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

GENERAL GOVERNMENT AND
CONSTITUTIONAL AMENDMENT COMMITTEE

Room 410, Capitol Building

February 15, 1972
9:45 a.m.

Committee Chairman: Mark Etchart

MINUTES OF THE TWENTY-THIRD MEETING OF THE GENERAL
GOVERNMENT AND CONSTITUTIONAL AMENDMENT COMMITTEE

Discussion of Article IV, Section 46; General discussion and telephone conversation with Columbus High School.

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

INTERESTED PERSONS TESTIFYING:

<u>Name</u>	<u>Address</u>	<u>Occupation</u>
Torrey Johnson	Busby	Delegate
Arnold Jacobsen	Whitefish	Delegate

Meeting adjourned at 2:25 p.m.

The TWENTY-THIRD meeting of the General Government and Constitutional Amendment Committee was called to order by Chairman Etchart at 9:45 a.m. in our committee room on Tuesday, February 15. Roll was taken and the minutes of the last meeting were read and approved.

Mr. Grady read the proposed wording of Article V, Section 46 as follows: "The seat of government shall be in Helena except as a result of emergencies or disasters as provided by law". Mr. Choate moved the adoption of the proposal and Mr. Brown seconded the motion. The motion carried.

Delegates Torrey Johnson and Arnold Jacobsen appeared before our committee to reiterate their views on their proposals concerning the removal of the state from the liquor business.

Mr. Grady read the Legislative Committee's proposed proposal on ombudsman.

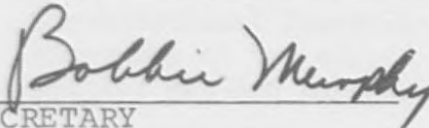
Mr. Habedank moved that the committee recommend the rejection of Proposal 172 on the grounds of the creation of the Office of the Ombudsman is not now prohibited by the constitution and if desired, the office could be created by the legislature or by an initiative proposal by the people. Mr. Habedank stated that if the Convention feels the Office of the Ombudsman should be a constitutionally created office, the proposal of the Legislative Committee is adequate to place the question before the Convention of the Whole. Mr. Brown seconded the motion and it passed with Mr. Vermillion dissenting.

The meeting recessed at 11 a.m. and reconvened in the Attorney General's Office for a telephone conference with the students of Columbus High School. The students voted unanimously in favor of having the reference of gambling deleted from the constitution.

When asked whether the students were in favor of recall, the vote was 29 for and 19 voting against, with some abstaining.

The students voted 28 for and 18 against when asked if they thought the Constitutional Convention should include a provision for recall instead of leaving it up to the legislature. (See Attachment #1)

There being no further business the meeting was adjourned.


SECRETARY


CHAIRMAN