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MONTANA CONSTITUTIONAL CONVENTION
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GENERAL GOVERNMENT AND

CONSTITUTIONAL AMENDMENT COMMITTEE

Room 410, Capitol Building

February 8, 1972
9:30 a.m.

Committee Chairman: Mark Etchart

MINUTES OF THE SIXTEENTH MEETING OF THE GENERAL
GOVERNMENT AND CONSTITUTIONAL AMENDMENT COMMITTEE

Discussion on Delegate Proposals.

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 "Pete" Lorello	Present
Robert Vermillion	Present

The meeting adjourned at 11:30 a.m.

The SIXTEENTH meeting of the General Government and Constitutional Amendment Committee was called to order by Chairman Etchart at 9:30 a.m. Tuesday morning February 8 in Room 410. The secretary took the roll.

Mr. Belcher moved that we oppose Mr. McNeil's Proposal 78 and leave Article IV, Distribution of Powers as it is. Mr. Brown seconded the motion and it carried.

The following decisions of the Delegate Proposals were made as of this date:

Proposals dealing with Suffrage and Election:

Delegate Proposal 29 was referred to this committee and the committee thought it should not be adopted. However, our committee would recommend to the Education Committee and to the convention that if they don't adopt our recommendation for deletion of Section 10 of the present constitution, Delegate Proposal 29, as amended to provide for school and municipal elections with the wording: "except for special elections allowed by the legislature or mill levy where indebtedness shall be held at the same time and so far as practical" be adopted.

Delegate Proposal 47 was considered and the committee felt it was better covered in Delegate Brown's Proposal 82.

Delegate Proposal 82 was adopted by the committee.

Delegate Proposal 95 was covered in Mr. Brown's proposal in that it allows the legislature to set up the administration requirements.

Delegate Proposal 131 was also better covered in Proposal 82 and the principal sponsor Daphne Bugbee agreed with the committee.

Delegate Proposal 147 was researched and it was found that the state had adopted this provision in 1955 and then reverted to our present system as no presidential candidate filed for the primaries in Montana.

Delegate Proposal 178 was discussed and the committee felt that at this time it was covered by Proposal 82, however, the principal sponsor McKeon might have further testimony to offer to the committee.

Proposals dealing with Article X, Sections 2, 3, and 4:

Proposals 36 and 139 were considered and the committee has not decided on a final proposal for the seat of government except that the Capitol will be in Helena.

Proposals dealing with Article V, Section 46:

Proposals 36 and 139 were considered regarding this article but no decision has been made.

Proposals dealing with Article XIX, Sections 1, 2, 8 and 9:

Delegate Proposal 31 dealt with Section 1. The committee deleted everything after the wording "fidelity" on line 24 of Proposal 31 except the words "so help me God", otherwise the oath remains the same.

Concerning Section 2 the committee considered Proposals 24, 28, 111 and 120. These four proposals are still under consideration and the committee has not taken final action at this time.

Delegate Proposal 24 would delete reference to gambling in the constitution.

Delegate Proposal 28 would provide that "all forms of gambling, lotteries or gift enterprises are prohibited unless authorized by acts of the legislature or by the people through initiative or referendum".

Delegate Proposal 111 was discussed by the committee and informally with the principal sponsor Harbaugh who agreed that perhaps Proposal 28 better covered the content of his proposal.

Delegate Proposal 120 would authorize bingo but would not allow lotteries or gift enterprises for any purpose.

Section 8 was handled by Proposal 94 as amended which embodies the committee's thinking as introduced by Delegate Hadedank on the question of constitutional amendment and revision.

Delegate Proposal 27 is also embodied in the amended Proposal 94.

Recall was incorporated in Delegate Proposal 129.

Delegate Proposal 42 was incorporated into Proposal 129 which is still under consideration for further revision. The committee feels that basically they are keeping the same wording that is in the present constitution regarding initiative and referendum which has stood the court battles.

There being no further business the meeting was adjourned.
The Committee's Romney hearing will be this afternoon at 1:30 p.m.



CHAIRMAN


SECRETARY