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

LEGISLATIVE COMMITTEE

Place of Meeting: Room 434

Date Meeting Held: 1/20/72
Hour Meeting Held: 10:15 a.m.

Committee Chairman: Magnus Aasheim

MINUTES OF THE FOURTH LEGISLATIVE COMMITTEE MEETING

SUBJECT OF MEETING: Article V, 1 of Constitution

Roll Call:

Magnus Aasheim, Chairman	Present
Jerome T. Loendorf, V. Chairman	Present
Grace Bates	Present
Daphne Bugbee	Present (absent-afternoon)
Jerome J. Cate	Present
George Harper	Present
Torrey B. Johnson	Present
Robert Lee Kelleher	Present
John H. Leuthold	Present
Richard A. Nutting	Present
Arlyne E. Reichert	Present
Mae Nan Robinson	Present
Miles Romney	Present
Carman Skari	Present

INTERESTED PERSONS TESTIFYING:

<u>Name</u>	<u>Occupation or Title</u>
NONE	

January 20, 1972
10:15 a.m.

Chairman Aasheim called the meeting to order. He reported briefly what happened at the chairmen's meeting last evening. The Judiciary Committee will research the issue on impeachment and bring a report to this committee for this committee to decide. At the chairmen's meeting they discussed the general plan of the convention, recesses, and when the Constitution should appear on the ballot. Time-consuming debate will try to be eliminated in the convention hall. February 3 is the deadline for all proposals of all kinds to be introduced. Public hearings for all committees are scheduled for February 9 through 15. Our committee articles have to be ready by February 15. Debate stage on the floor will begin February 17.

The Chairman appointed Harper and Reichert to make the arrangements for the hearing January 24. The committee will meet at 9 am, and the hearing has been changed to the House chambers.

Speakers for the convention were discussed. Any good names were to be given to the secretary or chairman. Some suggestions were Richard Marvel, Nebraska, to discuss unicameral procedures; someone from Minnesota's non-partisan bicameral legislature; Wm. Keefe, University of Pittsburgh; Charles Hogan, University of Illinois; and Larry Margolis, Executive Director of Citizens Conference on State Legislature.

WORKSHEET

A committee worksheet was presented, discussed, and taken to the printers. (See Exhibit A). The worksheet has 23 items on it which pertain to this committee. The committee decided to consider each item and take the suggestions to their sub-committee meetings. From this, the general article will be written.

POWER (#1)

The first item on the worksheet was considered. The initiative and referendum were discussed. Bates suggested that legislative districts be used rather than counties.

*It was the sense of the committee that initiative and referendum be retained in the Constitution.

It was suggested that this committee check with the Committee on Local Government and the Constitutional Committee on this issue to be sure these ideas weren't overlapping with their ideas.

*It was the sense of the committee to require 8% of the voters of 1/4 of all legislative districts as a workable figure for initiative and referendum petitions.

The meeting was recessed until 1:30 p.m.

January 20, 1971
1:45 p.m.

Chairman Aasheim called the meeting to order. It was announced that Mae Nan Robinson wasn't present "because she didn't see the big cheese in the committee room"!

INITIATIVE

*It was the feeling of the committee that the initiative measure should be required by 8% of total voters and 8% of total voters of 1/4 of single-member legislative districts.

Discussion followed. One member wondered if there were sufficient districts to represent 25% of the people in case of multi-member districts. A member pointed out that one could work in the smaller populated districts and be further ahead than working in the more heavily populated districts.

REFERENDUM

*It was the feeling of the committee that the referendum measure should be required by 8% of total voters and 8% of the total voters of 1/4 of single-member legislative districts.

Bates noted that members should consider the number of persons represented by one representative.

CONSTITUTIONAL AMENDMENTS

*It was the feeling of the committee that constitutional amendments should be allowed by initiative petitions.

GOVERNOR'S VETO

The governor's veto was discussed. Constitutional amendments passed by the legislature now can be vetoed by the governor. Some felt that the governor's veto was a good check, and others felt he shouldn't be allowed to check the people.

*It was the feeling of the committee to deny the governor the right to veto *as far as initiative and referendum are concerned.*

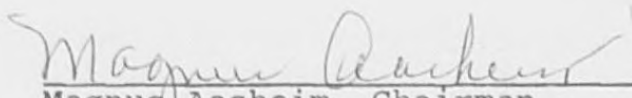
EXCEPTIONS IN ARTICLE V

The present exceptions were read from the Constitution. Discussion was held on the appropriations exception. Nutting pointed out that he felt the appropriations exception should remain as is because in Oregon the people can challenge any law passed by initiative and referendum and they are having serious problems.

*It was the feeling of the committee to retain the appropriations exception.

*It was the feeling of the committee to delete "...public peace, health, or safety," "and except as to laws for the submission of constitutional amendments".

The meeting was adjourned at 3:00 p.m.


Magnus Aasheim, Chairman


Judy Pratt, Secretary