accord with initiative and referendum but they want to change the figures from 8% to 10% and the 2/5 to 1/4. The percent was changed but otherwise Mr. Harlow's proposal was to be submitted as written. Then it will come back and go as a committee report.

There being no further business the meeting was adjourned at 4:00. The next meeting was called for 10:00 a.m. Thursday, February 3, 1972.

*Mark Etchart*  
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CHAIRMAN

*Bobbie Murphy*  
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SECRETARY