



This presentation slide features a green border. At the top center is a small logo with the text "IN THE CRUCIBLE OF CHANGE". Below this, there are three logos: on the left and right are circular emblems for the "MONTANA CONSTITUTIONAL CONVENTION 1971-1972" with the text "OF THE PEOPLE BY THE PEOPLE FOR THE PEOPLE"; in the center is a black rectangle with a white scroll icon saying "We the People" and the text "FRIENDS OF THE MONTANA CONSTITUTION". The main text in the center reads "PRESENTATION TO MFPE ANNUAL EDUCATORS' CONFERENCE OCTOBER 17, 2024". At the bottom, a green bar contains the text "Montana's 1972 Constitution: Challenge & Change".

IN THE CRUCIBLE OF CHANGE

MONTANA CONSTITUTIONAL CONVENTION
OF THE PEOPLE
BY THE PEOPLE
FOR THE PEOPLE
1971-1972

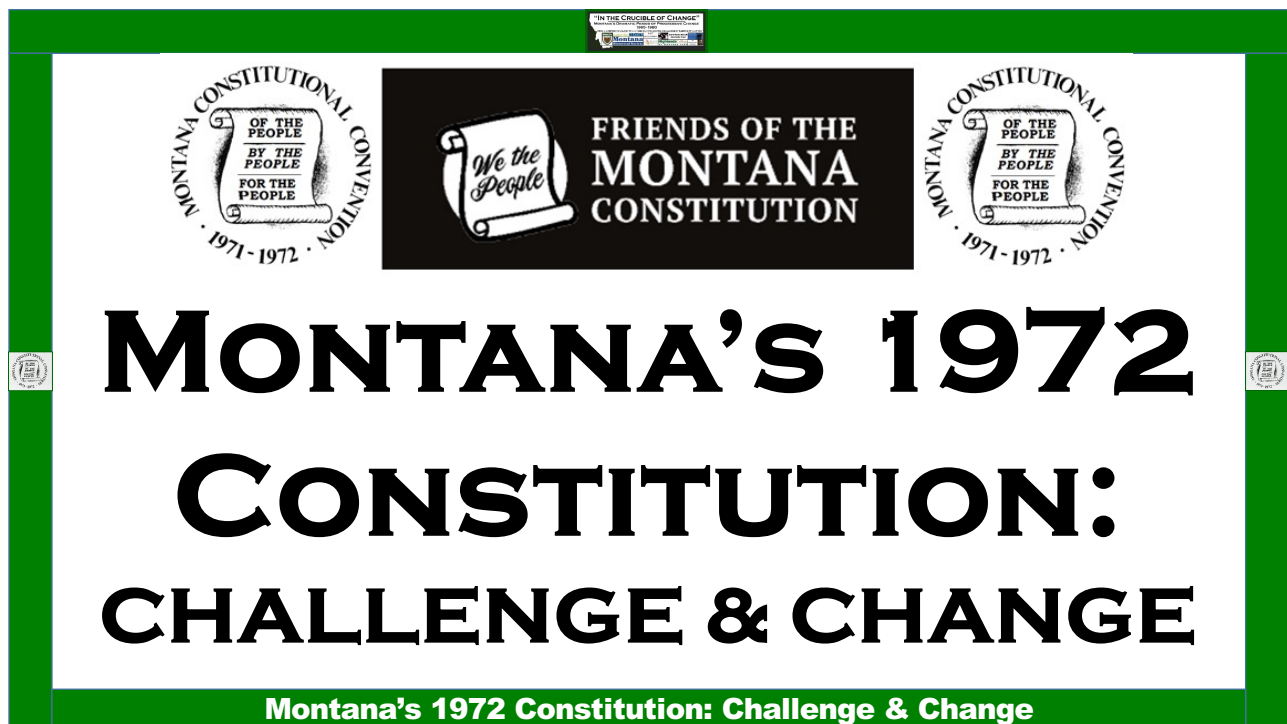
We the People
FRIENDS OF THE
MONTANA
CONSTITUTION

MONTANA CONSTITUTIONAL CONVENTION
OF THE PEOPLE
BY THE PEOPLE
FOR THE PEOPLE
1971-1972

**PRESENTATION TO
MFPE ANNUAL
EDUCATORS' CONFERENCE
OCTOBER 17, 2024**

Montana's 1972 Constitution: Challenge & Change

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This presentation slide features a green border. At the top center is a small logo with the text "IN THE CRUCIBLE OF CHANGE". Below this, there are three logos: on the left and right are circular emblems for the "MONTANA CONSTITUTIONAL CONVENTION 1971-1972" with the text "OF THE PEOPLE BY THE PEOPLE FOR THE PEOPLE"; in the center is a black rectangle with a white scroll icon saying "We the People" and the text "FRIENDS OF THE MONTANA CONSTITUTION". The main text in the center reads "MONTANA'S 1972 CONSTITUTION: CHALLENGE & CHANGE". At the bottom, a green bar contains the text "Montana's 1972 Constitution: Challenge & Change".

IN THE CRUCIBLE OF CHANGE

MONTANA CONSTITUTIONAL CONVENTION
OF THE PEOPLE
BY THE PEOPLE
FOR THE PEOPLE
1971-1972

We the People
FRIENDS OF THE
MONTANA
CONSTITUTION

MONTANA CONSTITUTIONAL CONVENTION
OF THE PEOPLE
BY THE PEOPLE
FOR THE PEOPLE
1971-1972

**MONTANA'S 1972
CONSTITUTION:
CHALLENGE & CHANGE**

Montana's 1972 Constitution: Challenge & Change

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PRIMARY SOURCE MATERIAL FOR CONSTITUTIONAL CONVENTION PRESENTATION

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WWW.MONTANACONSTITUTION.ORG

HONORARY CO-CHAIRS

FORMER GOVERNOR TED SCHWINDEN (NOW DECEASED)
FORMER GOVERNOR MARC RACICOT
FORMER GOVERNOR BRIAN SCHWEITZER
FORMER GOVERNOR STEVE BULLOCK
FORMER SENATOR/AMBASSADOR MAX BAUCUS

OFFICERS

RETIRED LEG. SERVICES - SUSAN BYORTH FOX – CHAIR
HISTORIAN EVAN BARRETT – VICE CHAIR
LEAGUE OF WOMEN VOTERS NANCY LEIFER – SEC./TREAS.

BOARD MEMBERS

NORMA BIXBY - LAME DEER
DOROTHY BRADLEY – CLYDE PARK
BOB BROWN – WHITEFISH
EMILY CROSS – BILLINGS
PETE HELLAND – GLASGOW
JOEL KRAUTER – BILLINGS/SIDNEY
DELEGATE MAE NAN ELLINGSON – MISSOULA (EX OFFICIO)
TWO CURRENT VACANCIES

P.O. Box 436 – BILLINGS, MT 59103

Montana's 1972 Constitution: Challenges after 50 Years

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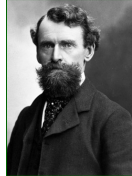
MONTANA'S CONSTITUTIONS

1866 TERRITORIAL CONSTITUTION – 55 DELEGATES – HELENA – HELENA – CALLED BY ACTING TERRITORIAL GOVERNOR THOMAS FRANCIS MEAGHER – UNAUTHORIZED BY CONGRESS COMPLETED AND TAKEN TO ST. LOUIS FOR PRINTING, WHERE IT WAS LOST – NO COPY EXISTS.

1884 TERRITORIAL (PRE-STATEHOOD) CONSTITUTION – 45 DELEGATES – HELENA – PRESIDENT W.A. CLARK SENT TO CONGRESS, STATEHOOD REQUEST NOT ACCEPTED BY CONGRESS

1889 STATEHOOD CONSTITUTION – 75 DELEGATES – HELENA – PRESIDENT W.A. CLARK STATEHOOD REQUEST ACCEPTED BY CONGRESS

1972 STATE CONSTITUTION (REPLACEMENT) – 100 DELEGATES – HELENA – PRESIDENT LEO GRAYBILL, JR. RATIFIED BY 50.55% OF VOTERS ON JUNE 6, 1972 (116,415 FOR - 113,883 AGAINST)

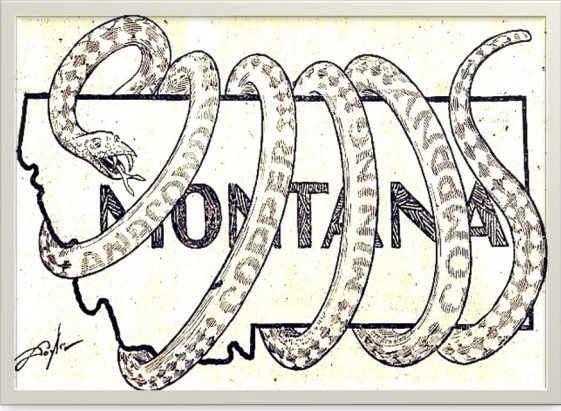


Montana's 1972 Constitution: Challenge & Change

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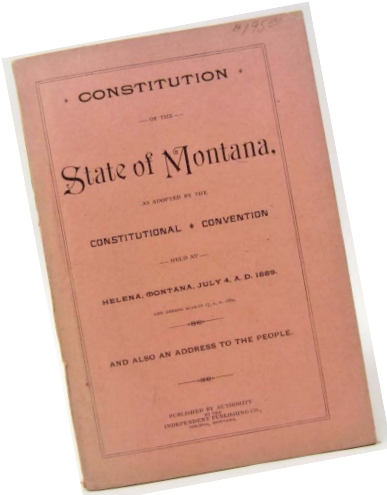


THE ROOTS OF THE 1972 CONSTITUTIONAL CONVENTION EMERGED FROM WHAT GREW FROM THE SEEDS PLANTED BY THE 1889 CONSTITUTION



Montana's 1972 Constitution: Challenge & Change

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IN 1889 THE “POWERFUL” CREATED A CONSTITUTION THAT SERVED THEIR INTERESTS

- OVERALL INEFFECTIVE GOVERNMENT
- WEAK EXECUTIVE
- SECRETIVE LEGISLATURE
- NON-ACCOUNTABLE JUDICIARY
- SPECIAL PROVISIONS TO PROTECT POWERFUL ECONOMIC INTERESTS

COPPER COLLAR

Montana's 1972 Constitution: Challenge & Change

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MAJOR MILESTONES REGARDING MONTANA MINING/SMELTING INDUSTRIALIZATION

- ANACONDA COMPANY CREATED BY MARCUS DALY – 1891
- ANACONDA COMPANY SOLD BY MARCUS DALY TO STANDARD OIL INTERESTS IN 1899 (DALY DIED IN 1900)
- ANACONDA COMPANY BECOMES AMALGAMATED – 1899
- AMALGAMATED ABSORBS & CONSOLIDATES HEINZE & CLARK PROPERTIES AND BECOMES ANACONDA COPPER MINING COMPANY (ACM) – 1906
- ACM BECOMES 5TH LARGEST CORPORATION IN WORLD BEFORE DECLINE

COPPER COLLAR

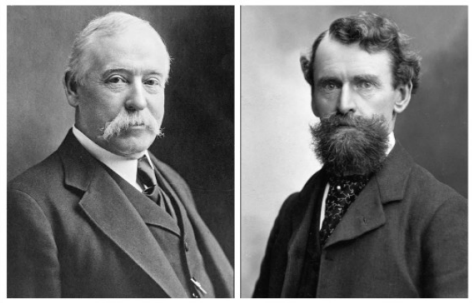
Montana's 1972 Constitution: Challenge & Change

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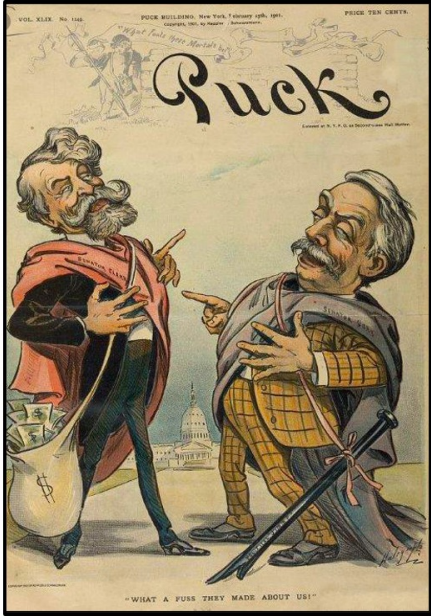
IN THE CRUCIBLE OF CHANGE

COPPER COLLAR

MONTANA'S COPPER KINGS



MARCUS DALY AND WILLIAM CLARK
WERE INITIALLY POLITICAL &
INDUSTRIAL ALLIES BUT EVENTUALLY
BECAME BITTER ENEMIES.

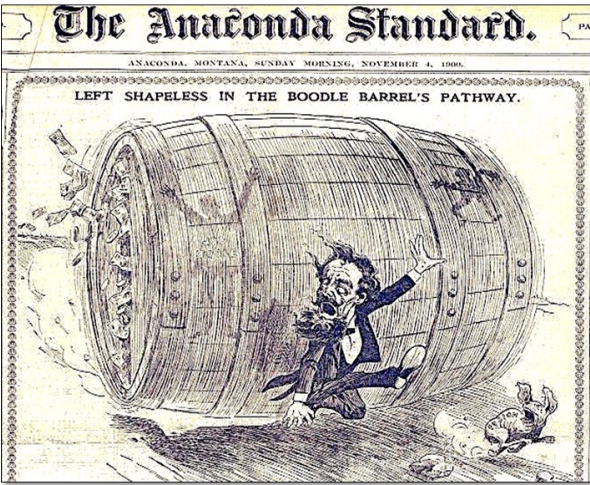


Montana's 1972 Constitution: Challenge & Change

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IN THE CRUCIBLE OF CHANGE

COPPER COLLAR



TAINTED POLITICS AND A TAINTED PRESS

**CORRUPT SENATE
CAMPAIGNS OF 1899
AND 1900 STAINED THE
STATE'S POLITICS AND
PRESS FOR YEARS.**

**BETWEEN THEM, CLARK
AND DALY BOUGHT, OR
COERCED THE SUPPORT
OF DOZENS OF
NEWSPAPERS.**

Montana's 1972 Constitution: Challenge & Change

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IN THE CRUCIBLE OF CHANGE



MONTANA'S SHAME

THE NAKED AMBITION & EXCESS OF W.A. CLARK



COPPER COLLAR

Montana's 1972 Constitution: Challenge & Change

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IN THE CRUCIBLE OF CHANGE



COPPER COLLAR

'Standard Oil Amalgamated Copper Trust Gang'

RUTHLESS AND POWERFUL, STANDARD OIL WAS MONTANA'S GREATEST HATED. IT OFFERED MONTANA'S NEWSPAPER AN ESPECIALLY EASY TARGET.

1903 Shutdown

WILL HER CHILDREN COME TO HER RESCUE?

Montana's 1972 Constitution: Challenge & Change

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IN THE CRUCIBLE OF CHANGE

COPPER COLLAR



MARTIAL LAW IN BUTTE 1914 - 1921

FOLLOWING THE DYNAMITING OF THE BUTTE MINERS' UNION ALL ON NORTH MAIN STREET, MARTIAL LAW WAS DECLARED IN BUTTE IN 1914. THE GOVERNOR SENT THE ENTIRE FORCE OF THE MONTANA NATIONAL GUARD TO RESTORE LAW AND ORDER IN THE MINING CITY. THEY ARRIVED BY ARMORED TRAIN. MARTIAL LAW REMAINED IN PLACE FOR SEVEN YEARS UNTIL 1921. IT IS KNOWN AS THE LONGEST PERIOD OF MILITARY OCCUPATION IN THE U.S. SINCE THE RECONSTRUCTION ERA. THEY WERE ASSISTED BY ABOUT 300 EMPLOYEES OF THE AMALGAMATED COPPER CO. WHO WERE DESIGNATED SPECIAL DEPUTIES.

Montana's 1972 Constitution: Challenge & Change

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IN THE CRUCIBLE OF CHANGE

COPPER COLLAR



MUCKIE IS CAPTURED BY MILITIA

He and the Vice-President of the Union Were Hiding In Butte Rooming House.

BUTTE, Sept. 9.—“Muckie” McDonald, the fugitive president of the Butte Mine Workers’ union; Joseph Bradley, vice president of the same organization; Thomas J. Coyle and Mrs. Florence Gillis, proprietress of the Moose block rooming house, were arrested this afternoon by Maj. Dan J. Donohue, Capt. Charles Marra, Provost Marshal Frank Conley, Assistant Marshal John P. Murphy and Chief of Police J. J. Murphy.

McDonald and Bradley had been hiding in the Moose block for five days, coming to the city when his line of communications were cut by the soldiers arresting Evans and McLane as they were in the act of carrying provisions to the fugitives.

McDonald ventured forth last night and partook of a meal in a restaurant and was “spotted” by plain clothes men.

Montana's 1972 Constitution: Challenge & Change

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IN THE CRUCIBLE OF CHANGE
MONTANA GOVERNMENT

COPPER COLLAR

MONTANA GOVERNORSHIP ELECTIONS 1889-1964

1964	Roland Renne	136,862	48.7%	Tim Babcock	144,113	51.3%
1960	Paul Cannon	125,651	44.9%	Donald Nutter	154,230	55.1%
1956	Arnold Olsen	131,488	48.6%	Hugo Aronson	138,878	51.4%
1952	John Bonner	129,369	49.0%	Hugo Aronson	134,423	51.0%
1948	John Bonner	124,267	56.0%	Sam Ford	97,792	44.0%
1944	Leif Erickson	89,224	43.2%	Sam Ford	116,461	56.4%
1940	Roy Ayers	119,453	49.0%	Sam Ford	124,435	51.0%
1936	Roy Ayers	115,310	50.9%	Frank Hazelbaker	108,914	48.1%
1932	John Erickson	104,949	48.5%	Frank Hazelbaker	101,105	46.7%
1928	John Erickson	113,635	58.5%	Wellington Rankin	79,777	41.1%
1924	John Erickson	88,801	51.0%	Joseph Dixon	74,126	42.6%
1920	Burton K Wheeler	74,875	40.3%	Joseph Dixon	111,113	59.7%
1916	Sam Stewart	85,683	49.4%	Frank Edwards	76,547	44.1%
1912	Sam Stewart	25,381	31.8%	Harry Wilson	22,950	28.8%
1908	Edwin Norris	32,282	47.3%	Edward Donlan	30,792	45.2%
1904	Joseph K Toole	35,377	53.8%	William Lindsay	26,957	41.0%
1900	Joseph K Toole	31,419	49.2%	David Folsom	22,691	35.6%
1896	Robert Smith	36,688	71.0%	Alexander Botkin	14,993	29.0%
1892	John Rickards	18,187	41.2%	Timothy Collins	17,650	40.0%
1889	Joseph K Toole	19,564	50.7%	Thomas C Power	18,988	49.3%

Montana's 1972 Constitution: Challenge & Change

COPPER COLLAR VARIED ACTIVITIES OF ACM'S "BOSS" SNOBBINS		
Montana's 1972 Constitution: Challenge & Change		

IN THE CRUCIBLE OF CHANGE

COPPER COLLAR

VARIED
ACTIVITIES
OF
ACM'S
"BOSS"
SNOBBINS



Montana's 1972 Constitution: Challenge & Change

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IN THE CRUCIBLE OF CHANGE

COPPER COLLAR

VARIED
ACTIVITIES
OF
ACM'S
"BOSS"
SNOBBINS



Montana's 1972 Constitution: Challenge & Change

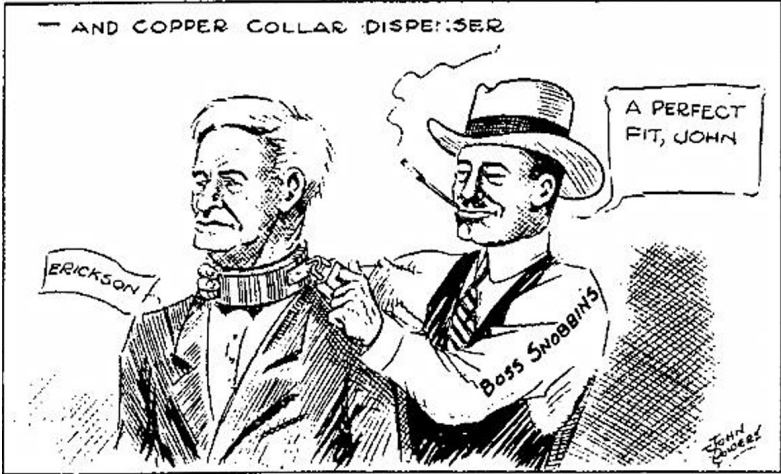
31

IN THE CRIBBLE OF CHANGE

COPPER COLLAR

VARIED
ACTIVITIES
OF
ACM's
"BOSS"
SNOBBINS

— AND COPPER COLLAR DISPENSER



GOVERNOR JOHN ERICKSON

Montana's 1972 Constitution: Challenge & Change

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IN THE CRIBBLE OF CHANGE

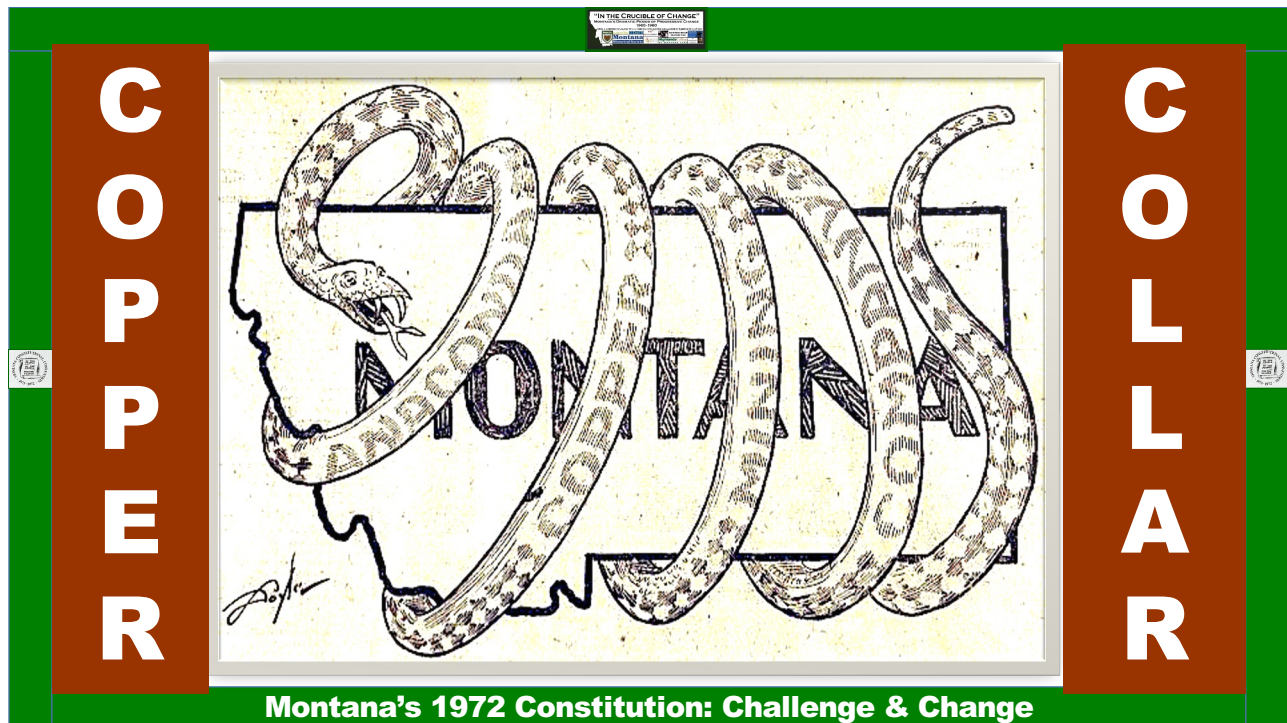
COPPER COLLAR

***“ANACONDA, A COMPANY APTLY
NAMED, HAS A CONSTRICTORLIKE GRIP
ON MUCH THAT GOES ON, AND
MONTANA IS THE NEAREST THING TO A
‘COLONY’ OF ANY AMERICAN STATE”***

~~ JOHN GUNTHER, *INSIDE USA*, 1947 ~~

Montana's 1972 Constitution: Challenge & Change

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IN THE CRUCIBLE OF CHANGE

COPPER COLLAR

**MONTANA NEWSPAPER
READERS ARE “WORSE
INFORMED ABOUT THEIR OWN
AFFAIRS THAN THE INHABITANTS
OF ALMOST ANY OTHER STATE.”**

~~ *The Economist, 1957* ~~

Montana's 1972 Constitution: Challenge & Change

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IN THE CRUCIBLE OF CHANGE

TED SCHWINDEN ON FORCES FOR CHANGE

WWII AFFECT ON MONTANA VETERANS
HAD SEEN THE WORLD — EXPERIENCED WAR - CHANGED
GI BILL AND HIGHER EDUCATION

“A REPUBLIC DOESN'T SURVIVE WITHOUT EDUCATED CITIZENS”

SALE OF ANACONDA COMPANY NEWSPAPERS — OPEN PRESS
INDEPENDENT PRESS — YOUNG INVESTIGATIVE REPORTERS
REAPPORTIONMENT — WEAKENING OF RURAL MONTANA
BREAKDOWN OF ANACONDA/MPC/STOCKGROWERS
DESIRE FOR OPENNESS & TRANSPARENCY
COLLAPSE OF GOP IN 1968 & 1971 ELECTIONS
SALES TAX SEQUENCE 1967 THRU 1971
FORREST ANDERSON — EXECUTIVE REORGANIZATION
LEGISLATIVE MODERNIZATION — ANDERSON-JUDGE CONTINUITY



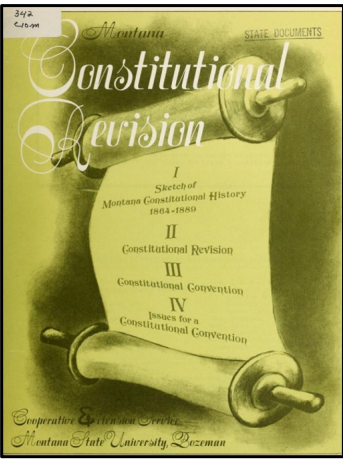
Montana's 1972 Constitution: Challenge & Change

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IN THE CHOICE OF CHANGE

1968 LEGISLATIVE COUNCIL REPORT

1889 CONSTITUTION - 262 SECTIONS IN THE 20 SUBSTANTIVE ARTICLES



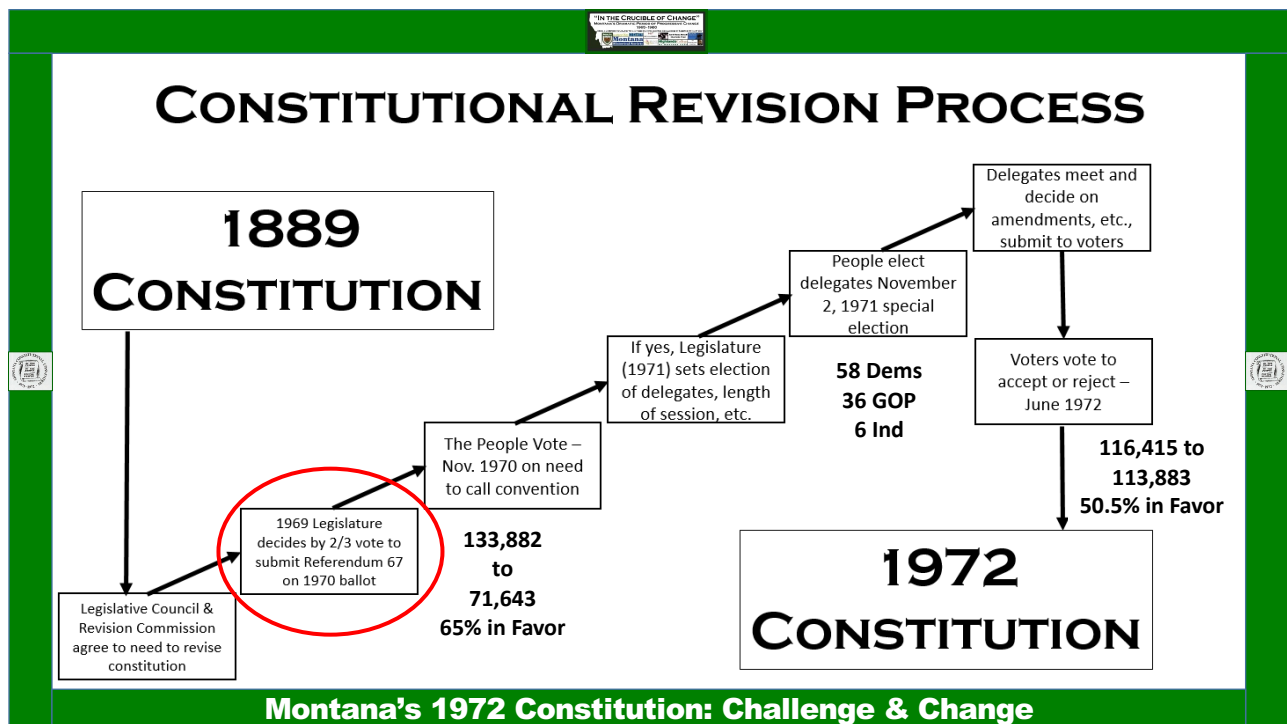
48% OR 124 SECTIONS WERE DEEMED ADEQUATE AS WRITTEN BUT COULD BE IMPROVED

20% OR 53 SECTIONS NEEDED TO BE REVISED

32% OR 85 SECTIONS SHOULD BE REPEALED

Montana's 1972 Constitution: Challenge & Change

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IN THE CRUCIBLE OF CHANGE

1969 LEGISLATURE

THE MONTANA CONSTITUTION REVISION COMMISSION

Sen. John K. McDonald, Chairman
Rep. James E. Murphy, Vice Chairman
Mr. Gus M. Albert
Marjorie H. Brown Jr.
Mr. Wade J. Dahood
Mr. Otto T. Habedank
Sen. John Lyon
Sen. Harry B. Mitchell
Sen. Jim Moore
Dale A. Harris Administrative Assistant

Mr. James W. Murry
Mr. Richard B. Roeder
Mr. Leonard A. Schultz
Mr. Kendrick Smith
Rep. William J. Speare
Rep. Robert D. Watt
Rep. Robert S. White



DALE HARRIS

CONDUCTED RESEARCH AND PREPARED REPORTS (ESSENTIALLY BOOKS) ON ALL SECTIONS OF CONSTITUTION AS 1970 ELECTION PROGRESSED

Name	Position	Committee
Rich Bechtel	Research Analyst	Legislative
Rick Applegate	Research Analyst	Bill of Rights
Jerry Holloron	Deputy Director	Local Government
Jim Grady	Research Analyst	Suffrage-Elections*
Bruce Sievers	Research Analyst	Education
Roger Barber	Counsel	Taxation
Karen Beck	Research Analyst	Executive
Sandra Muckelston	Counsel	Judiciary

Montana's 1972 Constitution: Challenge & Change

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IN THE CRUCIBLE OF CHANGE

BALLOT LANGUAGE — 1970 GENERAL

Title of Bill

AN ACT TO SUBMIT TO THE ELECTORS OF THE STATE OF MONTANA THE QUESTION WHETHER THE LEGISLATIVE ASSEMBLY SHALL CALL A CONSTITUTIONAL CONVENTION.

Section 1. At the general election to be held in November 1970 there shall be submitted to the electors of the state of Montana the question whether the legislative assembly at the 1971 session, and in accordance with Article XIX, section 8 of the Montana constitution, shall call a convention to revise, alter, or amend the constitution of Montana.

☐ For calling a constitutional convention.

☐ Against calling a constitutional convention.

QUESTION: CALL A CONSTITUTIONAL CONVENTION TO REVISE, ALTER OR AMEND THE CONSTITUTION?

Montana's 1972 Constitution: Challenge & Change

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MONTANA LEAGUE OF WOMEN VOTERS



FOUGHT FOR PASSAGE OF CONVENTION CALL AND THEN RATIFICATION

Montana's 1972 Constitution: Challenge & Change

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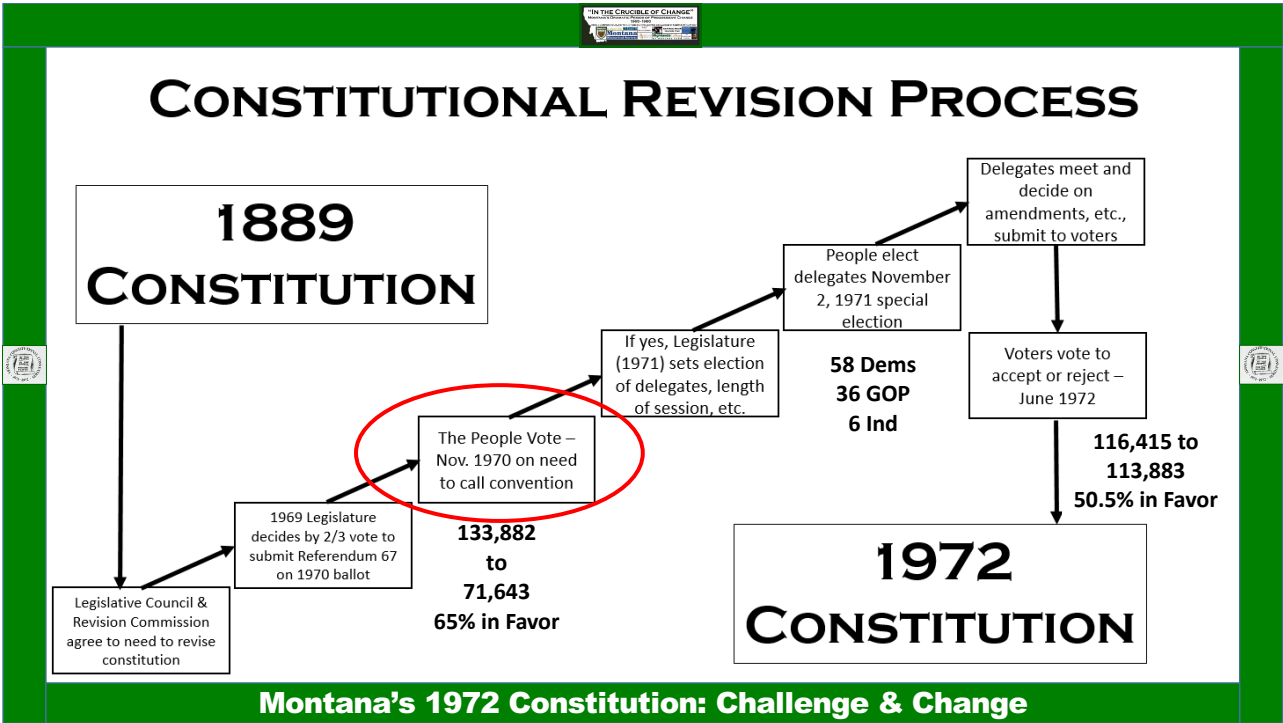
AMERICAN ASSOCIATION OF UNIVERSITY WOMEN (AAUW) MONTANA CHAPTER



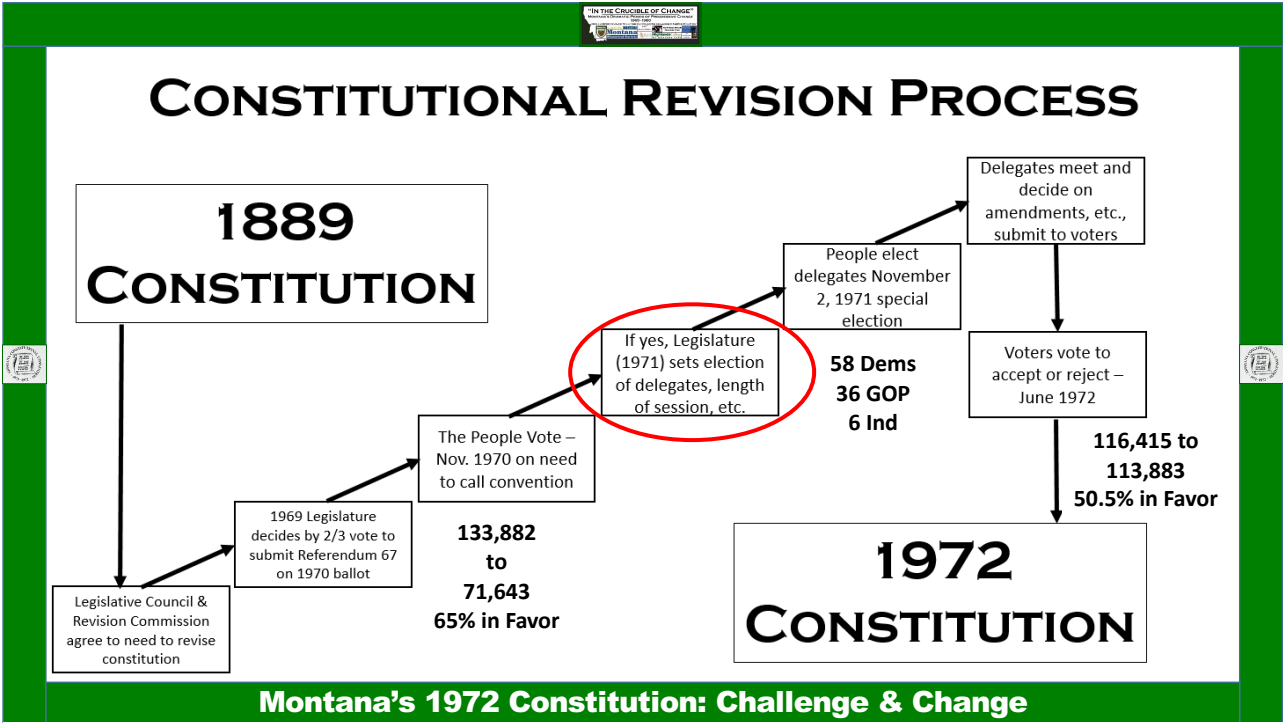
FOUGHT FOR PASSAGE OF CONVENTION CALL AND THEN RATIFICATION

Montana's 1972 Constitution: Challenge & Change

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Constitutional Convention Commission

Commission Members

<i>Chairman</i>	<i>Vice Chairman</i>
ALEXANDER BLEWETT	EUGENE H. MAHONEY
CHARLES A BOVEY	JACK S. BRENNER
MARJORIE H. BROWN	ARTHUR C. HAGENSTON
CHARLES L. HARRINGTON	CLYDE L. HAWKS
R. H. "TY" ROBINSON	LEONARD A. SCHULZ
C. EUGENE PHILLIPS	CLYDE A. RADER
WILLIAM G. STERNHAGEN	RANDALL SWANBERG
BRUCE R. TOOLE	DR. ELLIS WALDRON

**DALE
HARRIS**

SETS UP THE ELECTION OF DELEGATES, THE CONVENTION AND ALL PROCEDURES

Montana's 1972 Constitution: Challenge & Change

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CON CON ELECTION SCHEDULE

August 5, 1971 — 5:00 p.m. — Deadline to file as candidate
for Constitutional Convention

September 14, 1971 — Partisan Primary Election

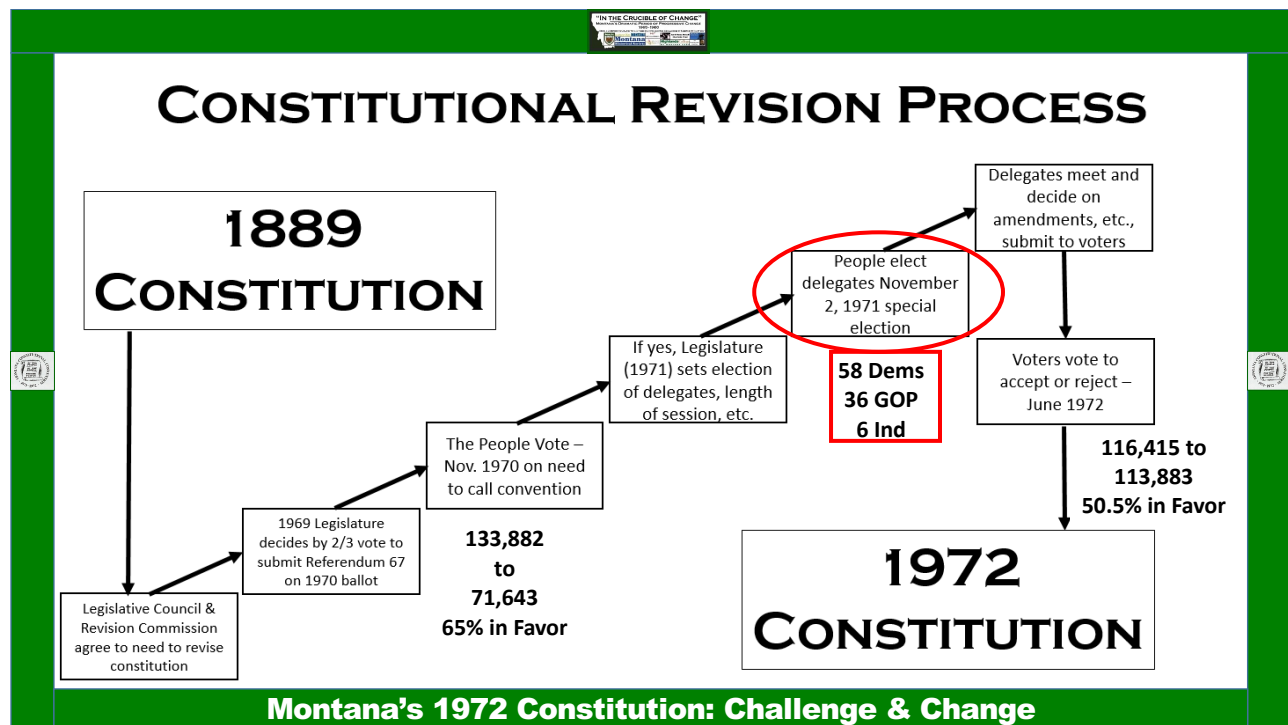
November 2, 1971 — General Election

100 Delegates elected from 23 Montana Districts
(58 Democrats — 36 Republicans — 6 Independents)

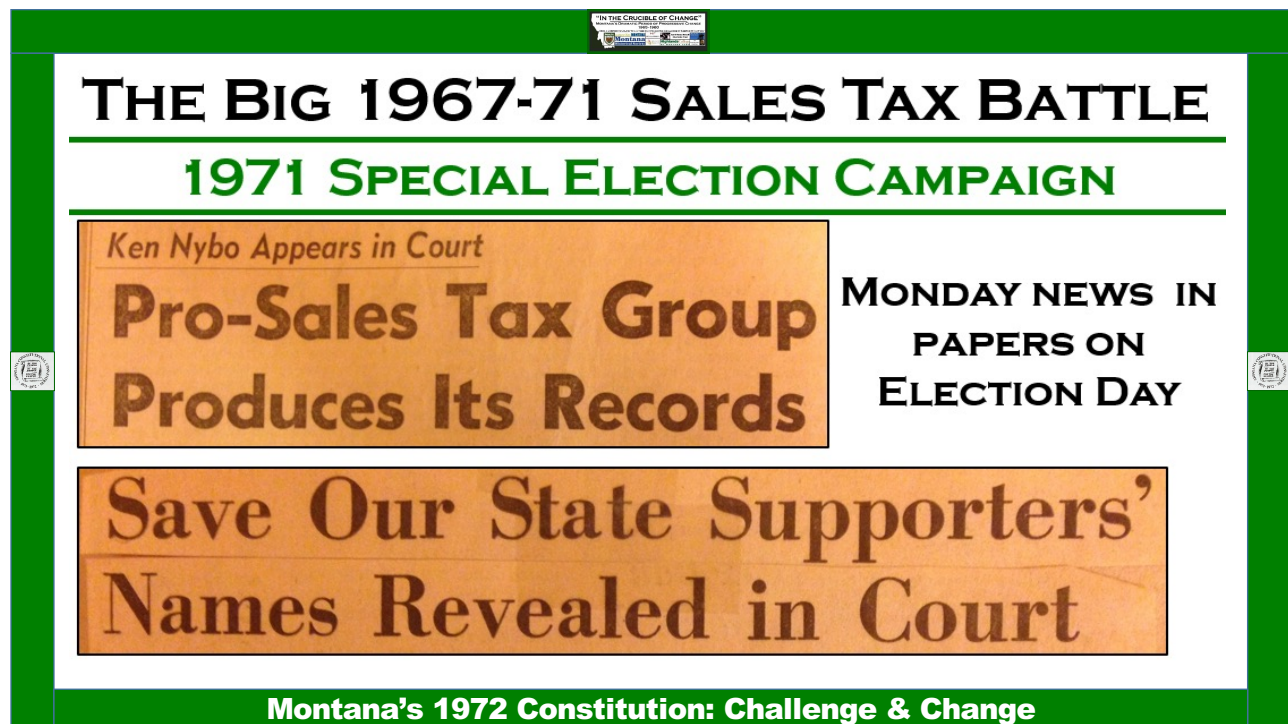
NO CURRENT ELECTED OFFICIAL COULD RUN

Montana's 1972 Constitution: Challenge & Change

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IN THE CHOICE OF CHANGE

THE BIG 1967-71 SALES TAX BATTLE

1971 SPECIAL ELECTION CAMPAIGN



SALES TAX RESULTS

FOR SALES TAX 46,967 (30.2%)
AGAINST SALES TAX 154,680 (69.8%)

CON CON RESULTS

DEMOCRATIC DELEGATES - 58
REPUBLICAN DELEGATES - 36
INDEPENDENT DELEGATES - 6

Montana's 1972 Constitution: Challenge & Change

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IN THE CHOICE OF CHANGE



MONTANA'S 100 CONSTITUTIONAL CONVENTION DELEGATES GATHERED IN THE STATE HOUSE CHAMBERS IN THE STATE CAPITOL - EARLY 1972.

Montana's 1972 Constitution: Challenge & Change

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**1971
LEGISLATURE
HAD ONLY
2 WOMEN
OUT OF 154
MEMBERS**

**NINETEEN MONTANA WOMEN ALSO
WROTE THE CONSTITUTION (19 OF 100)**

Montana's 1972 Constitution: Challenge & Change

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**1971
LEGISLATURE
HAD ONLY
2 WOMEN
OF 154
MEMBERS**

**NINETEEN MONTANA WOMEN ALSO
WROTE THE CONSTITUTION (19 OF 100)**

Montana's 1972 Constitution: Challenge & Change

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IN THE CHOICE OF CHANGE

DELEGATES WHO WERE MEMBERS OF THE LEAGUE OF WOMEN VOTERS



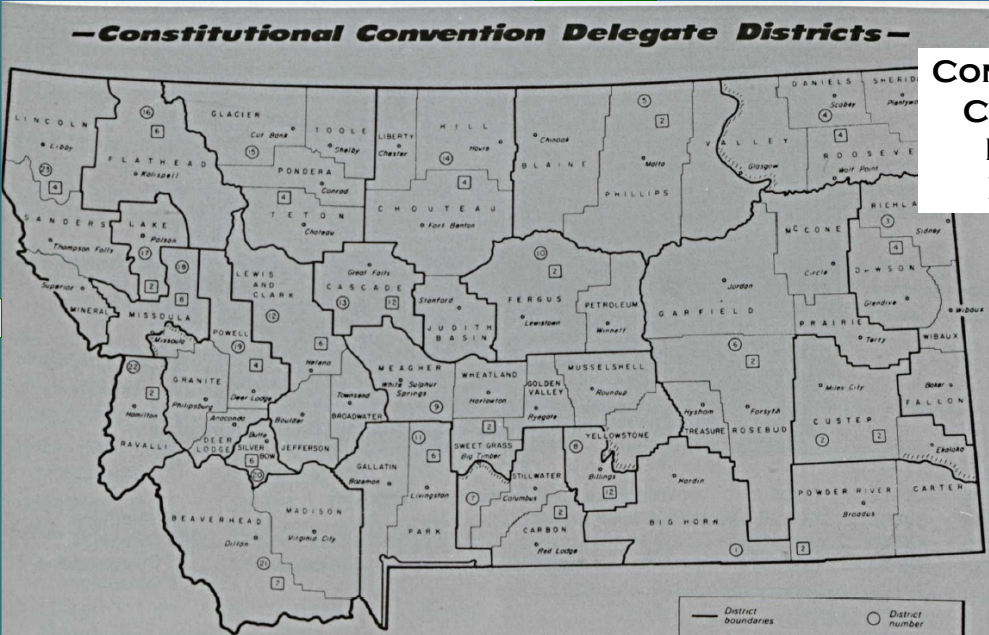
1 VIRGINIA BLEND,
2 GRACE BATES,
3 JEAN BOWMAN,
4 DAPHNE BUGBEE,
5 DOROTHY ECK,
6 ARLYNE REICHERT,
7 LUCILLE SPEER,
8 EDITH VAN BUSKIRK, AND
9 MARGARET WARDEN

Montana's 1972 Constitution: Challenge & Change

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IN THE CHOICE OF CHANGE

—Constitutional Convention Delegate Districts—



CONSTITUTIONAL
CONVENTION
DELEGATE
DISTRICTS

MULTI-MEMBER,
NOT
SINGLE
MEMBER,
DISTRICTS

Montana's 1972 Constitution: Challenge & Change

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IN THE CHAIRS OF CHANGE

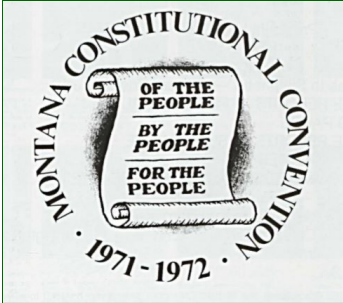
YOUNGEST DELEGATE — AGE 24

MAE NAN ROBINSON



Mae Nan Robinson

Mae Nan Robinson — Missoula, District 18, Republican. Born June 1, 1947 in Mineral Wells, Texas; government researcher; widow.





Lucille Speer

Lucille Speer — Missoula, District 18, Democrat. Born January 7, 1899 in Branch County, Michigan; came to Montana in 1919; Retired Documents Librarian, University of Montana.

LUCILLE SPEER

OLDEST DELEGATE — AGE 73

Montana's 1972 Constitution: Challenge & Change

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IN THE CHAIRS OF CHANGE



**SEATING ALPHABETICALLY, NOT BY
PARTY — SHARED COMMITTEE
CHAIRMANSHIPS**

Montana's 1972 Constitution: Challenge & Change

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IN THE CRUCIBLE OF CHANGE

LAST OF THE 100

LIVING CONSTITUTIONAL CONVENTION DELEGATES

FRANKLIN ARNESS — LIBBY - NOW: DELAWARE	JERRY LOENDORF — HELENA
MAE NAN (ROBINSON) ELLINGSON — MISSOULA	LYLE MONROE — GREAT FALLS - NOW: ARIZONA
GENE HARBAUGH — POPLAR - NOW: NEW MEXICO	MARSHALL MURRAY — KALISPELL - NOW: OREGON
LYNN (SPARKS) KEELEY — BUTTE - NOW: ARIZONA	BOB VERMILLION — SHELBY - NOW: GREAT FALLS

ONLY 8 OF THE 100 ARE STILL WITH US.

Montana's 1972 Constitution: Challenge & Change

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IN THE CRUCIBLE OF CHANGE

PREAMBLE

the
CONSTITUTION
of the state of
MONTANA

as Adopted By the Constitutional Convention
March 22, 1972,
and as Ratified By the People, June 6, 1972,
Referendum No. 68

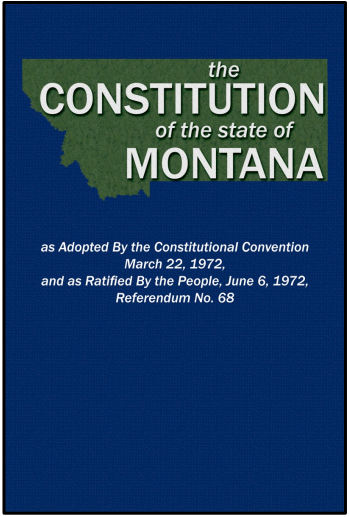
*We the people of Montana grateful to
God for the quiet beauty of our state,
the grandeur of our mountains, the
vastness of our rolling plains, and
desiring to improve the quality of life,
equality of opportunity and to secure
the blessings of liberty for this and
future generations do ordain and
establish this constitution.*
- Preamble to Montana's Constitution

Montana's 1972 Constitution: Challenge & Change

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DECLARATION OF RIGHTS



OVER 20 HEARINGS

46 PROPOSALS

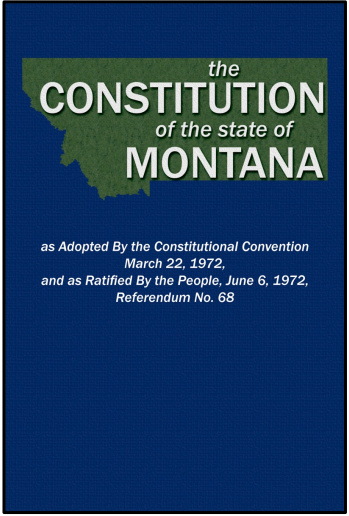
138 WITNESSES

Montana's 1972 Constitution: Challenge & Change

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DECLARATION OF RIGHTS



FOUR FEATURES

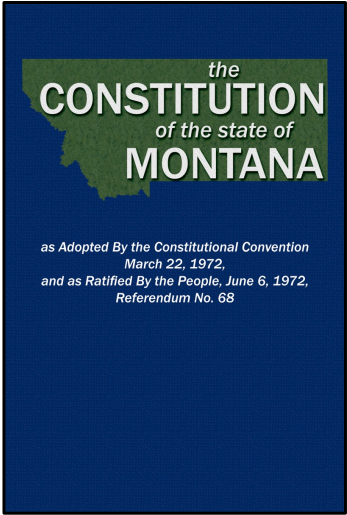
- **PROTECT PEOPLE FROM GOVERNMENTAL ABUSE**
- **PROTECTING MINORITIES FROM RUNAWAY MAJORITIES (WHEN IT COMES TO RIGHTS)**
- **PROTECT PEOPLE FROM CONCENTRATIONS OF POWER IN THE PRIVATE SECTOR**
- **PROVIDE CITIZENS WITH THE MEANS BY WHICH THEY CAN MORE EFFECTIVELY PARTICIPATE IN PUBLIC LIFE**

Montana's 1972 Constitution: Challenge & Change

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IN THE CRUCIBLE OF CHANGE

EXECUTIVE BRANCH



as Adopted By the Constitutional Convention
March 22, 1972,
and as Ratified By the People, June 6, 1972,
Referendum No. 68

TWENTY DEPARTMENT LIMIT

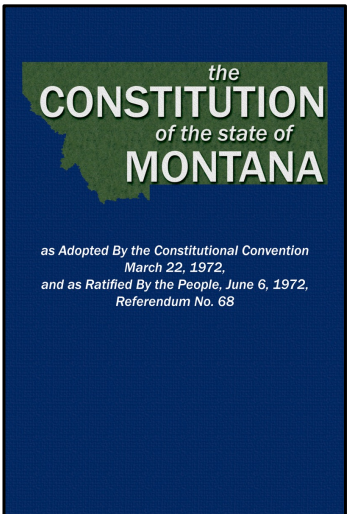
STRONG GOVERNOR

Montana's 1972 Constitution: Challenge & Change

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IN THE CRUCIBLE OF CHANGE

LEGISLATIVE BRANCH



as Adopted By the Constitutional Convention
March 22, 1972,
and as Ratified By the People, June 6, 1972,
Referendum No. 68

SINGLE MEMBER DISTRICTS

**REAPPORTIONMENT
COMMISSION**

ALL VOTES RECORDED

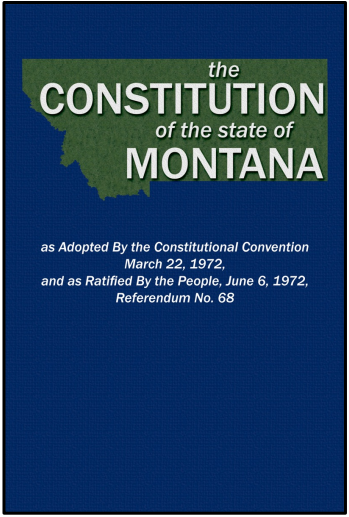
FROM 60 TO 90 DAYS

Montana's 1972 Constitution: Challenge & Change

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JUDICIAL BRANCH



JUDICIAL NOMINATIONS
COMMISSION (?)

JUDICIAL STANDARDS
COMMISSION

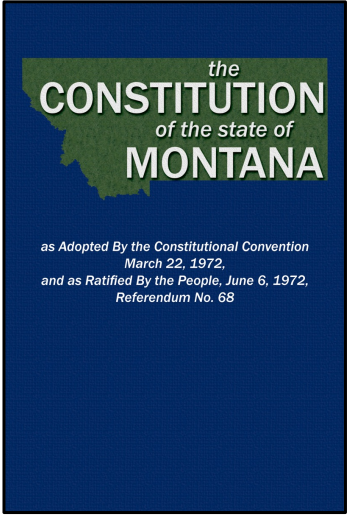
LONGER TERMS

Montana's 1972 Constitution: Challenge & Change

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REVENUE & FINANCE



TAX EQUALIZATION

UNIFIED INVESTMENT

HIGHWAY \$ NON-DIVERSION

STATE & LOCAL DEBT LIMIT

INDEPENDENT APPEALS

STATE APPRAISAL

COAL TAX TRUST FUND

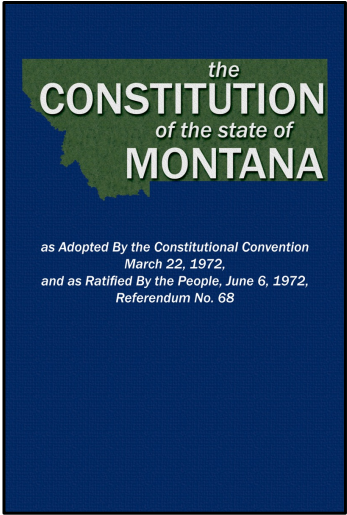
RESOURCE INDEMNITY
TRUST

Montana's 1972 Constitution: Challenge & Change

76



LOCAL GOVERNMENT



SELF-GOVERNING

CONSOLIDATION

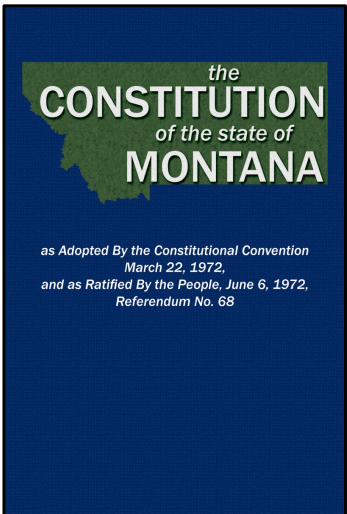
REGULAR REVIEW

Montana's 1972 Constitution: Challenge & Change

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EDUCATION



**BOARD OF PUBLIC
EDUCATION**

BOARD OF EDUCATION

**BOARD OF REGENTS
INDEPENDENCE**

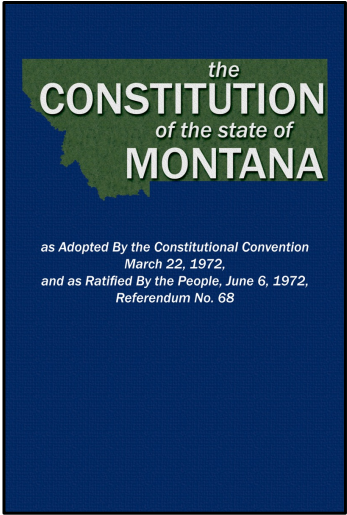
EQUITY (QUALITY & \$\$)

SECTARIAN PROHIBITION

Montana's 1972 Constitution: Challenge & Change

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PUBLIC LANDS

LAND BOARD

PUBLIC LANDS

HELD IN TRUST

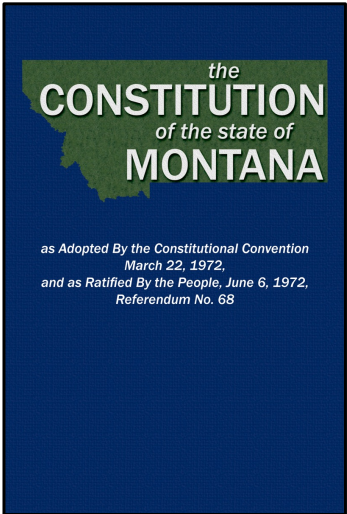
NOT DISPOSED OF WITHOUT FOLLOWING LAW AND GETTING REAL VALUE

CAN SWAP LAND

Montana's 1972 Constitution: Challenge & Change

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OPENNESS & RIGHT-TO-KNOW

RIGHT TO KNOW (BALANCED)

RIGHT OF PRIVACY

PUBLIC RECORDS

RIGHT OF PARTICIPATION

Montana's 1972 Constitution: Challenge & Change

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IN THE CHOICE OF CHANGE

Montana's 1972 Constitution: Challenge & Change

OTHER HIGHLIGHTS

the
CONSTITUTION
of the state of
MONTANA

as Adopted By the Constitutional Convention
March 22, 1972,
and as Ratified By the People, June 6, 1972,
Referendum No. 68

INDIAN EDUCATION FOR ALL

RIGHT TO A CLEAN AND HEALTHFUL ENVIRONMENT

Montana's 1972 Constitution: Challenge & Change

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IN THE CHOICE OF CHANGE

Montana's 1972 Constitution: Challenge & Change

CONSTITUTIONAL REVISION PROCESS

1889
CONSTITUTION

Legislative Council & Revision Commission agree to need to revise constitution

1969 Legislature decides by 2/3 vote to submit Referendum 67 on 1970 ballot

The People Vote – Nov. 1970 on need to call convention
133,882 to 71,643
65% in Favor

If yes, Legislature (1971) sets election of delegates, length of session, etc.

People elect delegates November 2, 1971 special election
58 Dems
36 GOP
6 Ind

Delegates meet and decide on amendments, etc., submit to voters

Voters vote to accept or reject – June 1972
116,415 to 113,883
50.5% in Favor

1972
CONSTITUTION

Montana's 1972 Constitution: Challenge & Change

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Created by Evan Barrett, Oct 2024

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IN THE CHOICE OF CHANGE

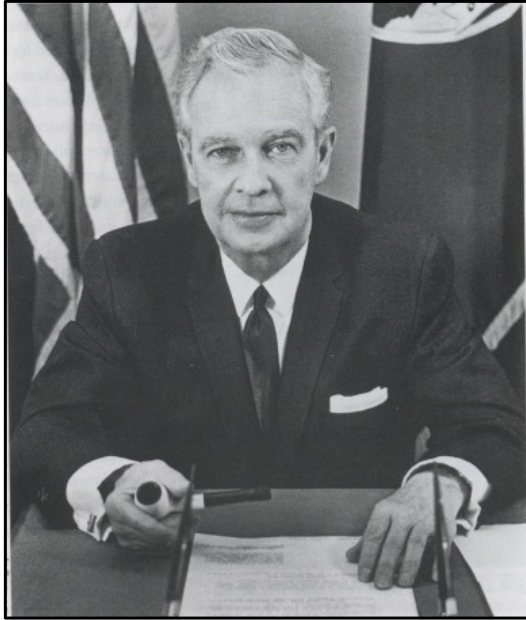
GOV. FORREST ANDERSON
GOVERNOR
JANUARY 1969 - JANUARY 1973

ROLE IN CONSTITUTION

QUIET SUPPORT

EXECUTIVE REORGANIZATION

CERTIFICATION OF ELECTION



Montana's 1972 Constitution: Challenge & Change

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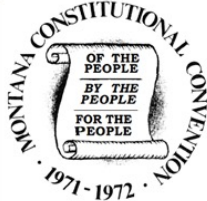
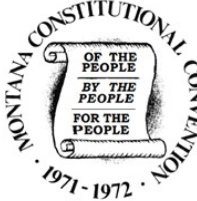
IN THE CHOICE OF CHANGE

DID YOU KNOW?

- Your Montana Constitution guarantees you a strong **Right of Privacy**, enjoy it and protect it
- Your Montana Constitution guarantees you a strong **Right-to-Know** what your government is doing including **open meetings and records** – take advantage of it and protect it
- Your Montana Constitution is the only constitution that guarantees you the **Right to Participate** in your government before decisions are made – use it and protect it
- Your Montana Constitution provides you a constitutional right to a **Clean & Healthful Environment** – enjoy it and protect it
- Your Montana Constitution requires **All Votes in the Legislature to be Publically Recorded** so you'll know what your legislators are doing.
- Your Montana Constitution guarantees you a **Right to Keep & Bear Arms** that is stronger than the US Constitution
- Your Montana Constitution guarantees you a **Right to Vote** that is stronger than the US Constitution
- Your Montana Constitution guarantees you **an independent & non-partisan Judiciary (court system)**
- Your Montana Constitution guarantees you the **right to vote on another Constitutional Convention every 20 years, the next time in 2030**
- Your Montana Constitution **Protects MT's hunting & fishing heritage**
- Under your Montana Constitution **all state lands are held in trust for the people of Montana**
- Under your Montana Constitution **the state government must maintain a balanced budget**
- Your Montana Constitution requires a **balanced independent citizen commission** to redraw our legislative district lines every 10 years.

Montana's 1972 Constitution: Challenges after 50 Years

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THE CURRENT & ONGOING CHALLENGES TO THE CONSTITUTION

Montana's 1972 Constitution: Challenge & Change

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67 BILL DRAFT REQUESTS FOR PROPOSED CONSTITUTIONAL AMENDMENTS TO BE SUBMITTED TO THE PEOPLE IN 2024

LC2450		12/03/2022	Lyn Hellegaard (R) HD 97	(C) Draft Ready for Delivery	12/30/2022	Constitutional amendment re process reasons for removal and discipline of judges
LC2549		12/03/2022	Steve Fitzpatrick (R) SD 10	(C) Draft On Hold	12/04/2022	Revise Montana Constitution on districting and apportionment commission
LC2550		12/03/2022	Steve Fitzpatrick (R) SD 10	(C) Draft On Hold	12/04/2022	Constitutional amendment on districting and apportionment
LC2551		12/03/2022	Steve Fitzpatrick (R) SD 10	(C) Draft On Hold	01/28/2023	Constitutional amendment on proposing constitutional amendments
LC2749		12/03/2022	Brad Barker (R) HD 58	(C) Draft Ready for Delivery	02/28/2023	Constitutional amendment to revise terms of investment of coal tax trust fund
LC3127		12/05/2022	Mike Hopkins (R) HD 92	(C) Draft On Hold	02/07/2023	Constitutional amendment regarding board of regents
LC3128		12/05/2022	Mike Hopkins (R) HD 92	(C) Draft On Hold	03/29/2023	Constitutional amendment regarding redistricting
LC3467		12/08/2022	Bob Keenan (R) HD 10	(C) Draft On Hold	12/08/2022	Referendum to repeal Art. XII, section 4 of MT Constitution
LC3468		12/08/2022	Bob Keenan (R) HD 10	(C) Draft On Hold	12/16/2022	Make Art. XII, sec 4 of MT Constitution statutory
LC3469		12/08/2022	Bob Keenan (R) HD 10	(C) Draft On Hold	12/08/2022	Referendum to repeal Art. IX, section 6 of MT Constitution
LC3470		12/08/2022	Bob Keenan (R) HD 10	(C) Draft On Hold	12/08/2022	Make Art. IX, sec 6 of MT Constitution statutory
LC3892		12/11/2022	Steve Hinebaugh (R) SD 18	(C) Draft On Hold	02/07/2023	Constitutional amendment relating to Article X, Montana Constitution
LC4040		12/11/2022	Kenneth Bogner (R) SD 19	(C) Draft On Hold	02/07/2023	Constitutional amendment to assign biometric data
LC4062		12/11/2022	Jedediah Hinkle (R) HD 67	(C) Draft On Hold	02/07/2023	Montana constitutional amendment concerning the U.S. constitution
LC4260		12/22/2022	Paul Green (R) HD 41	(C) Draft Ready for Delivery	03/25/2023	Constitutional amendment on redistricting
LC4353		12/31/2022	Steve Fitzpatrick (R) SD 10	(C) Draft On Hold	01/04/2023	Constitutional amendment on abortion
LC4354		12/31/2022	Steve Fitzpatrick (R) SD 10	(C) Draft Ready for Delivery	03/16/2023	Constitutional amendment on redistricting
LC4355		12/31/2022	Steve Fitzpatrick (R) SD 10	(C) Draft On Hold	01/01/2023	Constitutional amendment on elections
LC4356		12/31/2022	Steve Fitzpatrick (R) SD 10	(C) Draft On Hold	01/01/2023	Constitutional amendment on initiatives
LC4357		12/31/2022	Steve Fitzpatrick (R) SD 10	(C) Draft On Hold	01/01/2023	Constitutional amendment on constitutional initiatives
LC4376		12/31/2022	Fred Anderson (R) HD 20	(C) Draft On Hold	01/01/2023	Constitutional amendment on elections
LC4607		02/13/2023	Jason W Ellsworth (R) SD 43	(C) Draft On Hold	04/04/2023	Constitutional amendment establishing a state trust fund
LC4623		03/09/2023	Matt Regier (R) HD 4	(C) Draft Ready for Delivery	03/13/2023	Constitutional amendment to prohibit public funding of abortion

Montana's 1972 Constitution: Challenges after 50 Years

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Montana's 1972 Constitution: Challenge and Change

Bill Draft No. (LC No.)	Request Date	Requestor	Status	Status Date	Short Title
LC0299	09/14/2022	Greg Hertz (R) SD 6	(C) Draft Ready for Delivery	03/01/2023	Constitutional amendment to provide for run-off elections
LC0723	10/17/2022	Becky Beard (R) SD 40	(C) Draft On Hold	01/19/2023	Constitutional amendment to make using property an inalienable right
LC1049	11/10/2022	Carl Glimm (R) SD 2	(C) Draft On Hold	12/06/2022	Amend article X, section 9 of Montana constitution
LC1104	11/13/2022	Rhonda Knudsen (R) HD 34	(C) Draft Ready for Delivery	12/27/2022	Constitutional amendment to allow term limits for certain judges and justices
LC1162	11/14/2022	Bill Mercer (R) HD 46	(C) Draft On Hold	04/03/2023	Constitutional amendment to revise terms of supreme court justices
LC1830	11/30/2022	Daniel Zolnikov (R) SD 22	(C) Draft On Hold	11/30/2022	Constitutional referendum on the ownership of biometric data
LC1849	11/30/2022	Daniel Zolnikov (R) SD 22	(C) Draft On Hold	11/30/2022	Constitutional referendum for amendment of privacy clause
LC1850	11/30/2022	Daniel Zolnikov (R) SD 22	(C) Draft On Hold	01/24/2023	Constitutional referendum to preserve stream access for the public
LC1851	11/30/2022	Daniel Zolnikov (R) SD 22	(C) Draft On Hold	11/30/2022	Constitutional referendum regarding use of private property
LC1911	11/30/2022	Jedediah Hinkle (R) HD 67	(C) Draft Ready for Delivery	03/22/2023	Constitutional referendum on redistricting
LC1912	11/30/2022	Jedediah Hinkle (R) HD 67	(C) Draft On Hold	02/07/2023	Constitutional referendum on school choice
LC1994	12/01/2022	Braxton Mitchell (R) HD 3	(C) Draft Ready for Delivery	03/17/2023	Constitutional referendum to elect board of regents of higher education
LC2020	12/01/2022	Caleb Hinkle (R) HD 68	(C) Draft On Hold	02/07/2023	Constitutional amendment on the rights of the individual over the collective
LC2034	12/01/2022	Caleb Hinkle (R) HD 68	(C) Draft On Hold	02/07/2023	Constitutional amendment defining gender
LC2038	12/01/2022	Caleb Hinkle (R) HD 68	(C) Draft On Hold	12/13/2022	Constitutional amendment establishing parent's bill of rights
LC2048	12/01/2022	Caleb Hinkle (R) HD 68	(C) Draft On Hold	02/07/2023	Constitutional amendment to enshrine right to farm and ranch
LC2109	12/02/2022	Caleb Hinkle (R) HD 68	(C) Draft On Hold	12/04/2022	Provide for a constitutional amendment regarding judicial appointment
LC2113	12/02/2022	Caleb Hinkle (R) HD 68	(C) Draft On Hold	12/06/2022	Constitutional amendment clarifying the Second Amendment to the US constitution
LC2212	12/03/2022	Daniel Emrich (R) SD 11	(C) Draft to Requester for Review	02/08/2023	Constitutional amendment ensuring student and parental freedom
LC2385	12/03/2022	Steve Gunderson (R) HD 1	(C) Draft On Hold	12/23/2022	Revise Montana constitutional language regarding clean and healthful environment
LC2428	12/03/2022	Steve Gunderson (R) HD 1	(C) Draft On Hold	01/04/2023	Revise constitutional provisions related to ballot initiatives/signature gathering
LC2429	12/03/2022	Steve Gunderson (R) HD 1	(C) Draft On Hold	01/04/2023	Revise constitutional provisions related to initiative signature gathering
LC2430	12/03/2022	Steve Gunderson (R) HD 1	(C) Draft On Hold	01/04/2023	Constitutional amendment governing judicial recall
LC2431	12/03/2022	Steve Gunderson (R) HD 1	(C) Draft On Hold	02/05/2023	Constitutional amendment related to taxation
LC2432	12/03/2022	Steve Gunderson (R) HD 1	(C) Draft On Hold	02/05/2023	Constitutional amendment on state-assessed fees

Montana's 1972 Constitution: Challenges after 50 Years

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19 BECAME INTRODUCED BILLS – NONE ACHIEVED THE 100 VOTES NEEDED TO BE SUBMITTED TO THE PEOPLE IN 2024					
Bill Type - Number	LC Number	Primary Sponsor	Status	Status Date	Short Title
HB 197	LC1074	Jennifer Carlson (R) HD 69	(H) Missed Deadline for Referendum Proposal Transmittal*	04/06/2023	Constitutional amendment on article X, section 9
HB 372	LC3404	Paul Fielder (R) HD 13	(H) Died in Process*	05/08/2023	Establish right to hunt in Constitution
HB 405	LC3742	Lola Sheldon-Galloway (R) HD 22	(H) Missed Deadline for Referendum Proposal Transmittal*	04/06/2023	Constitutional amendment related to grand juries
HB 517	LC3110	Mike Hopkins (R) HD 92	(S) Died in Process*	05/08/2023	Constitutional amendment regarding board of regents
HB 551	LC1976	Casey Knudsen (R) HD 33	(H) Died in Process*	05/08/2023	Implement constitutional carry into the Montana Constitution
HB 866	LC2157	Brandon Ler (R) HD 35	(H) Missed Deadline for Referendum Proposal Transmittal*	04/06/2023	Constitutional amendment related to redistricting
HB 895	LC4283	Paul Green (R) HD 41	(H) Missed Deadline for Referendum Proposal Transmittal*	04/06/2023	Constitutional amendment to require legislative approval of redistricting plan
HB 915	LC1161	Bill Mercer (R) HD 46	(S) Died in Process*	05/08/2023	Constitutional amendment to change process to select supreme court justices
HB 919	LC4629	Terry Falk (R) HD 8	(H) Missed Deadline for Referendum Proposal Transmittal*	04/06/2023	Constitutional amendment to refund excess general fund revenue
HB 934	LC3761	Lola Sheldon-Galloway (R) HD 22	(H) Missed Deadline for Referendum Proposal Transmittal*	04/06/2023	Constitutional amendment relating to structure of redistricting commission
HB 965	LC0915	Jerry Schillinger (R) HD 37	(H) Missed Deadline for Referendum Proposal Transmittal*	04/06/2023	Constitutional amendment to remove supreme court rulemaking authority
SB 272	LC0693	Theresa Manzella (R) SD 44	(H) Died in Standing Committee*	05/08/2023	Constitutional amendment to secure the office of county sheriff
SB 372	LC2232	Daniel Emrich (R) SD 11	(S) Missed Deadline for Referendum Proposal Transmittal*	04/06/2023	Constitutional amendment to revise selection of certain judges and justices
SB 515	LC1883	Steve Fitzpatrick (R) SD 10	(S) Missed Deadline for Referendum Proposal Transmittal*	04/06/2023	Constitutional referendum on redistricting
SB 526	LC0771	Daniel Emrich (R) SD 11	(S) Missed Deadline for Referendum Proposal Transmittal*	04/06/2023	Constitutional referendum personhood amendment
SB 534	LC4638	Tom McGilvray (R) SD 23	(S) Died in Process*	05/08/2023	Constitutional amendment on redistricting
SB 542	LC2804	Brad Molnar (R) SD 28	(S) Missed Deadline for Referendum Proposal Transmittal*	04/06/2023	Constitutional amendment to limit property values and property taxes
SB 562	LC0951	Chris Friedel (R) SD 26	(S) Missed Deadline for Referendum Proposal Transmittal*	04/06/2023	Constitutional amendment regarding term limits for other public officials/judges
SB 563	LC4606	Kenneth Bogner (R) SD 19	(H) Died in Standing Committee*	05/08/2023	Constitutional amendment establishing a mental health trust fund

5 on Redistricting Regents Judicial System Pirvacy/Abortion Guns

Montana's 1972 Constitution: Challenges after 50 Years

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GOP "BOTTOM UP" REVISION EFFORTS

PASS UNCONSTITUTIONAL BILLS

HOPE THEY GO UNCHALLENGED

**APPROPRIATE \$2.4 MILLION TO PAY FOR
ATTORNEYS TO DEFEND LEGISLATURE'S
UNCONSTITUTIONAL PRODUCTS**

**CONDEMN THE COURTS FOR DOING THEIR
CONSTITUTIONAL DUTY**

Montana's 1972 Constitution: Challenges after 50 Years

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LOOKING FORWARD

WATCH FOR EVENTS

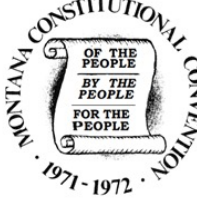
LEARN ABOUT CONSTITUTION

FOLLOW COURT CASES

PREPARE FOR 2030 VOTE

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**PRESENTATION TO
MFPE ANNUAL
EDUCATORS' CONFERENCE
OCTOBER 17, 2024**

Montana's 1972 Constitution: Challenge & Change