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### Minutes of the nineteenth meeting of the Legislative Committee

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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: 2/5/72  
Hour Meeting Held: 11:30 a.m.  
1:30 p.m.

Committee Chairman: Magnus Aasheim

MINUTES OF THE NINETEENTH LEGISLATIVE COMMITTEE MEETING

SUBJECT OF MEETING: Rough Draft Proposal

Roll Call:

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

INTERESTED PERSONS TESTIFYING:

<u>Name</u>	<u>Occupation or Title</u>
1. Larry Fasbender	Representative, Fort Shaw
2. William Groff	Senator, Victor
3. Robert Kelleher	Delegate, Billings

February 5, 1972

11:30 A.M.

Chairman Aasheim called the meeting to order.

It was the consensus of the committee that Section 14 of the unicameral proposal was identical with the bicameral proposal and was fine as written.

Motion was made that the committee report be drawn up on Section 14. Motion was made that Section 15, Subsection 1, 2, 3, 4, and 6 of the unicameral proposal be accepted. Motion passed.

Moved that Section 14, Subsection 5 be forwarded to the Executive Committee without recommendation. Motion failed.

Motion made that Section 14, Subsection 5 be accepted as is in the unicameral proposal. Motion passed (2 against).

#### IMPEACHMENT

Motion made that the wording of Section 16, unicameral proposal, be adopted. Motion carried.

The Chairman noted that the section on Continuity of Government has been transferred to another committee.

The committee discussed Section 10, subsection 2 filing a financial disclosure report.

Time of recess: 12:10 p.m.

The meeting recessed until 1:30 p.m.

Chairman Aasheim called the meeting to order.

The committee moved to reconsider their action on the section on impeachment. Discussion was made on whether a 2/3 vote is needed to bring charges and judge.

\*It was the sense of the committee that a 2/3 majority vote of the legislature should be needed to hear and try charges.

Robinson moved that the wording be "The legislature may impeach the governor, the heads of principal departments, judicial officers and such other officers of the state as may be made subject to impeachment by law, by a two-thirds vote of all the members, and shall provide by law procedures for the trial and removal from office, after conviction, of officers so impeached. No officer shall be convicted on impeachment by a vote of less than two-thirds of the members of the tribunal hearing the charges."

Romney made a substitute motion that the substance of the section in the present constitution be used in the bicameral proposal. Motion failed.

Bates made a substitute to the substitute motion that the section in her proposal be used. Motion failed.

Robinson's original motion passed. (3 against)

During a short ten minute recess Senator Bill Groff spoke.

DISTRICTS AND APPORTIONMENT

Skari explained his sub-committee report. (See copy filed hereafter)

Motion made that bicameral alternative be used. Motion passed (7 for, 5 against).

Motion made that the unicameral alternative be accepted. Motion carried.

Motion made that the word "decennial" in the apportionment section be deleted. Motion failed.

\*It was the sense of the committee that they were in favor of an apportionment commission.

Romney moved that in the apportionment section the first 2-"30's" be changed to 60's.

Skari moved that the commission appoint and initiate a plan, make recommendations to the legislature, and be subject to recommendations by the legislature. Motion failed.

\*It was the sense of the committee that they were very disagreed on the subject of apportionment!

WITNESSES


Larry Fasbender, Fort Shaw, House minority whip, spoke on the need for more staff and urged the committee to consider the unicameral system.


Senator Bill Groff, spoke in behalf of the bicameral system.

Delegate Kelleher spoke as sponsor of his Proposal #136. Discussion followed.

Robinson moved that the committee accept the Delegate Proposal #158. (seven for, seven against so motion failed.)

The meeting was adjourned at 5 p.m.

  
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MAGNUS AASHEIM, CHAIRMAN

  
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JUDY PRATT, SECRETARY