

University of Montana

ScholarWorks at University of Montana

The Montana Constitution Collection

Mansfield Center

2-3-1972

Minutes of the twelfth meeting of the Local Government Committee

Montana. Constitutional Convention (1971-1972). Local Government Committee

Follow this and additional works at: <https://scholarworks.umt.edu/montanaconstitution>

Let us know how access to this document benefits you.

Recommended Citation

Montana. Constitutional Convention (1971-1972). Local Government Committee, "Minutes of the twelfth meeting of the Local Government Committee" (1972). *The Montana Constitution Collection*. 313.
<https://scholarworks.umt.edu/montanaconstitution/313>

This Committee Minutes and Testimony is brought to you for free and open access by the Mansfield Center at ScholarWorks at University of Montana. It has been accepted for inclusion in The Montana Constitution Collection by an authorized administrator of ScholarWorks at University of Montana. For more information, please contact scholarworks@mso.umt.edu.



MONTANA CONSTITUTIONAL CONVENTION

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

LOCAL GOVERNMENT COMMITTEE

Place of Meeting: Room 437

Date Meeting Held: 2/3/72

Hour Meeting Held: 10:30 a.m.

Committee Chairman: Oscar L. Anderson

MINUTES OF THE TWELVTH MEETING OF THE LOCAL GOVERNMENT COMMITTEE

SUBJECT OF MEETING: Public Hearing, Discuss items pertaining to
Local Government

Roll Call:

Anderson, Oscar L., Chairman	<u>Absent</u>
Blend, Virginia H., Vice-Chairman	<u>Present</u>
Arness, Franklin	<u>Present</u>
Ask, Thomas M.	<u>Present</u>
Erdmann, Marian S.	<u>Present</u>
Jacobsen, Arnold W.	<u>Present</u>
Payne, Katie	<u>Present</u>
Rollins, George W.	<u>Present</u>
Simon, Clark E.	<u>Present</u>
Sparks, M. Lynn	<u>Present</u>
Speer, Lucile	<u>Present</u>

INTERESTED PERSONS TESTIFYING:

<u>Name</u>	<u>Occupation or Title</u>
Mrs. Opal Eggert	Elected County Officials Organization
Robert Watt	Retired Sup't of Schools & Legislator
Grace Hanson	Co. Sup't Flathead - Kalispell
Dorothy Simmons	Co. Sup't Lewis & Clark - Helena
Carolyn Frojen	Co. Sup't Missoula - Missoula
Lloyd Markel	Representing MEA
Delores Colberg	State Sup't of Schools
Dean Zinnecker	County Commissioners Association
Tom Phillips	Mont. League of Cities and Towns
Roy Crosby	Citizens for Constitutional Government
Frank Adams	Great Falls Tribune
Dennis Curran	Lee Newspapers
James Moore	Law Student, University of Montana
Magnus Aasheim	Delegate

The minutes from the 11th meeting were considered and approved.

Mrs. Erdmann's proposal 56 (Exhibit A) was considered. Mr. James Moore testified on this proposal. He wrote it for the Law Review. He went through section by section, explained and answered questions on the proposal.

Mr. Roy Crosby appeared before the Committee with prepared testimony (Exhibit B) which he explained to the Committee.

Mrs. Blend told the Committee about the meeting with Mr. Graybill which Mr. Ask and Miss Speer also attended. Mr. Graybill was told of the progress of the Committee and then gave his views on some items for us to consider. He also said there was some problem in getting an expert to testify at the formal hearing on local government. Miss Speer mentioned that Mr. Graybill did emphasize that we must consider the existing prejudices and preferences in Montana. Mrs. Blend also said that Mr. Graybill feels we should work closely with the Revenue and Finance Committee.

The Committee recessed at 12 noon to reconvene at 1 p.m. At 1 p.m., there was a joint (Education Committee) public hearing in the Convention Hall to hear the County Superintendents of Schools. Testimony is attached (Exhibit C). After the hearing, the Committee reconvened in Room 437.

Mrs. Blend announced appointment to a subcommittee; Mr. Arness and Mr. Simon and Mr. Holloron. The subcommittee is to work on a summary for use Saturday in our meeting with the Revenue and Finance Committee. She also appointed Dr. Rollins to follow up with Chairman Champoux on Superintendents of Schools.

Chairman Aasheim, Legislative Committee, appeared before the Committee to discuss Article 5, Sections 26 and 31. The Legislative Committee will strike Section 26 except for the sentence regarding passage of local and special laws. There was discussion on the sentence in Mr. Ask's proposal reading "A law may qualify as a general law even though it is inapplicable to one or more counties by reason of the provisions of this section." Mr. Aasheim said he would discuss this with his committee.

Mr. Aasheim said that his committee will strike the word "increase" in Section 31 (regarding increasing salaries while in office). Mr. Ask moved that we delete the phrase "increase or diminish." Motion carried. Mr. Aasheim will also tell his committee that this Committee wants to strike the phrase rather than just the word "increase."

Mr. Holloron mentioned Section 36 regarding the Legislature delegating power to make or interfere with any municipal improvements. The Legislative Committee is divided on this; 8 members want to delete it and 5 want to leave it in. Mr. Ask moved that it be deleted. Motion carried.

The hearing with the County Superintendents of Schools was discussed.

Mr. Ask said that he would like to amend his proposal in Section 2, subsection (5) on lines 23 and 24 of page 2 by striking the words "county attorney and clerk of district court." These will be taken care of in the Judiciary Committee. He would like to insert in Section 5 "The Board of County Commissioners of two or more counties may provide for a joint office and the election of one official to perform the duties of that office in their respective county. There was some discussion on these points.

There was some discussion on whether the County Superintendents should be in the Local Government Article or in the Education Article. The Committee also discussed leaving out the enumeration of all local offices.

Mrs. Blend mentioned that tomorrow we will hear from the Delegates who submitted proposals that have been assigned to our Committee. We will also discuss the powers to be given to local government.

There being no further business, the Committee adjourned.

Time of adjournment: 4:45 p.m.

Virginia H. Blend
VIRGINIA H. BLEND, Vice Chairman

Pat Romine
PAT ROMINE, Secretary