

and even higher amounts in later years. A \$4 billion tax increase in 1988 would mean that the repeal of indexing had raised taxes by more than 10%. And after a decade of inflation at just 4% a year, taxes without indexing would be 25% higher than if indexing is retained.

Of course, a higher rate of inflation would mean more bracket creep and thus a bigger tax increase each year. If inflation averaged 6.5% for the next five years, the extra tax revenue in 1988 would be about \$80 billion instead of \$44 billion. And a replay of the inflation experience of the Carter years—with inflation rising from

growth between now and then has reduced the deficit to less than 2.5% of GNP. If tax revenue must be raised, the repeal of indexing isn't a satisfactory substitute for an explicit tax increase. Because the repeal of indexing is a hidden way of increasing taxes, it removes the pressure to choose between spending cuts and more taxes. And unlike voting an explicit tax increase, repealing indexing doesn't provide a fixed amount of additional tax revenue but starts a money machine that will squeeze more and more money from taxpayers in the years ahead. The repeal of indexing is politically tempting to many in Congress because it increases revenue

for the lowest income taxpayers. It is the lowest income taxpayer who benefits most from the indexing of the \$1,000 personal exemption and the \$3,400 zero bracket amount. In addition, since the tax brackets are narrower at lower incomes, bracket creep is more severe. Eliminating indexing would cause the 1985 tax liability of those with incomes under \$10,000 to rise by more than 9% while the tax liability of those with incomes over \$100,000 would rise by less than 2%.

The liberals who want to repeal indexing are unconcerned about this increase in the tax burden on low-income taxpayers. They know that the vast increase in tax

indexing would eliminate political accountability and encourage wasteful government spending. It would make greater inflation an aid to politicians and an extra burden to taxpayers. It would initiate a continuous battle over the distribution of the tax burden.

The indexing of the personal income tax is the most fundamental and far-reaching aspect of Ronald Reagan's tax program. It must not be repealed.

Mr. Feldstein is chairman of the Council of Economic Advisers.

Gun Control: What Went Wrong in California

By PETER HART and DOUG BAILEY
California's Proposition 15 would have been the toughest handgun control law in any state in America. Last June it led in the polls better than 60% to 40%. On Nov. 2 it lost at the polls worse than 60% to 40%.

Understanding why may make the gun control lobby even stronger than the gun lobby—whose California victory is bound temporarily to scare every politician in its sights.

This was handgun control's first full-filt election battle—and every political officeholder will agree that you learn more from the first campaign than from all the rest combined. Ask Howard Baker or John Glenn. Ask anyone who ever had to run twice to win once.

Proposition 15 would have registered all California handguns, imposed a tough mandatory jail term for anyone caught on the street with an unregistered handgun and limited the number of handguns in California to the total number registered as of one year after passage (estimated at 5,000,000).

Proposition 15 did not affect rifles or long guns. It was not a ban of any kind. It would have confiscated nothing.

The issue made extraordinarily good sense. And John Phillips and Victor Palmieri of Californians Against Street Crime offered extraordinarily strong leadership. But Proposition 15 lost.

Californians did not reject the principle of gun control. They rejected Proposition

15—a specific and complicated law. Nonetheless, it was undeniably a setback for rational handgun control.

Some of the reasons were obvious before Election Day. First, proponents of the proposition were outspent 7 to 1—and lacked the funds to be effective on media. Second, the opponents made better use of their police support. And third, the proposition was 60 pages long, letting opponents attack its weakest link and make it seem scary.

In a postelection survey some other key factors emerged. (We re-interviewed 296 voters who in June had not been hard-core opponents.) First, the voters did not feel Proposition 15 or the campaign dealt effectively with crime, which was a top priority with them. A majority agreed that "Controlling handguns will do little to solve the crime problem." And among those who switched from "yes" in June to "no" in November, 72% agreed.

Second, the message the voters seemed to receive in the campaign was that the law would hurt them. Nearly three-quarters of the voters who switched their position and ultimately voted "no" agreed that: "This gun initiative would have hurt the law-abiding citizen more than the criminals." Not surprisingly, voters' commitment to the principle of gun control was less influential with them than their self-interest in personal protection.

Third, the campaign became sidetracked from focusing on what was really at stake. More than 40% of the voters

thought the legislation would result in another government bureaucracy and a majority felt the initiative might result in a black market. Opponents pushed those arguments; supporters did not answer them adequately.

In short, the other side did a better job of shaping and then dominating the dialogue. But the vote in 1982 was on Proposition 15—not on any or all handgun control proposals. Handgun control can win—and will with a different campaign.

Here from last year's experience are five recommendations for Handgun Control Inc., whose stand-up leadership in the California fight has earned it the undisputed leadership of the national movement:

1. *Get into fighting crime.* A proposal to control guns that is not clearly part of a program to fight crime will not be seen in the self-interest of the middle (influenceable) third of the voters. All across America otherwise sensible people are buying guns because other answers to crime haven't worked. The handgun control movement will succeed when it supports anti-crime efforts which hold out hope. The desired goal of all is to reduce crime. Handgun control is a means toward that end—not an end in itself.

2. *Build local grass roots organization.* Only when handgun control has visible grass-roots support as part of a war on crime can it counter the predictable grass-roots efforts of the organized gun owners. And door-to-door anti-crime organizing can engage another form of self-interest for the issue—the peer pressure of friends, rela-

tives, neighbors personally asking for help.

3. *Identify the enemy.* It's not the "no" voters. It's not the gun owners or the gun dealers or the NRA—not even the gun manufacturers that bankroll the opposition are the enemy.

The real enemies of handgun control are the ones who prosper from easy access to guns—the criminals who use them to rob, kill, maim and frighten law-abiding people. The criminals who rely on guns are the ones who will be hurt the most by rational, effective handgun control.

We ought to want the voters to choose between handgun control advocates (who wish to deny criminals access to their weapons) and the gun lobby (which permits criminals access to their weapons). But the gun lobby is merely the opponent; the enemy is the criminal.

4. *Never again go to battle without the capacity to win.* Hoping that intellectual support will mean dollar support won't do it. We know the gun manufacturers will fund the other side.

The money for the handgun control movement is there. Proposition 15 actually was the first time major contributions were ever asked for this issue. Many responses were disappointing, but starting from ground zero the progress was startling. Concentrated effort will produce the money.

5. *Fight again.* Handgun control is on the verge of happening. Even after it had lost, 70% in our California poll said Proposition 15 "may not have been perfect but it was a step in the right direction." The gun lobby knows that the California battle they won is in a war they will lose.

Proposition 15 may not have been quite the right answer. And 1982 may not have been quite the right year. But handgun control is going to happen. So learn the lessons and fight again.

Mr. Hart is president of Peter D. Hart Research Associates, a leading Democratic survey research firm. Mr. Bailey is president of Bailey, Dearmourff and Associates, a leading Republican political advertising and consulting firm.

The Story of a Few Days at the End of the Road

By FRANCES TALIAFERRO

It is Oct. 31, 1938: All Hallows' Eve. "The unruly night when grace is always in short supply, and the old and the new dead walk abroad in this land." The place is Albany, N.Y., and in the cemetery Francis Phelan, the central character of "Ironweed," is earning a few dollars shoveling fresh dirt onto recent graves. Francis is a bum, one of the vagabond and haunted who populate skid row and soup kitchens, the hobo jungle, the cheap hotels and 50-

bondage, from destitution of spirit . . . the running, finally, in a quest for pure flight as a fulfilling mannerism of the spirit."

But running is not expiation, and no flight is "pure"; for Francis, it is tainted with the memory of old guilt and the certainty of new.

Francis is not alone in his feisty desolation; when you're "on the bum," there's no privacy. You share the warmth of the Methodist soup kitchen with "dipsos, dead-beats, wetbrains, loonies." When you sleep in abandoned houses or cars or even in the tall weeds below the railroad bridge, Michigan-Mac or Rudy will probably turn up, with or without a jug of some cheap, blinding liquor. For the past nine years, Francis has been with Helen, a woman of his age. In flusher times, they had an apartment with real dishes and real sheets; now they "flop" where they can, together or apart, and give each other comfort when they can. Like the tough-stemmed ironweed of the title, they are injured to the hardship of their sordid, lethal world.

In this novel of memory and loss, death is a daily companion and the dead are everywhere, in and out of reality and Francis's waking dreams. In the very first sentence, as the truck takes him to his laborer's job in the cemetery, Francis becomes aware that "the dead even more than the living, [settled] down in neighborhood . . . Every neighborhood in Albany, [his

Francis that he will not rid himself of their vivid presence until he makes his peace with his family and explains his guilt.

In simplest terms, "Ironweed" is the story of a few days at the end of the road. One of its cruelest images is of Sandra, a woman bum, newly dead of booze and cold, parts of her already eaten by street dogs. Francis's companion Helen, ill and ready for death, stands "at the end of the end in the end room of the end hotel of the end city of the end." It is no accident that one of Mr. Kennedy's epigraphs is taken from Dante's "Purgatorio" for this is a novel of last things: the constant presence of death and judgment, the mortal intimations of hell and heaven.

The wonder is the "Ironweed" is not overcome by the severity of its subject. The portrait of these lower depths feels authentic, but the novel doesn't slip into the bleakness of mere "social realism." The authenticity is in Mr. Kennedy's dialogue—as much of it raggedly humorous—and in his oddly lyrical prose, which can accommodate both squalor and nobility. It is a novel that asks to be read like poetry, slowly and wakefully.

"Ironweed" is, I think, flawed by a rather sentimental resolution, as if the author had found Francis Phelan's downward flight too hard to sustain. Mr. Kennedy need not have pulled his punches; his power is such that the reader will follow him almost anywhere, to the edge of trag-

The Bookshelf

"Ironweed"

By William Kennedy

cent flop houses of the failed city. Some are the victims of the nation's larger malaise. It is, after all, 1938—but Francis is a man in flight from his own ravaged self; his sins, his fugitive and fallen dreams, his compulsive violence and his tear of justice.

Francis was once a family man, a DIOVIDER even something of a star for in his young manhood he played baseball with the Washington Senators. Two events set him on the road to permanent flight: When he was 21, Francis threw the stone that killed a scab in the trolley strike of 1907. In 1910, he picked up his infant son Gerald and beat him by the diaper, the sin gave

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Why Tax Indexing Must Not Be Repealed

By MARTIN FELDSTEIN

The most important legislative battle this year will be the attempt to repeal the indexing of the personal income tax that is now scheduled to begin in 1985. Although tax indexing may seem at first to be a rather technical tax matter, it actually holds the key to controlling the future growth of government spending and to preventing a resurgence of spiraling inflation. The long-term success or failure of Ronald Reagan's economic program is likely to hinge more on retaining tax indexing than on any other piece of legislation.

In practice, an indexed tax system prevents inflation from pushing individuals into higher tax brackets and increasing the share of income taken in taxes. This is achieved by increasing each of the bracket points by the rate of inflation during the previous year. For example, in 1984 the 18% tax bracket will include income between \$16,000 and \$26,260. If consumer prices rise by 6% in the year ending Oct. 1, 1984, the 18% tax bracket for 1985 would be adjusted to the range from \$16,800 to \$27,110. Indexing would also raise the personal exemption from \$1,000 to \$1,050.

The repeal of indexing would mean that bracket creep would raise taxes higher and higher, permitting Congress to finance ever greater amounts of government spending without having to vote explicitly for any increase in tax rates. The repeal of indexing would permit Congress to reduce the budget deficit over time without any cuts in government spending by just waiting while tax receipts grow and grow.

Taxes Would Be Higher

Even with inflation declining gradually over the next few years as the administration forecasts, the repeal of indexing would raise tax revenue by \$17 billion in 1985, \$30 billion in 1987, \$44 billion in 1988 and ever higher amounts in later years. A \$44 billion tax increase in 1988 would mean that the repeal of indexing had raised taxes by more than 10%. And after a decade of inflation at just 4% a year, taxes without indexing would be 25% higher than if indexing is retained.

Of course, a higher rate of inflation would mean more bracket creep and thus a bigger tax increase each year. If inflation averaged 6.5% for the next five years, the extra tax revenue in 1988 would be about \$90 billion instead of \$44 billion. And a replay of the inflation experience of the Carter years—with inflation rising from

6.5% in 1985 to 13.5% in 1988—would raise tax receipts by about \$120 billion more in 1988 if the tax system is not indexed.

The repeal of indexing would thus give Congress a strong incentive to pursue inflationary policies. With indexing gone, spiraling inflation would generate a surge of tax revenues that could finance greater government spending while permitting Congress the political luxury of voting occasional "tax cuts" that actually failed to offset inflation but provided a framework for further income redistribution.

Many financial investors and others would interpret the repeal of indexing as

without explicitly increasing taxes. But it is the very opposite of responsible budgeting.

A common alternative rationale for repealing indexing is given by those who mistakenly believe that the combination of indexed benefits and indexed taxes inevitably produces budget deficits because "indexing raises benefits but reduces taxes." This argument is wrong because it misrepresents what indexing is all about. The indexing of benefits means that benefits just keep pace with inflation. The indexing of tax rates means that tax receipts don't rise faster than inflation through bracket

revenue that would result from de-indexing would permit Congress to vote further tax cuts for these lower income groups that would more than offset the effect of bracket creep on their tax liabilities. Tax reform would thus be deflected from a proper concern about incentives and simplification and would be focused instead on annual debates about egalitarian redistribution.

No Natural Constituency

The current congressional discussion about the repeal of indexing is counterproductive in several ways. By raising the possibility that indexing might be repealed, it increases the risk of high inflation in future years and thereby keeps current long-term interest rates higher than they should be. By focusing attention on the indexing issue, Congress avoids facing the difficult decisions about the control of spending and about the explicit tax changes that must eventually be made as part of this year's budget process.

Unfortunately, despite the critical importance of the indexing issue, it doesn't generate much pressure on Congress from individuals or from representative groups. While proposed policies that would affect a segment of the population often induce intensive lobbying activity, a major subject like indexing that influences the entire economy doesn't have a natural constituency. There is therefore the danger that Congress won't recognize how important indexing is to the public both now and in the future.

President Reagan strongly supports indexing as a central feature of his tax program. He has said clearly that he will veto any legislation that would repeal indexing or postpone its starting date. The president believes that an unindexed tax system is fundamentally dishonest. The repeal of indexing would eliminate political accountability and encourage wasteful government spending. It would make greater inflation an aid to politicians and an extra burden to taxpayers. It would initiate a continuous battle over the distribution of the tax burden.

The indexing of the personal income tax is the most fundamental and far-reaching aspect of Ronald Reagan's tax program. It must not be repealed.

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an indication that inflation would soon be on the rise. This change in the expected rate of inflation would raise interest rates especially long-term interest rates on bonds and mortgages. Higher interest rates could threaten the recovery in housing and other interest-sensitive sectors and possibly bring the incipient recovery in the economy as a whole to a premature end.

Those who want to repeal indexing frequently wrap themselves in the cloak of fiscal responsibility and argue that "with the large budget deficits that we now face, we cannot afford an indexed tax system." What they should say is that the large budget deficits in future years mean that we must either cut spending or raise taxes or both. The administration's budget calls for a balanced package of spending cuts and revenue increases, including a standby tax equal to 1% of GNP that will go into effect in October 1985 unless very rapid economic growth between now and then has reduced the deficit to less than 2.5% of GNP.

If tax revenue must be raised, the repeal of indexing isn't a satisfactory substitute for an explicit tax increase. Because the repeal of indexing is a hidden way of increasing taxes, it removes the pressure to choose between spending cuts and more taxes. And unlike voting an explicit tax increase, repealing indexing doesn't provide a fixed amount of additional tax revenue but starts a money machine that will squeeze more and more money from taxpayers in the years ahead. The repeal of indexing is politically tempting to many in Congress because it increases revenue

creep. With complete indexing, inflation doesn't alter the real value of either benefits or taxes and therefore doesn't increase or decrease the real value of the deficit.

There are finally those who claim that they don't want to repeal indexing but just to postpone it for a year or two to help shrink the budget deficit. In reality, postponing indexing would have relatively little effect on future budget deficits. Slipping the starting date for indexing to 1986 would only raise an extra \$12 billion in 1988. It is hard to avoid the suspicion that those who advocate postponement believe that if indexing is postponed once, it will be postponed again and again until it is eventually repealed. It is critically important to start indexing on schedule in 1985 because once the American taxpayers experience indexing, it will be here to stay.

If indexing were repealed, the resulting tax increases would be relatively greatest for the lowest income taxpayers. It is the lowest income taxpayer who benefits most from the indexing of the \$1,000 personal exemption and the \$3,400 zero bracket amount. In addition, since the tax brackets are narrower at lower incomes, bracket creep is more severe. Eliminating indexing would cause the 1985 tax liability of those with incomes under \$10,000 to rise by more than 9% while the tax liability of those with incomes over \$100,000 would rise by less than 2%.

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The real enemies of handgun control

REVIEW & OUTLOOK

Bringing In the Savings

Gold is sinking like a rock, "liquid gold" has become just plain old crude oil again and a case could be made that the current "real interest rate," if you believe in such things, is over 8%. Is this cause for alarm?

It would be easy to get that impression. Gold's sharp decline will stir as much mystical anxiety as have its periodic climbs. Energy pundits, set adrift by oil price decontrol in 1981, are trying to create a new crisis out of the falling price of crude. And there has been enough talk lately about "real" interest rates to create the impression that someone can tell you, at any given moment, what the current "real" rate is. Indeed, some refugee from Carter economics persuaded President Reagan last week to declaim that interest rates, as currently set by complex world-wide market forces, are "too high." Maybe it's time to try to examine some of the factors at work here. Maybe it's time as well for a few people to relax.

At the center of all of this is something some of us yearned for throughout the 1970s, a strong dollar. When the world finally became convinced that the U.S. was serious about maintaining the soundness of its currency, dollars and dollar-denominated securities once again became attractive to hold. The resulting world-wide demand for both made the dollar still stronger. Dollar prices of commodities fell. U.S. stocks rose. Already weak currencies took a beating relative to the dollar. And dollar lenders could in fact obtain higher "real" rates relative to dollar inflation and dollar inflation expectations.

Clearly all this has caused some dislocations. One-time borrowers of weak dollars now have to pay back in strong dollars, and that is hard. Commodity prices have declined in dollars, which is what commodity producers around the world strive to earn. You still need far more cruzeiros to cite an example than a year ago to buy a barrel of oil.

As to the "real" interest rates for Americans, it is impossible to describe with any exactitude. Economists simply deduct the current inflation rate from some current interest rate to get the "real" rate. But this is simplistic and largely meaningless. Which interest rate should you use—long, short, consumer, mortgage,

prime? Which measure of inflation—last month, last year, what you expect next year, what you expect five years from now, 10, 20, 40? What is there in the record of economic forecasters to suggest they can sort out such puzzles better than the markets themselves can?

Currently the prime rate is 10 1/2%. Is this too high? Of course not. It's just right. On the lender's side it reflects his own cost of money. The cost of money has gone up as banks have finally been forced to pay savers market rates. Borrower demand—from the U.S. government, from all those countries trying to roll over their debts, from state and local agencies—is high. Prospective demand is even higher; business will soon be trying to finance a recovery. These demands will require a big savings pool, and the way to attract savings is to pay competitive interest rates.

Thank goodness bank interest rates and U.S. government policy finally are encouraging, rather than discouraging saving. The money is rolling in and the world economy is going to need it. If savings increase and confidence in the dollar continues to gain, there is a good prospect that interest rates will fall further. Some of the loan demand will be eased by recovery itself as the world economy generates more liquidity.

The drop in gold suggests, among other things, that people are no longer afraid to have their savings in dollars. That's good. The drop in oil suggests that it will now be possible to cycle savings directly through the financial systems of the industrial world, rather than having part of them siphoned off in the trip through Riyadh and Tripoli. The fundamentals—mainly represented by a return to heavier reliance on market adjustment in both trade and finance—are sound.

The only thing to be feared is a new attack on markets by the interventionists.

Enjoy California, Mr. President. Stop worrying about oil, gold, interest rates and the like. And while you are there, remember how Washington once looked from a distance. It's a nice place to visit, but it's awfully easy to get a lot of crazy thoughts in your head when you have to live there.

Getting Burned on Gas

Why Tax Indexing

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The repeal of indexing would mean that bracket creep would raise taxes higher and higher, permitting Congress to finance ever greater amounts of government spending without having to vote explicitly for any increase in tax rates. The repeal of indexing would permit Congress to reduce the budget deficit over time without any cuts in government spending by just waiting while tax receipts grow and grow.

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EASTERN EDITION

TUESDAY, MARCH 1, 1983

Mood Swing

French Workers Grow Increasingly Dismayed By National Policies

Joy Over Left's Ascendancy Erodes Amid Complaints About Less Buying Power

New Votes for 'Old Regime'?

By NEIL ULMAN
Staff Reporter of THE WALL STREET JOURNAL

MAINVILLIERS, France — For all his adult life, Bernard La Valeur, a 41-year-old lathe operator in a small factory here, has voted for the left. "I wanted a change," he says.

In June 1981, with the victory of a Socialist-Communist coalition led by President Francois Mitterrand, Mr. La Valeur got his wish. But now he feels, as he describes it, "deceived." Some government programs that the Socialists didn't talk about in their campaign are threatening his pocketbook, he explains. And in the municipal elections beginning this Sunday, he says, he will vote for "the old regime." He adds: "I think a lot of people like me will vote for the right."

To be sure, the disaffected Mr. La Valeur still holds a minority view. French workers have been grumbling ever since their first revolution sent Louis XVI to the guillotine. Many who are grouching now say they still support the left. "So long as the choice is between Mitterrand and Giscard, I'll take Mitterrand," says Andre Papavoine, a 36-year-old worker at Renault, the state-owned auto maker, after reciting a long list of complaints about the current government.

Nevertheless, 20 months after the Socialists' electoral triumph, the signs of discontent within its traditional power base, the workers of France, are increasingly visible. In the industrial regions of the northeast, hard hit by unemployment, Prime Minister Pierre Mauroy has been booed and derided by crowds who should have been friendly. Steelworkers have sacked company offices in despair over layoffs. Renault has been experiencing costly and frustrating on-again, off-again strikes. "It's nationalized, but nothing has changed here," grouses a production-line worker at Renault's plant in the Paris suburb of Billancourt.

Political Setback

Quantifying the grumbling, polls suggest that enough of the workers who backed President Mitterrand's 1981 victory with just 52% of the vote may withdraw their support so as to constitute a significant political set-

What's News

Business and Finance

STEELMAKERS and the USW agreed tentatively on a 41-month contract that would temporarily cut wages about 9% and reduce benefits in exchange for company promises to invest the savings in operations. The concessions, valued at \$2 billion, represent steelmakers' third attempt in under a year to curb labor costs.

(Story on Page 3)

Gold plunged \$42.50 to \$400.50 an ounce on the Comex. Traders sold heavily, contending that declining oil prices will diminish inflation in the months ahead. The drop, the steepest one-day decline since 1980, unsettled other commodity markets. The Dow Jones Industrial Average fell 8.32 points, to 1112.62.

(Stories on Pages 2, 46 and 55)

The Supreme Court approved AT&T's antitrust settlement with the Justice Department without hearing argument. The high court, in a 6-3 vote, upheld last summer's ruling by U.S. District Judge Harold Greene that Bell's divestiture of 22 local operating units is in the public interest.

AT&T plans a stock offering soon that could exceed the record \$1.06 billion sale it completed Dec. 2.

(Stories on Pages 2 and 4)

Security Pacific Corp. signed a letter of intent to acquire two Walter E. Heller International commercial-finance units for \$400 million. The sale would leave American National Bank & Trust Co. of Chicago as Heller's only major operating unit.

(Story on Page 4)

The merchandise trade deficit narrowed in January to an adjusted \$2.96 billion. But White House officials expect 1983's trade deficit to widen from 1982's record \$42.69 billion, reflecting an improved domestic economy and greater demand for imports.

(Story on Page 5)

Norfolk Southern Corp. acquired 5.01% of Santa Fe Industries, citing investment purposes. Industries chairman

World-Wide

REAGAN IS CONSIDERING expanding the role of advisers in El Salvador.

Aides are reconsidering the "self-imposed" limitations on the role of U.S. military trainers that prevent them from entering combat zones. The policy review could also lead to an increase in the number of advisers stationed there. One official said a decision hadn't been made and there isn't a recommendation that the advisers' role be changed. (Story on Page 3)

Meanwhile, Salvadoran leftist rebels declared a cease-fire for Pope John Paul II's visit to their country on Sunday.

The EPA cut funds and personnel for hazardous-waste enforcement despite warnings that understaffing was nearing crisis levels, according to agency documents released by Rep. John Dingell (D., Mich.). The chairman of a House subcommittee investigating the EPA said the data showed the agency's failure to protect the public.

Chancellor Helmut Kohl faces a tough test in Sunday's West German elections. After last October's parliamentary maneuver for early elections, he was confident his conservative coalition would win. But the opposition is capitalizing on West German sentiment against the deployment of more U.S. missiles there. (Story on Page 38)

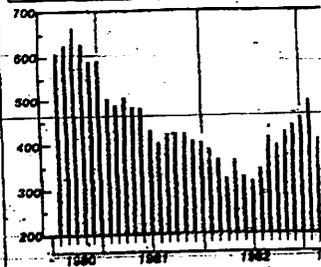
China-Soviet talks resume today after a four-month recess during which Yuri Andropov succeeded the late Leonid Brezhnev as Soviet party chief and Wu Zieqian replaced Huang Hua as China's foreign minister. The talks aimed at improving relations; were suspended after Soviet troops entered Afghanistan in 1979 but resumed briefly last year.

U.S. envoy Phillip Habib presented new Lebanese proposals to Israel, but an Israeli official said many details remain in limbo without withdrawal talks. He said Foreign Minister Yitzhak Shamir told Habib that Israel won't leave Lebanon until the PLO exits and that Syria must leave when Israel does.

Israel's northern border would be protected against terrorist attacks under a proposal that possibly would double the 1,200 Marines in Lebanon, Pentagon officials said. U.S. reconnaissance planes and drones would watch for infiltrators moving through southern Lebanon toward Israel.

Queen Elizabeth II thanked Americans for their support during the Falkland Islands crisis in her first public speech during a tour of California. Reagan, meanwhile, headed for California to show the queen

Gold Prices



GOLD was priced in London at \$408.10 per ounce at the afternoon fixing February 28. This was down from \$499.50 on last trading day of the previous month.

Toxic-Waste Scare 'Killed' Small Town Its People Complain

Times Beach, Mo., Has Lost Most of Its Population But Some Vow to Stay

By LAWRENCE INGRASSIA
And BRYAN BURROUGH

Staff Reporters of THE WALL STREET JOURNAL

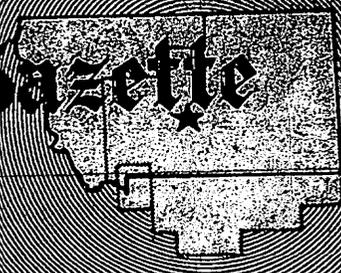
TIMES BEACH, Mo.—This hamlet became a modern-day ghost town, desolate and all but deserted.

At the Easy Living Mobile Home 1 scores of vacant lots are littered with debris, a stark reminder of recently uprooted lives. The 7-Eleven convenience store at the street is boarded up. A few blocks at the Times Beach Bible Church, a picnic wood is wedged against the door to keep it from flapping open. Numerous homes empty, with rooms stripped of all furniture and bare windows staring sadly at the street.

This town is dying of toxic chemical wastes, carelessly mixed with oil and dumped on its streets in the early 1970s. The town's great that most of its 2,400 residents fled, and people from neighboring towns avoid it—literally like the plague. The town's name "destroyed our business. It's Times Beach," says Marianne Hrin, whose family runs an auto-repair shop here.

The Times Beach tragedy has provoked the government to take the unprecedented step of agreeing to buy the entire town from most residents who left over the past months because of the toxic-waste scare. A subsequent flood that damaged homes—people are happy to get out, although some insist that they will stay.

An Anxious Town



Wednesday morning, March 22, 1972 - 13

Article-vote plan offered

HELENA (AP) — A resolution calling for separate votes on each proposed article was formally introduced Tuesday, although a committee of the Montana Constitutional Convention had rejected the plan Monday.

Torrey B. Johnson, R-Busby, submitted the plan Tuesday although he took it to the Style and Drafting Committee Monday.

Johnson's proposal would have citizens vote June 6 on each article of the constitution separately. If the proposed article was rejected, the corresponding article from the existing 1889 constitution would remain in effect.

Charles H. Mahoney, I-Clancy, objected to the way the matter was handled. "It's a little irregular to have a com-

mittee proposal voted on before it has reached them," Mahoney said.

The committee was unanimous in rejecting Johnson's plan Monday. Committee Chairman John M. Schiltz, D-Billings, defended the group's action. He said the committee acted on the proposal because Johnson brought it before members.

Mahoney said the committee could take no official action until the Johnson resolution was formally introduced on the convention floor.

President Leo Graybill Jr., D-Great Falls, resolved the issue by ruling that the proposal would remain in the Style and Drafting Committee, which could make a report later. He also advised Johnson to bring

the matter up when delegates begin debate on the formal ballot.

Schiltz said the committee felt Johnson's proposal would be "unduly confusing" for Montana voters, who will formally reject the proposed document June 6. Schiltz said the proposal was submitted too late for any serious consideration at the convention.

Johnson defended his plan, saying it would allow citizens to vote against certain articles for some of the proposals.



Idling the time away

An old bullet-marked truck retired to serve as a school bus waiting shelter on a rural road near Helena warns haphazard gunmen to hold their fire with the admonition "Bus Stop."

Don't Shoot: A stovepipe near the front windshield serves a useful purpose when temperatures tumble below the freezing mark.

Speaker picked for seminar

HELENA (AP) — Charles Henderson, Seattle, region director for the National Relations Board, will be a speaker at the Montana Transport Association's seminar Thursday and Friday in Helena.

Leonard W. Eckel, executive officer of the association, Henderson will talk on procedures and take part in a panel with Pete Medina, assistant director for the Inland Revenue Service in Helena.

They are to discuss problems involved in meshing contract negotiations with Payson rules.

Moderating a panel on problems will be Nathaniel Fulmer, Salt Lake City. He also is to speak on organizational efforts and preparation for contract negotiations by owner operators and independent contractors.

Medina will discuss two of President Nixon's economic programs.

near Helena warns haphazard gunmen to hold their fire with the admonition "Bus Stop."

temperatures tumble below the freezing mark.

conomic Program

One house to be side issue

HELENA (AP) — Constitutional Convention delegates tentatively decided Tuesday to place a two-house legislature in the proposed constitution and a one-house legislature as a side issue on the June 6 ballot.

They had wanted to offer a unicameral (one-house) and a bicameral (two-house) legislature as equal alternatives on the ballot. But they ran into a constitutional and legislative

problem. The 1889 constitution and the enabling act passed by the 1971 legislature require that the constitution and any side issues be approved by a majority of the delegates.

Here is what delegates fear would happen if the two kinds of legislatures are offered as a side issue:

If the 200,000 Montanans vote (104,000 for and 96,000 against) on the proposed constitution, it would take a majority of 100,001 to approve either a unicameral or bicameral legislature. Not all the 200,000 persons who voted for or against the new constitution are likely to vote for the legislative side issue, according to some delegates.

Thus the needed majority of

100,001 might not be attained, leaving the state without a legislature or with the much-criticized 1889 legislative article if the constitution is approved.

David L. Holland, D-Butte, said he believed this situation was "a real possibility."

"The chances of getting a

majority on the legislative issue are very, very slim," the Butte attorney said.

Arlyne E. Reichert, D-Great Falls, said about 57,000 Illinois residents voting for or against their new constitution in 1970 failed to vote for the side issues.

Misuse of child center feared

HELENA (AP) — Concern over the high percentage of delinquent youngsters committed to Montana's Children's Center was expressed to a Legislative Council subcommittee Tuesday by State Institutions Director Edwin G. Kellner.

Kellner wrote the subcommittee that the center at Twin Bridges was "not designed nor has it ever been geared up to handle truly delinquent youngsters."

The official said he suspects that judges feel there is less stigma attached to a commitment to the Children's Center and they want to give the

youngster another chance before commitment to Pine Hills or Mountain View schools.

Pine Hills is the state's custodial facility at Miles City for delinquent boys and Mountain View is the comparable facility at Helena for girls.

Kellner advised the subcommittee headed by Rep. Matt Himsl, R-Kalispell, that if he was the parent of a delinquent he would rather have the child sent to the Miles City or Helena institutions "because those schools are better staffed and programmed to help the delinquent youngster."

A letter from the Louisiana Department of Corrections said that state once had a coed school in addition to one for boys and another for girls.

However, the coed school has been modified to the extent that the girls have their own complex, including school and recreational areas.

Boys and girls are together now on only a very limited basis, the letter said adding: "Our experience with mixing the sexes (school, recreation, job assignment, etc.) was that we spent a great deal of staff time and effort keeping boys and girls apart."

The subject of a coed custodial school arose in the 1971 legislative session in connection with a proposed appropriation for a building at Mountain View.

Rosie Weber, executive director of the council, said she found that Wyoming, Idaho, Nevada and the Dakotas will not accept delinquent girls from other states.

Delegates spent four hours trying to resolve this dilemma and finally reached tentative agreement to place bicameralism in the proposal as a safeguard. Voters still may opt for unicameralism as a side issue. If they attain the needed majority, and the constitution is approved, Montana would have a unicameral legislature.

But if less than a majority favored unicameralism as a side issue and the constitution passed, the state would have the bicameral provision in the body of the constitution to fall back on.

Supporters of unicameralism tried to have the one-house plan included in the constitution and place bicameralism off as a side issue. They failed 51-44.

Delegates then approved a motion by Carl M. Davis, D-Dillon, to place bicameralism in the constitution and set unicameralism up as a side issue. His motion passed 60-35.

All of action Tuesday was tentative, President Leo Graybill Jr., D-Great Falls, emphasized. The delegates could amend the Davis motion Wednesday and place unicameralism in the proposed constitution.

They also must decide what to do with two other side issues—capital punishment and gambling.

Chet Blaylock, D-Laurel, submitted a motion that would offer unicameralism and bicameralism as separate side issues. Delegates debated but did not act on the motion.

Wade J. Dahood, R-Anaconda, asked Blaylock what would happen if the needed majority on the legislative side issue did not materialize.

"This is why I used the phrase 'go for broke' to describe this plan," Blaylock said, adding that the risk was worth taking.

Holland amended Blaylock's motion to say that the 1889 legislative article would apply if the majority was not reached. No decision was reached on his motion.

President Graybill said after the session that all pending motions would be wiped out and delegates would start Wednesday with the single approved motion, the one submitted by Davis providing for bicameral-

ism in the constitution.

Before adopting Davis' motion, delegates turned down other proposals.

Maurice Driscoll, D-Butte, failed in his attempt to give voters a complete constitution without alternatives. He said delegates should resolve legislative, death penalty, gambling issues on the floor by a majority vote and include winning sections in the proposed constitution. His motion failed 71-24.

Open house scheduled by Vo-Tech

Billings Vo-Tech Center will sponsor an annual open house for the community April 8.

The Saturday event—at various locations—will include a 1 p.m. chance to tour the buildings, talk with staff and students and explore Vo-Tech expansion plans.

According to Ray H. Johnson, director, refreshments will be served. Parents, teachers and prospective students are urged to attend.

The six locations are 2315 Ave. N., 219 N. 25th St., 616 Central, 635 Central, 1215 M. Road and 415 N. 33rd St.

Road location is approved

HELENA — The Montana Department of Highways received approval from the Federal Highways Administration for the location of a proposed highway construction project on U.S. Highway 12 in Golden Valley County.

The project begins just east of Ryegate and extends east to a point approximately two miles west of Ravina. This location is a new two-lane roadway, Alternate 1 route. It follows the present travel way, as presented by the Department of Highways at the hearing held in Ryegate on 19/19/71. Included in the project are the underground Burlington Northern Railroad

Price of fertilizer boosted, IRS told

HELENA (AP) — Acting v. Thomas L. Judge alerted Internal Revenue Service Tuesday to commercial fertilizer price increases which he said would cost Montana farmers about \$1 million.

Judge said some of the increases run as much as \$10 a

"The Economic Stabilization Program states that a retailer wholesaler may not increase the price of a product above the base price unless there is an increase in invoice cost to the retailer," Judge said in a letter to the IRS office in Helena.

He cited prices being charged in the Denton area for various commercial fertilizers and pro-

vided comparisons with last year, and added: "I believe this cost would break the backs of our No. 1 industry."

"Judge asked the IRS to look at the fertilizer manufacturers books in Montana and determine if they are being granted an exorbitant increase and if it appears there is any price fixing involved."

"I believe complaints have already been filed on alleged violations with the Internal Revenue Service which justifies our concern."

The lieutenant governor, acting in the absence from the state of vacationing Gov. Forrest H. Anderson, asked for a reply "before spring planting begins as farmers are now fertilizing by top dressing."

The Billings Gazette

86th Year—No. 329

Billings, Montana, Thursday Morning, March 23, 1972

No filing allowed! (or is it?)

By CHARLES S. JOHNSON
HELENA (AP) — Several Constitutional Convention delegates eyeing other public offices said Wednesday they do not think a decision by the secretary of state barring them from filing from other offices will stand up in court.

Secretary of State Frank Murray said earlier in the day he would not accept nominating petitions from Constitutional Convention delegates.

His decision contradicts an opinion issued earlier by Atty. Gen. Robert L. Woodahl that said delegates could seek other offices following final adjournment of the convention, scheduled for Friday.

"If I decide to run, I'll go down and file," Charles H. Mahoney, I-Clancy said. He is considering running for state treasurer.

Mahoney said he believes Woodahl's opinion will stand until the Montana Supreme Court settles the question.

"I question whether the secretary of state has the right to make that ruling," the Clancy delegate said.

Jerome J. Cate, D-Billings, said he will challenge Murray's decision if he decides to run for attorney general.

"Once we've adjourned sine die, we'll no longer be officeholders," Cate said. "I think the court would uphold it."

A possible candidate for governor, Wade J. Dahood, R-Anaconda, agreed, saying Murray had no authority to make the ruling.

If he decides to run, Dahood said he would challenge the decision if no one else has.

Dahood, an Anaconda attorney, said the decision could be challenged in district court but probably would be taken to the Montana Supreme Court because of need for a quick and final decision.

April 27 is the deadline for candidates to file nominating

Eye opener

A student registering for school filled out a card asking, among other things: "Nicknames or other names by which you receive mail." His answer: "Occupant."

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Cloudy

Variable cloudiness and cooler Thursday with high 60 to 65, low 40 to 45. Chance of showers Thursday night. More weather on page 8.



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April 27 is the deadline for
candidates to file nominating
petitions with Murray.

One delegate who may run
for attorney general, Franklin
Arness, D-Libby, said he would
not challenge Murray's deci-
sion.

"I think we just have to grin
and bear it," Arness said.

The Libby lawyer said he
thought it would be "bad man-
ners" for delegates to challenge
Murray.

Murray defended his position
in a prepared statement, say-
ing:

"After considerable thought,
I have concluded that in the
best interests of the state of
Montana and its citizens, and
until the question is formally
decided by the Supreme Court, I
must refuse to accept for filing
the declarations of nomination
of delegates to the Consti-
tutional Convention for any
public office to be filed at this
year's election."

Many of the delegates were
expected to file for the state
legislature.



Gazette photo by Phil Bell

Park ballet

Pioneer Park—scene of several
music festivals — really wasn't
host to the Billings Ballet Compa-
ny Wednesday, although Marcia
Svetich and Cliff Gerrells appear

to be toe-dancing on the green. In
actuality, they were flying, leaping
and pirouetting not to the strains
of "The Rites of Spring," but after
a frisbee.

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Following girl causes him trouble

David Hall, 49, a visitor to Billings from Boise, Idaho, learned Tuesday night that following a "good looking girl" down a dark alley can lead to trouble.

Trouble ended with his head being stitched up at Deaconess Hospital and his wallet and money missing.

Hall's introduction to the girl began Tuesday evening in a downtown bar. After a few drinks together, she agreed to leave with him, said Police Chief Gerald T. Dunbar.

About 9:30 p.m. Hall followed the girl down the alley between 1st Avenue North and Montana Avenue that connects 25th and 26th Street. He was jumped, beaten and had his wallet with \$9 taken.

The girl and assailants fled. All Hall could tell police was that "she was a good looking girl."



UM photo

Car accident brings suit

Richard Bochy is suing Stanley B. Risvold for \$15,000 in general damages and \$527.80 in special damages as a result of a car accident July 10, 1969, in Red Lodge.

The suit, filed in the Clerk of District Court's office, claims that a car driven by Risvold struck a car in which Bochy was a passenger.

FHA leaders

Installed as 1972-73 state officers of the Future Homemakers of America at the state meeting at University of Montana at Missoula were, seated, left, Angie Vik of Plentywood, student at Medicine Lake High School, president, and Colleen Sweeney, Belt, vice president; and standing, left, Donna Bratsky, Bridger High School, secretary; and Diane Van Gorden, Valier, treasurer.

Head-on crash kills two

HELENA (AP)—Two Helena women were killed Wednesday in a head-on collision on Interstate 15 north of the Capital City.

Lewis and Clark County Sher-

Assault claimed in civil suit

The victim of an alleged assault is asking \$15,000 general damages in a civil suit filed in the Clerk of District Court's office.

Brought by Cecile Thompson, the suit names Ann Sudar and Anna Yelich as defendants.

The suit states Thompson was beaten by Ann Sudar Feb. 11,

iff Dave Middlemas said Edna O. Kessel 66, was driving north in the southbound lane of the interstate when her small car collided with a southbound pickup truck driven by Thelma Corbett, 43, an employee of the Veterans Administration at Ft. Harrison.

Both were dead at the scene. Middlemas, also the county coroner, said he "can't say

why" Mrs. Kessel was in the wrong lane. The accident occurred at 7:30 a.m. about 1 1/2 miles south of the Lincoln interchange, he said.

Both women were alone in their vehicles at the time of the accident, he added.

These deaths boost to 47 the number of lives lost on Montana roads this year, ten more than on this date last year.



a bright new idea!
sweet 'n' light
TAYLOR'S
SWEET POTATOES

* one average serving contains 3500-5000 units of Vitamin A
* no peeling, no boiling, no 1st min-

ConCon re

By DENNIS E. CURRAN
Gazette State Bureau

HELENA — Constitutional Convention delegates are building a new foundation for Montana schools.

The Education Article adopted by the Convention last week includes stronger support for local schools, a stronger university system, allowance for new methods of financing and greater concern for the children being educated.

BUT THE MOST visible change is the new framework of a separate Board of Education for elementary and secondary schools and a separate Board of Regents for higher education.

Rick Champoux, chairman of the Convention's Education Committee, calls the Article a "vast improvement" over the present Article and says "it will be flexible enough to last 100 years or longer."

Viewed one way, the proposed Educational Article provides for one giant Board of Education with two divisions. From another angle, it looks like two school boards which occasionally meet together.

THE END RESULT, however, is that both higher and lower education would have their own separate policy-setting boards.

Both boards would have seven members appointed by the governor and confirmed by the Senate. In addition, the governor and elected state superintendent would be non-voting members of each board.

Both boards would gather periodically, range planning, for c and evaluating polic preparing a unified quest to the Legis intent is to provide between basic and hi tion and to elimina competition between higher education for

A TWO-BOARD sy give the boards of more influence: the sent board has. T board meets both as education and boar but spends little ti mentary and secon tion.

The proposed Ar strengthen the unive by granting the Bc gents "full power, r and authority to sup dinate, manage and

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Both boards would meet together periodically for long-range planning, for coordinating and evaluating policies and for preparing a unified budget request to the Legislature. The intent is to provide continuity between basic and higher education and to eliminate possible competition between basic and higher education for funds.

A TWO-BOARD system would give the boards of education more influence than the present board has. The existing board meets both as a board of education and board of regents but spends little time on elementary and secondary education.

The proposed Article would strengthen the university system by granting the Board of Regents "full power, responsibility and authority to supervise, coordinate, manage and control" the

university system. The Committee tried unsuccessfully to make the Board of Regents a corporate body but the language adopted comes close to that goal.

While still subject to state audits and the Legislature's purse strings, the Regents would have greater freedom from state and legislative meddling. The intent is to insure academic freedom.

THE ARTICLE ALSO calls for appointment of a commissioner of higher education, who presumably would be administrative officer for the reigen.

"The university system now has the power to put its house in order, to stop duplication of programs," Champoux, a college professor, said.

The State Superintendent of Public Instruction would be elected and would serve under the elementary board with du-

ties as provided by law.

Beyond the structural changes are these new steps aimed at providing a better fundamental base for education:

LOCAL SCHOOLS. While granting additional power to the state boards, the Article also makes a stronger statement than the existing constitution in favor of local control of schools. The Article would require election of local school boards as provided by law (meaning that separate school elections would not be required).

BASIC GOALS. The proposal would state new goals of developing the full educational potential of each person and guarantee equal educational opportunity.

FINANCING. The Committee lost out on its attempt to require full state funding of education

but did win a statement requiring equitable school financing and requiring the state to meet its share of the cost of basic elementary and secondary education. The section as adopted would allow new methods of school financing expected to be required eventually as a result of recent court cases.

NO AID TO sectarian schools. The Convention retained the existing strict ban against using any state funds directly or indirectly for nonpublic education. However, the provision would allow the state to distribute federal funds expressly earmarked for nonpublic education.

INDIANS. Montana would be the first state to constitutionally recognize the "unique cultural heritage" of American Indians and commit itself to its preservation.

NONDISCRIMINATION. The present clause which bars discrimination in schools on the basis of sex would be broadened to include race, religion, political beliefs or national origin.

SCHOOL LANDS. The State Auditor would be added to the State Board of Land Commissioners, and school lands and the Public School Fund would continue to have strict constitutional protection.

Although the committee proposal was altered somewhat during debate, Champoux says the changes were for the better.

"The combined intelligence of the floor brought in many improvements," he said.

300 march in memory of youth

GREAT FALLS (AP)—More than 300 persons, school children and adults, marched silently in Great Falls Tuesday in memory of Timothy Edwards, 15, fatally shot by a policeman last weekend.

Marchers met at the Civic Center and heard Richard Edwards, the boy's uncle say this "won't happen again".

He led the group in the "Lord's Prayer" and urged the crowd to "keep cool".

Five policemen on motorcycles and two patrol cars

escorted the marchers in their parade up Central Avenue and Eighteenth Street to Great Falls High School.

There were no incidents reported.

The youth was shot in the back and killed late Saturday while being pursued by Lynn Erickson, a Great Falls policeman for 4½ years.

Erickson has been suspended from the department and had entered a plea of innocent earlier in the week to charges of manslaughter stemming from the shooting.

GIVE YOU
OTHER!

LOW PRICES AND S&H GREEN STAMPS



WE GIVE



PLUS...
Double
Stamps
Every
Wednesday

FRESH PORK
PICNIC

The Billings Gazette

6th Year - No. 330

Billings, Montana, Friday Morning, March 24, 1972

15c

In spite of labor pullout

Pay board told: Carry on

WASHINGTON (UPI) — President Nixon ordered the Pay Board to continue its work on Thursday in a predominantly

public membership and without replacing the three AFL-CIO representatives who quit in protest against its policies.

After meeting with his Cost of Living Council, the President told reporters that the number of business members would be

reduced in proportion to the number of labor members who quit.

Nixon said he would not

permit AFL-CIO President George Meany to "torpedo and sink" the anti-inflation program.

Nixon said fighting inflation "is everybody's job ... yesterday George Meany walked off the job."

"This is a fight to the finish (against rising costs) ... and we intend to win it," Nixon said.

Nixon signed an executive order changing the membership from its previous makeup of five labor, five management, five public members to one with an unstated number of members as the President may choose to appoint.

The aides noted Teamsters President Frank E. Fitzsimons has decided to remain a member.

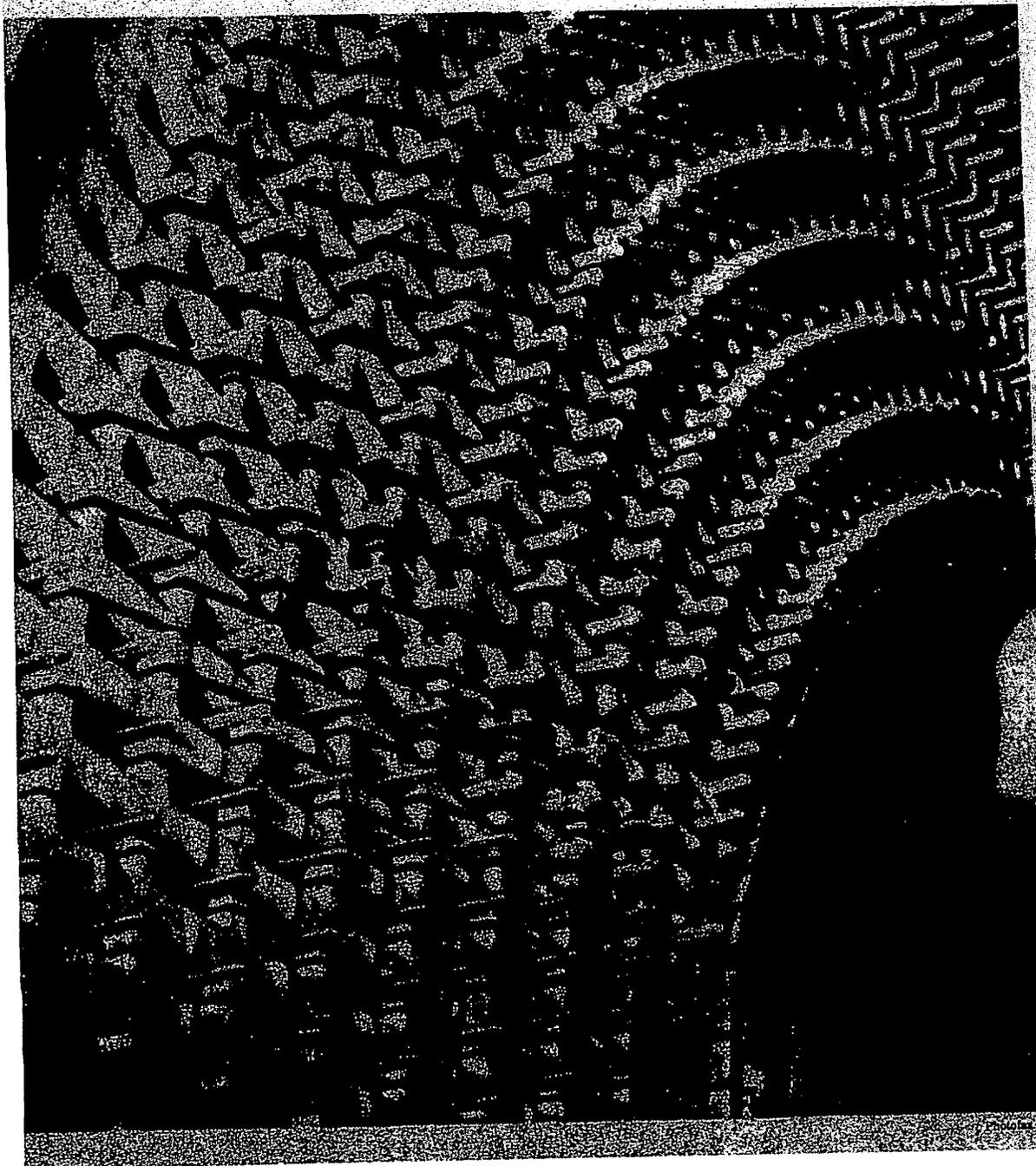
Nixon noted that Meany and two other labor members of the Pay Board, Presidents I. W. Abel of the steelworkers union and Floyd Smith of the machinists, resigned after the board reduced a first-year 20.9 per cent wage and benefits increase contained in the contract settlement that ended a prolonged west coast dock strike.

His voice quivering with emotion, the President said that

(Continued on Page 8)

Pension boost backed

WASHINGTON (UPI) — President Nixon called on Congress Thursday to speed passage of a 5 per cent increase in Social Security benefits, rejecting the argument of critics that the proposal is too liberal. Nixon said the Social Security boost, coupled with other



(C) Washington Star

WASHINGTON — A divided Supreme Court Thursday limited further the power of states to make it a crime to use strong language in public.

By a vote of 5 to 2 the court struck down a Georgia law forbidding anyone to speak to another in "opprobrious words or abusive language."

CITING GEORGIA court rulings interpreting the law, the highest court said the law is invalid because it does not require proof that the person who is the target of such language "would make an immediate violent response."

The ruling followed a decision last term in which the court barred California from punishing a youth for wearing a jacket emblazoned with a four-letter word aimed at the military draft system.

Chief Justice Warren E. Burger and Justice Harry A. Blackmun dissented Thursday, complaining that the court was forcing people to take matters into their own hands when they are addressed roughly or accusingly by someone else.

The test case involved a black youth, Johnny C. Wilson, who was prosecuted under the "abusive language" law for remarks he made to policemen during an antidraft demonstration in Atlanta six years ago.

Wilson told one officer that we would kill him and that he would choke him to death and called him a "white son of a bitch."

WILSON USED THE same epithet against another officer, and threatened to "cut you all to pieces."

The majority opinion, by Justice William J. Brennan Jr., was based primarily on a 1942 Supreme Court ruling in a New Hampshire case, which held that the only kind of language that could be outlawed was "fighting words."

Blackmun, in his dissent, said that if the 1942 decision reaches as broadly as the court applied it today in striking down the Georgia law, the old decision should be re-examined.

Burger said in his opinion that "one consequence of this holding may be to mislead some citizens to believe that fighting words of this kind may be uttered free of any legal sanction."

Giant snow-studded t The 'Black

(C) 1972, Chicago Daily News

CALCUTTA — The few foreign tourists who stop over India's decaying city ask to see "the Black Hole of Calcutt which no longer exists — if it ever did.

"The Black Hole of Calcutta" has become part of language describing a small crowded, stuffy place, like a cotheque or a swinging singles bar on a Saturday night.

Calcutta's tourist office will tell you how to find the of the Black Hole, but after that you are on your own. A collector's building now occupies the site. Until a few y ago there was a plaque on the wall relating the story o Black Hole.

MANY INDIANS insist that the Black Hole of Cal never existed, and that it was all made up so that R Clive could have an excuse to conquer India.

According to British history books still making rounds, it all began in June, 1756, when the Nawab of B decided to push the British East India Co. out of Calc The Nawab had no trouble in capturing the company's ing post in the city, called Fort William. The British pr ers, including soldiers and civilians, were then herded i punishment cell in the fort that had always been know

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Showers

Cloudy and cooler with showers at times Friday, high 45 to 50, low 33 to 38. More weather on page 6.

Eye opener

No matter how busy a man is he's never too busy to stop and talk about how busy he is.

Unicameralism favored,

By DENNIS E. CURRAN
Gazette State Bureau

HELENA — Constitutional Convention delegates expressed a "preference" for a unicameral (one-house) legislature Thursday, but the outcome of their straw vote may not be repeated June 6.

Because of a ballot quirk, the proposal for a bicameral (two-house) legislature will have a decided advantage when the proposed new constitution goes to the voters.

THE UNICAMERAL proposal will be on the ballot as a separate issue, but some of its supporters believe its chances there are "virtually nonexistent."

Ironically, the convention—which is a unicameral body itself—voted 47-39 Thursday in favor of a unicameral legislature. However, the vote was intended only as a poll to show delegates' personal preferences; it does not affect the ballot proposal.

DELEGATES had hoped all along to be able to give the voters a clear, equal choice in the June 6 election between a unicameral legislative article and a bicameral article. But this past week it became apparent that to do so might result in passage of a constitution which doesn't provide for a legislature.

The problem is caused by the 1889 Constitution and the convention's enabling act which specify that issues put to the

voters must be passed by not only a majority of those voting on the particular issue but also by a majority of those voting in the election.

IN SIMPLE NUMBERS, it means that if 200,000 persons vote on the main issue of passing or rejecting the constitution, then a majority of 100,001 is necessary on all side issues too.

As a separate issue, if unicameral got 96,000 votes and

bicameral got 94,000 required for passage, would not have

SO THE DELEG vote only for or against the separate issues, c article into the constitution separate issue.

ConCon likes one

Gazette State Bureau

HELENA — Unicameral-minded Constitutional Convention delegates got a boost to their morale Thursday with a 47-39 vote in preference of a unicameral (one-house) legislature.

The preference vote does not change one word of the new constitution or the ballot proposal approved by the delegates Wednesday night, but it will show the voters how the delegates feel personally about unicameralism.

IT WAS THE FIRST clear vote taken on the unicameral-

bicameral issue during upset some of the usual

Democrats favor independents voted 2 against unicameral.

Three delegates were absent or abstain

DELEGATES from

(C)

nt snow-studded tire?

No. It's just ice cream sticks in a machine that turns out 8,000 ice cream bars per day at Ogden, Utah.

Photofax

The 'Black Hole' theory

(C) 1972, Chicago Daily News

CUTT — The few foreign tourists who stop over in a city ask to see "the Black Hole of Calcutta," longer exists — if it ever did.

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Calcutta's tourist office will tell you how to find the site of the Black Hole, but after that you are on your own. A tax building now occupies the site. Until a few years ago there was a plaque on the wall relating the story of the hole.

BRITISH INDIANS insist that the Black Hole of Calcutta never existed, and that it was all made up so that Robert Clive had an excuse to conquer India.

According to British history books still making the hole all began in June, 1756, when the Nawab of Bengal tried to push the British East India Co. out of Calcutta. The Nawab had no trouble in capturing the company's trading post in the city, called Fort William. The British prisoners, including soldiers and civilians, were then herded into a small cell in the fort that had always been known as

"the Black Hole."

John Holwell as one of the prisoners, and his version of what happened seems to be the accepted one. Holwell said the Nawab jammed 146 prisoners into the 18-cubic-foot cell on one of the hottest nights of the year. The next morning when the door of the Black Hole of Calcutta was opened only 23 people were still alive.

A FEW MONTHS later the famous Robert Clive came to avenge the first humiliation the British had suffered in India. Clive led an army that recaptured Calcutta and then went on to crush the Nawab at the battle of Plassey, which became the foundation stone of the British empire in India.

One trouble with the Black Hole story is that even the average high school math student can figure out it would be impossible to put 146 persons into an 18-cubic-foot space, even if they were midgets. Perhaps, historians reason, it may have felt to Mr. Holwell that there were 146 persons in the cell.

Calcutta's tourist office also takes no credit for a skin museum named after the city. "It has nothing to do with us," one French-speaking director said, "Oh! Calcutta" is a pun on a French "Oh! Quel Cul T'as," which refers to the nude model in a French painting."

argument of critics that the proposal is too stingy. Nixon said the Social Security boost, coupled with other administration programs to build an income floor for the elderly, would permit Americans to grow old "with grace and pride and dignity."

In a 24-page message to Congress, Nixon also promised prompt implementation of a \$100 million program to provide nutritious, hot meals for the needy elderly. The President signed legislation authorizing the program Wednesday night.

Nixon said a 5 per cent increase in retirement and disability benefits would boost the purchasing power of older Americans by \$2.1 billion a year and would mean "that Social Security benefits would be one-third higher after this June than they were just 2½ years ago."

"This represents the most rapid rate of increase in the history of the Social Security program," he said.

Sen. Frank Church, D-Idaho, chairman of the Senate Special Committee on Aging, has led critics of the Nixon proposal, contending that a 5 per cent boost scarcely keeps up with the increase in the cost of living. He proposed a 20 per cent boost.

Divided, expected to lose

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bicameral got 94,000 votes, neither would have the majority required for passage, and the constitution, assuming it passed, would not have a legislative article.

if 200,000 persons
ing the constitu-
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SO THE DELEGATES, fearing that many voters might vote only for or against the constitution as a whole and not on the separate issues, decided to put the bicameral legislative article into the constitution with the unicameral proposal as a separate issue.

96,000 votes and

If a majority favored the unicameral plan, it would replace the bicameral article in the constitution. If not, the bicameral would still be there.

Delegate George Heliker, a unicameralist, has calculated that unicameral doesn't have a chance as a side issue with bicameral in the body of the constitution.

"WHICHEVER is put in the body of the constitution is virtually assured of success," Heliker told fellow delegates.

To pass unicameral as a side issue would probably require a vote for the new constitution of at least 65 or 70 per cent, according to Heliker.

The Missoula Democrat, an economics professor, made some general assumptions for his calculations:

—That 60 per cent of those who vote for the new constitution would favor unicameral if they voted on the issue.

—That 95 per cent of those voting for the new constitution will vote on the side issues, while 75 per cent of those who vote no on the constitution will vote on the side issues.

—That 50 per cent of those voting no on the entire constitution would favor unicameralism if they voted on the side issue.

GRANTING THOSE assumptions, Heliker says it would take a 65-35 plurality for passage of the constitution just to pass unicameral by a few votes. It would take a 70-30 per cent plurality for the constitution to pass unicameral by a more comfortable 51 per cent, he says.

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bicameral issue during the convention, and the results mildly upset some of the usual voting patterns.

Democrats favored the unicameral proposal 29-20 and independents voted 2-1 for it, while Republicans split 18-16 against unicameral.

Three delegates were excused for the day, and 11 either were absent or abstained from voting.

DELEGATES from urban areas voted 30-15 for unica-

(Continued on Page 8)

in the unicameral

Friday Morning, March 24, 1972—9

RAPID CITY, S.D. (AP) — Gov. Richard Kneip pleaded with members of the Missouri Basin Inter-Agency Committee Wednesday night to "stop the day-to-day and month-to-month

Voters approve complex

WINSTON (AP) — Park county voters have authorized city commissioners to seek federal assistance in building a million city-county complex in Livingston. Voters approved a \$300,000 city bond issue by a six to five margin Wednesday. Those commissioners represent the county's share of the costs.

Box sculpture given to club

GLENDIVE — An original sculpture of a bucking horse, by Harvey Rattey of Casper, one of Montana's leading sculptors, will be auctioned at the Glendive Spring Rodeo Cattleman's banquet Friday night. Rattey donated the piece to the Rodeo Club of Dawson County, and profits from the sale will be used for the team's travel expenses on intercollegiate rodeos this spring. Rattey will have a display of his other works at the banquet.

Provaahs here

Provaahs, ministerial training, an evangelism mission Saturday morning will include baptism by water immersion, all climaxed by a public address 2 p.m. Sun-

PEAKER WILL BE William Green, district supervisor for the eight-state area including Oregon and California. His talk will be titled, "Are You Marked for the Rival?" Griffith Green and Jerry N. Griffith will represent the Watchtower Bible and Tract Society, headquartered at Brooklyn, N.Y., during the convention. Griffith is circuit supervisor for the 22 eastern Montana congregations. Billings convention dignitaries



The unburying

The Memphis unit of Citizen Against Busing, following the burial of an old school bus in a

The "unburying" is in compliance with city ordinances that prohibit the burial of junked

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Photofax

The unburying

The Memphis unit of Citizen Against Busing, following the burial of an old school bus in a protest against busing of pupils for integration, Wednesday was digging the vehicle up.

The "unburying" is in compliance with city ordinances that prohibit the burial of junked vehicles.

Levity for ConCon

HELENA (AP) — Thursday was a day of levity at the Montana Constitutional Convention as delegates prepared for closing ceremonies Friday.

The scene was similar to a high school the day before graduation.

Delegates shook hands, wished each other well and signed each others' photographs and booklets.

The mood was festive as they took care of a few minor matters.

Carl M. Davis, D-Dillon, tried for the last time to get Lynn Sparks, D-Butte, to say something on the convention floor. Miss Sparks had not spoken on the record from the floor.

He asked the Butte delegate if she would yield to a question.

Miss Sparks smiled and shook her head.

Marshall Murray, R-Kalispell, asked that the record show that Miss Sparks replied by shaking her head.

Miss Sparks believes her opinions are amply reflected when she votes.

Quipped George Harper, i-Helena:

"It is not only she has said no words who hasn't said anything on this floor."

The unofficial convention barbershop quartet performed but members broke out laughing to end the concert early.

Lucile Speer, D-Missoula, told delegates that she is single and should not be called Mrs. Speer as many had addressed her.

"The journal may show it as Ms.," President Leo Graybill said.

Robert L. Kelleher, D-Billings, who introduced more delegate proposals than anyone, told Graybill he found about 32 more he had not introduced.

"What should I do with them?" Kelleher asked the president.

"I have two suggestions for you," Graybill said. "I won't mention the first, but you could build a bonfire and cook some weinies."

Several committees met later in the day to wrap up work, and the Voter Education Committee discussed postconvention plans.



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By GARY SVEE
Gazette Staff Writer

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New constitution finally on paper

HELENA (AP) — With all but formal closing ceremonies out of the way, Constitutional Convention delegates unanimously approved their proposed constitution Wednesday.

The document, which includes a ballot, and schedules for transition and adoption, will be printed Thursday. Delegates will go through formal signing ceremonies Friday morning to wrap up 10 weeks of work.

Montana voters will ratify or reject the document June 6.

The entire package was approved 90-0. Article-by-article votes earlier in the day, however, were not unanimous.

Much of the day was spent debating the form of the ballot. Convention delegates stood by their Tuesday decision to include a two-house legislature in the body of the constitution and offer a one-house body as a separate issue.

While delegates had intended to offer voters a choice between the two types of legislatures as equal alternatives, some lawyers feared the state could end up with the 1889 legislative article or none at all.

The 1889 constitution and enabling act passed by the 1971 legislature specify that the proposals must be approved by a majority of those voting.

Thus if 200,000 persons voted either for or against the body of the constitution, 100,001 would be needed as a majority for the side issues to pass, according to several convention lawyers.

They believe some persons may not vote for all the side issues, which leaves a good chance that no majority would

be attained for either unicameralism or bicameralism on the side issue.

To prevent this situation from happening, delegates decided to put the two-house proposal in the body and offer unicameralism and bicameralism as a side issue.

The ballot will feature two other side issues—the death penalty and gambling.

Delegates approved a motion by George Harper, I-Helena, to change the way the gambling issue will be offered on the ballot.

They overturned a Style and Drafting Committee recommendation that called for leaving the matter of authorizing gambling to the legislature and public in the event the needed majority on the side issue does not materialize.

Harper successfully moved that the body of the constitution contain the present prohibition that outlaws the legislature from authorizing gambling. The motion passed 63-23.

Unless the document were changed, Harper said opponents of gambling might find it necessary to vote against the new constitution to insure that gambling would continue to be banned.

If the constitution is turned down in June, the present constitution, which contains the gambling ban, would remain in operation.

Some of the 100 delegates were fearful that the ballot might be confusing to many voters.

Wade J. Dahood, R-Anaconda, said they were under-

estimating the intelligence of the voters.

"We're not going to an illiterate electorate," Dahood said.

Charles H. Mahoney, I-Clancy, backed Dahood, adding:

"We're indicting the educators in this state. To me, this plan is very plain. It looks good."

Also included in the proposed constitution are transition and adoption schedules.

If the constitution is ratified, most of it will go into effect July 1, 1973.

Certain provisions affecting the legislature will become effective next Jan. 1.

The legislature next year would be able to meet for 60 working days, not 60 calendar days, as in the past. Calendar days include nonworking days.

Power saw kills Plevna man, 43

BAKER (AP) — Rolan Zeimet, 43, Plevna, died Wednesday afternoon in a Baker hospital of injuries suffered when he was cut in the leg by a power brush saw.

Terrence M. Cameron, Fallon County sheriff, said Zeimet and another man were cutting willow brush with the small power saws along a Milwaukee Road right-of-way three miles inside the North Dakota border when the accident occurred.

He said Zeimet apparently ran into the saw, cutting his right leg near the groin, severing the main leg artery. He said Zeimet's co-worker took him three miles into Marmarth, N.D., on a speeder car, where he was then transferred to a Baker hospital by automobile.

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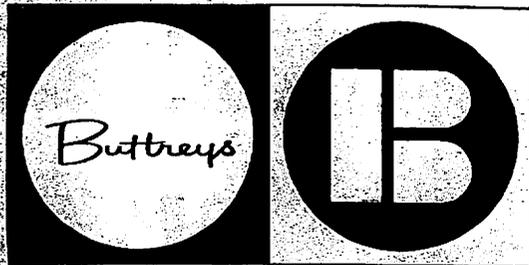
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'Modified' air quality plan is sent to the EPA

HELENA (AP) — Gov. Forrest H. Anderson sent a modified air quality implementation plan to the federal Environmental Protection Agency this week, apparently with all mention of sulphur dioxide emissions deleted from the document.

Ron Richards, an aide to Anderson, said that reference to the controversial sulphur dioxide provision was "either stricken or modified in a way that the EPA standards will prevail as far as the federal government con-

cerned," adding: "The modified plan will also bring Montana into conformity with neighboring states.

Anderson refused to sign the air quality plan devised by the State Board of Health because of its provision requiring smelters to retain 90 per cent of sulphur dioxide emissions.

Dr. John S. Anderson, director of the health agency, said EPA Administrator William D. Ruckelshaus "is the man who now has the problem."

"Ruckelshaus has been noti-

fied that he will be challenged if he tries to put federal standards over state standards," Anderson said, referring to a planned lawsuit by eight Montana citizens who may attempt to force Ruckelshaus to accept the original implementation plan.

Dr. Anderson was more concerned with which draft Gov. Anderson sent to Ruckelshaus. "We made a couple of other important changes in the second draft," Dr. Anderson said.

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The Billings

86th Year—No. 331

Billings, Montana, Saturday Morning, March 1956

Britain takes over rule

LONDON (AP) — Britain took over direct rule of Northern Ireland Friday in a dramatic pitch for peace, but alerted 4,000 more troops against the risk of civil war in the troubled province.

Demonstrations immediately broke out in Belfast, Northern Ireland's capital, where Prime Minister Brian Faulkner denounced Britain's move, saying it could be construed as a terrorist victory. But he agreed to stay in office until the British takeover.

Extremists among the Protestant majority of Northern Ireland and their chief antagonists, the outlawed Irish Republican Army, issued belligerent

statements that raised the peril of civil war.

A grim Prime Minister Edward Heath announced the drastic development that breaks 50 years of Protestant mastery in the six-county province. He told a silent and solemn House of Commons that he was naming the House floor leader, William Whitelaw, to rule the province with the new position of Cabinet Minister of Northern Ireland. Whitelaw pledged all-out war against guerrillas.

Whitelaw will be assisted by a commission of local residents, which will mean giving Catholics a voice in the government for the first time.

Heath's plan also includes a phasing out of the controversial policy of internment, providing no new terrorism results, and the holding of periodic plebiscites in Northern Ireland to test sentiment on the question of a united Ireland.

Heath emphasized to the House that his move and consequential measures do not in themselves "constitute a lasting solution" for the problems of Ulster, as Northern Ireland is known.

"We remain determined to find means of insuring for the minority as well as the majority community an active, permanent and guaranteed role in the life and public affairs of the

province," he said.

In the past 32 months 236 people have been killed in a conflict involving the Irish Republican Army, which wants a united Ireland; the Protestants, who want to keep Ulster part of Britain, and the British army, which is trying to pacify the province.

Immediate backing for the government's peace plan came from leaders of the opposition Labor and Liberal parties, Harold Wilson and Jeremy Thorpe.

The Defense Ministry announced that 4,000 troops in Britain are on standby to be rushed to Northern Ireland if there are new outbreaks. About 15,000 British troops are now

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ConCon adjourns

HELENA, Mont. (AP)—After 10 weeks of deliberation and hours of debate, Montana's fourth Constitutional Convention, and first since 1889, ended Friday.

Delegates went through formal adjournment ceremonies, signing a copy of the proposed document, which will be ratified or rejected by Montana voters June 6.

The formal closing ceremonies took place in the crowded House of Representatives chamber of the state capitol and featured short addresses by some state officials and representatives of youth groups.

Convention President Leo Graybill, Jr., of Great Falls, also addressed the delegates and said the ten weeks of work had been a courageous and meaningful encounter.

He had nothing but praise for the work of the other 90 delegates, who drafted a 12,000 word document.

"You always have gone ahead with the worthy goal of

compromise and not by any one delegate or small group of delegates.

"It has truly been the work of all," he said. Graybill noted that some delegates might not be able to sign the document as they may have yielded more than they wished.

"To any of those," he said, "I can only recommend your own conscience as a guide in your final decision. But those will be only a few—and I will respect their decision."

Montana Gov. Forrest H. Anderson also spoke at the ceremonies. He said he had not thoroughly studied the document yet and that he would reserve judgment.

"Your work is not over, however, and each of you must go out and sell this document between now and June 6," the Democratic governor said.

"You must present this constitution the same way I sold to the people of Montana the Montana Executive Reorganization Act," Anderson said.



The Billings

86th Year - No. 331

Billings, Montana, Saturday Morning, March 27, 1954

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Immediate backing for the government's peace plan came from leaders of the opposition Labor and Liberal parties, Harold Wilson and Jeremy Thorpe.

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ConCon adjourns

HELENA, Mont. (AP) — After weeks of deliberation and hours of debate, Montana's fifth Constitutional Convention adjourned Friday.

Delegates went through formal adjournment ceremonies, signing a copy of the proposed document, which will be ratified or rejected by Montana voters June 6.

The formal closing ceremony took place in the crowded hall of the state capitol. Representatives of the state capital featured short addresses by some state officials and representatives of youth groups.

Convention President Leo Graybill of D-Great Falls, addressed the delegates during the ten weeks of work. He had nothing but praise for the work of the other 99 delegates, who drafted a 12,000-word document.

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compromise and not by any one delegate or small group of delegates.

"It has truly been the work of all," he said. Graybill noted that some delegates might not be able to sign the document as they may have yielded more than they wished.

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Montana Gov. Forrest H. Anderson also spoke at the ceremonies. He said he had not thoroughly studied the document yet and that he would reserve judgment.

"Your work is not over, however, and each of you must go out and sell this document by June 6," the Democratic governor said.

"You must get out and sell it the same way I did to the people of Montana," the Montana Executive Reorganization Act, Anderson said.



The Billings

86th Year—No. 331

Billings, Montana, Saturday Morning, March 27, 1954

Britain takes over ru

LONDON (AP) — Britain took over direct rule of Northern Ireland Friday in a dramatic pitch for peace, but alerted 4,000 more troops against the risk of civil war in the troubled province.

Demonstrations immediately broke out in Belfast, Northern Ireland's capital, where Prime Minister Brian Faulkner denounced Britain's move, saying it could be construed as a terrorist victory. But he agreed to stay in office until the British takeover.

Extremists among the Protestant majority of Northern Ireland and their chief antagonists, the outlawed Irish Republic Army, issued belligerent

statements that raised the peril of civil war.

A grim Prime Minister Edward Heath announced the drastic development that breaks 50 years of Protestant mastery in the six-county province. He told a silent and solemn House of Commons that he was naming the House floor leader, William Whitelaw, to rule the province with the new position of Cabinet Minister of Northern Ireland. Whitelaw pledged all-out war against guerrillas.

Whitelaw will be assisted by a commission of local residents, which will mean giving Catholics a voice in the government for the first time.

Heath's plan also includes a phasing out of the controversial policy of internment, providing no new terrorism results, and the holding of periodic plebiscites in Northern Ireland to test sentiment on the question of a united Ireland.

Heath emphasized to the House that his move and consequential measures do not in themselves "constitute a lasting solution" for the problems of Ulster, as Northern Ireland is known.

"We remain determined to find means of insuring for the minority as well as the majority community an active, permanent and guaranteed role in the life and public affairs of the

province," he said.

In the past 32 months 286 people have been killed in a conflict involving the Irish Republican Army, which wants a united Ireland; the Protestants, who want to keep Ulster part of Britain, and the British army, which is trying to pacify the province.

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ConCon adjourns

HELENA, Mont. (AP) — After weeks of deliberation and days of debate, Montana's 17th Constitutional Convention adjourned Friday.

Delegates went through formal adjournment ceremonies, signing a copy of the proposed constitution, which will be ratified or rejected by Montana voters June 6.

The formal closing ceremony took place in the crowded

chamber of the state capital building. Short addresses were made by officials and representatives of youth groups.

Convention President Leo Graybill of D'Great Falls addressed the delegates, praising the ten weeks of work that had been a "compulsory and painful experience."

He was giving his praise for the delegates who drafted a 12,000-word document.

"You always have gone ahead with the worthy goal of

compromise and not by any one delegate or small group of delegates."

"It has truly been the work of all," he said. Graybill noted that some delegates might not be able to sign the document as they may have yielded more than they wished.

"To any of those," he said, "I can only recommend your own conscience as a guide in your final decision. But those will be only a few—and I will respect their decision."

Montana Gov. Forrest H. Anderson also spoke at the ceremonies. He said he had not thoroughly studied the document yet and that he would reserve judgment.

"Your work is not over, however, and each of you must go out and sell this document to the people of Montana," said Democratic Governor Anderson.

"You must sell this constitution the same way I sold to the people of Montana the Montana Executive Reorganization Act," Anderson said.



The Billings

80th Year—No. 331

Billings, Montana, Saturday Morning, March 25, 1939

Britain takes over rule

LONDON (AP) — Britain took over direct rule of Northern Ireland Friday in a dramatic pitch for peace, but alerted 4,000 more troops against the risk of civil war in the troubled province.

Demonstrations immediately broke out in Belfast, Northern Ireland's capital, where Prime Minister Brian Faulkner denounced Britain's move, saying it could be construed as a terrorist victory. But he agreed to stay in office until the British takeover.

Extremists among the Protestant majority of Northern Ireland and their chief antagonists, the outlawed Irish Republican Army, issued belligerent

statements that raised the peril of civil war.

A grim Prime Minister Edward Heath announced the drastic development that breaks 50 years of Protestant mastery in the six-county province. He told a silent and solemn House of Commons that he was naming the House floor leader, William Whitelaw, to rule the province with the new position of Cabinet Minister of Northern Ireland. Whitelaw pledged all-out war against guerrillas.

Whitelaw will be assisted by a commission of local residents, which will mean giving Catholics a voice in the government for the first time.

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Heath emphasized to the House that his move and consequential measures do not in themselves "constitute a lasting solution" for the problems of Ulster, as Northern Ireland is known.

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Immediate backing for the government's peace plan came from leaders of the opposition Labor and Liberal parties, Harold Wilson and Jeremy Thorpe.

The Defense Ministry announced that 4,000 troops in Britain are on standby to be rushed to Northern Ireland if there are new outbreaks. About 15,000 British troops are now

there trying to

maintain order. In Belfast, six workers' demonstrations were held.

William Whitelaw, Northern Ireland's first Protestant premier, called for a strike of all public employees and a virtual law in force.

ConCon adjourns

ELENA, Mont. (AP) — After weeks of deliberation and hours of debate, Montana's Constitutional Convention adjourned Friday.

Delegates went through formal adjournment ceremonies, signing a copy of the proposed constitution, which will be ratified by voters in June.

The formal closing ceremony took place in the crowded hall of the state capitol.

Featured were addresses by state officials and representatives of various groups. Convention President Leo Willard of Great Falls addressed the delegates.

After the two weeks of work, delegates had a final and emotional encounter. They praised the work of the other 90 delegates who drafted a 12,000-word document. "You always have gone ahead with the worthy goal of

compromise and not by any one delegate or small group of delegates.

"It has truly been the work of all," he said. Graybill noted that some delegates might not be able to sign the document as they may have yielded more than they wished.

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86th Year - No. 331

Billings, Montana, Saturday Morning, March 27, 1954

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ConCon adjourns

HELENA, Mont. (AP) — After weeks of deliberation and hours of debate, Montana's 1954 Constitutional Convention adjourned Friday.

Delegates went through formal adjournment ceremonies, signing a copy of the proposed constitution, which will be ratified or rejected by Montana voters June 5.

The formal closing ceremony took place in the crowded hall of Representatives chamber of the state capitol. Featured short addresses by some state officials and representatives of youth groups.

Convention President Leo Willis Jr., of Great Falls, Wyo., addressed the delegates and said the ten weeks of work had been a "tour de force" and a "miraculous" feat.

He said nothing but praise for a work of the 1954 delegates, who drafted a 12,000-word document. "You always have a good lead with the worthy goal of

compromise and not by any one delegate or small group of delegates.

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ConCon adjourns

HELENA, Mont. (AP)—After weeks of deliberation and hours of debate, Montana's ninth Constitutional Convention, and first since 1889, closed Friday.

Delegates went through formal adjournment ceremonies, signing a copy of the proposed document, which will be ratified or rejected by Montana voters June 6.

The formal closing ceremonies took place in the crowded house of Representatives chamber of the state capitol and featured short addresses by some state officials and representatives of youth groups.

Convention President Leo Graybill Jr., D-Great Falls, addressed the delegates and said the ten weeks of work had been "a courageous and meaningful encounter."

He had nothing but praise for the work of the other 99 delegates who drafted a 12,000-word document.

"You always have gone ahead with the worthy goal of making Montana's government more responsible and are responsive to the people both now and in the future," Graybill said.

He urged them to begin to work for the ratification of the document.

"It will not be easy, for the constitution is not yet really understood," Graybill said. "There are many who are skeptical of it and some who are hostile to it, even without reason."

The president said that the work was done in the spirit of

compromise and not by any one delegate or small group of delegates.

"It has truly been the work of all," he said. Graybill noted that some delegates might not be able to sign the document as they may have yielded more than they wished.

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"You must sell this constitution the same way I sold to the people of Montana the Montana Executive Reorganization Act," Anderson said.

"It was a tough job, but it was a good result."

Also in the closing ceremonies were Chief Justice James T. Harrison Sr. of the Montana Supreme Court and Rep. Thomas Haines, R-Missoula, senior member of the House of Representatives.

Others invited were representatives from Boys and Girls State, the YMCA Youth Constitutional Convention, the Montana Student Presidents Association, the Montana Constitutional Convention Commission.



Peek-a-pipe

Construction pipes can be used to convey all manner of things—including some friendly giggles as these youngsters found Friday when they played a rather complicated game of "you-peek-through-that-pipe-and-I'll-peek-through-this-pipe-was-pipes"

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(C) 1972 New York Times

LAGOS, Nigeria.—Late one night during the tense period that followed the civil war here, a tough-looking soldier halted a British doctor at an Army roadblock to check his identification papers. As the doctor fumbled for his wallet

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ConCon adjourns

HELENA, Mont. (AP)—After weeks of deliberation and hours of debate, Montana's 10th Constitutional Convention, and first since 1889, adjourned Friday.

Delegates went through formal adjournment ceremonies, giving a copy of the proposed document, which will be ratified or rejected by Montana voters June 6.

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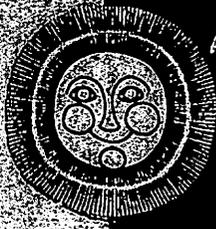
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Defense projects



Topic

ConCon Legislature more r



ConCon President Leo Graybill Jr. signs the completed constitution Friday as convention secretary Jean Bowman looks on.

By CHARLES S. JOHNSON

(Editor's Note: This is the first article in a series to explain how some changes approved at the Constitutional Convention may affect Montana citizens if the document is ratified June 6.)

HELENA (AP) — The Montana legislature may lose some of its anonymity if the proposed constitution is adopted.

Without much opposition, delegates approved single-member legislative districts, which could help clear up hazy legislative process.

How would this affect the Montana citizen?

It should pinpoint responsibility. He will have his own legislator to scrutinize, write and ultimately hold responsible for his action.

Persons now have anywhere from three to 18 legislators representing them, which makes it difficult to nail down responsibility.

Each citizen, whether he lives in Billings or Belfry, would vote for one legislator if voters approve a unicameral (one-house) legislature June 6. If they prefer a bicameral (two-house) legislature, each person would have one senator and one house member representing him.

Residents of the two largest counties—Yellowstone and Cascade—now have 18 legislators elected at large to represent them and the more than 80,000

New and old mix in prop

EDITOR'S NOTE: The staff of the Constitutional Convention provided the following summary on the work of the Convention, outlining the major provisions of the proposed document. The staff report is

Gambling. People given choice whether to retain a complete constitutional prohibition against all forms of gambling or whether legislature should have power to legalize certain

Governor. lieutenant governor, secretary of state, attorney general, superintendent of public instruction and auditor retain present constitutional elective status. Section 1.

for re-election but has no opponents for the office; his name is placed on the ballot for the electorate to approve or reject. Section 8.

Terms of office for supreme

ConCon and What it did

Legislators may become more responsive to voters

By CHARLES S. JOHNSON

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other persons living there.

Large multi-member districts make it difficult for constituents to influence or follow their legislators' actions.

If a Great Falls housewife, for example, favors a consumer protection bill before the legislature, she had better write all of her 18 legislators and hope for the best.

But how likely are they to pay any attention to a single letter from one of their 80,000 constituents?

Under single-member districts, the state would be carved into as many individual districts as there are legislators. If the constitution passes, two representative districts would make up each senate district.

Thus each senator, for example, might represent 14,000 persons, and each representative 7,000.

Chances are they would pay more attention to the opinions of their constituents.

Single-member districts also might make it easier for citizens to determine what kind of job their man is doing.

Since other convention proposals call for more recorded votes and open meetings, more votes are likely to be listed by newspapers. Voters, in turn, can check up on their legislator.

People in a single-member district may be able to hold their individual legislator more accountable to his campaign

promises.

Campaigns, too, may become more issue-oriented. Only two persons will be running for a single seat and may be forced to take stands. When several dozen now run for openings in Billings and Great Falls, critics claim issues often are not raised, and well-known names prevail.

Rural convention delegates liked the idea of single-member districts because they should cut down the size of some of the huge but sparsely populated districts. Some now include parts of four and five counties.

"The average citizen will know his individual representative if he wants to know," Delegate Magnus Aasheim, D-Antelope, said. He was chairman of the Legislative Committee, and called single-member districts the most important legislative reform.

At last count in 1970, 26 of 50 state senates and 17 of 49 state houses of representatives used single-member districts exclusively.

Until a federal court reapportioned Montana in 1965, most state legislators historically had come from single-member districts.

Residency requirements to run from single-member districts vary.

If a county such as Silver Bow contains one or more districts, a legislative candidate can run from any district in Butte he chooses, regardless of

where he lives.

But if the district contains all or parts of more than one county, a candidate must live in that district. For example, if one district included East Helena and Townsend, but not Helena, a Helena resident could not run from it.

Aasheim listed a few other legislative changes.

A salary commission will recommend wages for legislators and other elected officials. Although Montana legislative salaries rank low nationally, lawmakers shudder when raising their own pay because of the grass roots reaction. The commission recommendations could help guide legislators.

The legislature will meet for annual sessions of 60 working days if the constitution passes. Aasheim fought annual sessions, saying they would make it difficult for many Montanans to run for the legislature, but advocated giving lawmakers more time. The present constitution restricts meetings to 60 calendar days every two years.

A commission appointed by legislative leaders will redistrict the state every 10 years. The legislature has handled the job in the past but without much success.

If voters opt for unicameralism, a referendum will be staged in 1980 to determine whether it should be retained.

(Next: the executive article.)

ix in proposed constitution

governor for re-election but has no opponents for the office; his name is placed on the ballot for the electorate to approve or reject. Section 8. Terms of office for supreme court increased from six to

money. Sections 12 and 13. The legislature may provide for an independent appeal procedure for taxpayer grievances. Section 7. Article IX. Equipment & Natural Resources

tem. Section 9. Local school trustees are guaranteed "supervision and control" over local schools. Section 9. The distinct and unique cultural heritage of Montana is to

ture continues its constitutional status; special levies for agricultural purposes also received continued constitutional authorization. Section 1. The legislature is directed to provide for a department of la-

EDITOR'S NOTE. The staff of the Constitutional Convention provided the following summary on the work of the Convention outlining the major provisions of the proposed document. The staff report is admittedly not exhaustive and mentions some of the more popular provisions.

HELENA (AP) — Here is the text, by Article, of a Montana Constitutional Convention staff report summarizing briefly the highlights of the proposed new constitution:

Article II

Bill of Rights

Retained from present Constitution:

No rights protected by the present Montana Declaration of Rights are deleted or abridged in the proposed Constitution. These include the right of freedom of speech, assembly and religion; the right of self government; the right to acquire, possess and protect property; the right to suffrage; right to bail, and right to a trial by jury, among others. In addition, the present Montana provision guaranteeing the right to keep and bear arms is retained in total.

New provisions added:

In addition to retention of all rights protected by the present Constitution, the proposed document would protect:

—The right to a clean and healthful environment. Section 3.

—The right to pursue basic necessities. Section 3.

—The right to know (including the right to attend meetings of public agencies and to examine the agency's records), except when the demand of individual privacy clearly exceeds the merits of public disclosure. Section 9.

—Right of privacy. Section 10.

—Right to sue the state and its subdivisions for injury to person or property. Section 18.

—The age of majority was lowered to 18 and the rights of persons under that age were given constitutional protection. Sections 14 and 15.

—Right of participation. Governmental agencies must allow citizens access to the decision-making institutions of state government. Section 8.

—Right against discrimination in the exercise of civil and political rights. Section 4.

Article III

General government

Retained from present Constitution:

Rights of the people to the referendum and initiative retained. Sections 4 and 5.

The separation of powers principle continues to receive constitutional recognition. Sec-

Gambling. People given choice whether to retain a complete constitutional prohibition against all forms of gambling or whether legislature should have power to legalize certain forms of gambling. Section 9.

Article IV

Suffrage and Elections

Retained from present Constitution:

Certain election safeguards, such as protecting voters from police harassment, are continued. Section 6.

New provisions added:

Voting age lowered to 18. Section 2.

Right to secret ballot assured. Section 1.

Legislature, at its discretion, may provide for a system of poll-booth registration. Section 3.

Article V

The Legislature

Retained from present Constitution:

Voters are given the opportunity to retain a two-house (bicameral) legislature, as is now in effect.

Terms of office remain at four years for senators and (in a bicameral body) two years for house members. Section 3.

Certain limits on legislative power are retained, such as limitations on special laws and requirements that the title of a bill correctly reflect its contents. Section 11.

New provisions added:

Voters are given the opportunity to adopt a one-house (unicameral) legislature; if they do so, they automatically will vote in 1980 on whether to continue the unicameral system. Section 13.

Legislators will be elected from single-member districts. Section 14.

The legislature will be reappointed by a special commission of five citizens, to whom the legislature may submit recommendations. Section 14.

The legislature will be a continuous body, meeting in regular annual sessions of not more than 60 days. A legislature may extend the session length for any necessary legislation. Section 6.

Either the governor or a majority of the legislators may call the legislature into special session. Section 6.

All sessions of the legislature and of its committees shall be public; all votes on substantive matters shall be recorded and made public. Sections 10 and 11.

Candidate for legislature must be resident of state for one year and resident of county or district for six months preceding date of election. Section 4.

Article VI

Executive

Governor, lieutenant governor, secretary of state, attorney general, superintendent of public instruction and auditor retain present constitutional elective status. Section 1.

Number of principal executive departments limited to 20. Section 7.

Governor's pardon and military powers retained. Sections 12 and 13.

New provisions added:

Governor and lieutenant governor run as a team in both primary and general election; lieutenant governor freed of duty of presiding over the Senate so that he may take a more active, fulltime role in the executive branch. Section 2.

Constitutional status of Board of Pardons, Board of Examiners, State Examiner, Board of Prison Commissioners and State Treasurer eliminated. (No mention in proposed constitution.)

Procedures for determining gubernatorial disability outlined. Section 8.

Changes made in the governor's veto power. He no longer would be able to veto proposed constitutional amendments; on the other hand, he would be granted the "amendatory veto," under which he could return a bill to the legislature with proposed amendments. Section 10.

Pocket veto was eliminated. Section 10.

Lieutenant governor not to act as governor until the governor out of state 45 days or unless the governor authorizes lieutenant governor in writing to act as acting governor. Section 14.

Clarifies methods of filling vacancies in executive offices. Section 8.

Lowers qualification regarding age of governor, lieutenant governor from 30 to 25. Section 3.

Requires five years actual practice for attorney general. Section 3.

Article VII

Judiciary

Retained from present Constitution:

Supreme court jurisdiction and district court criminal jurisdiction retained. Sections 2 and 4.

Judicial districts same. Section 6.

Three-level court system retained, including justice of the peace courts. Section 1.

Election of all judges retained. Section 8.

New provisions added:

Method of filling vacancies. If a district or supreme court judge resigns or dies, the governor must select a replacement from a list of candidates as provided by law and confirmed by the senate. Section 8.

for re-election but has no opponents for the office, his name is placed on the ballot for the electorate to approve or reject. Section 8.

Terms of office for supreme court increased from six to eight years; district court terms increased from four to six years, and justice of the peace terms increased from two to four years. Section 7. The legislature is empowered to increase membership of the supreme court to seven. Section 3.

Judicial standards commission. Added to allow citizens to bring complaints about judges to an independent commission to investigate and recommend retirement, removal or suspension of the judge in question to the supreme court. Section 11.

Clerk of supreme court no longer a constitutional officer. (No mention in proposed constitution.)

Number of justices of peace restricted to one per county. Salaries of justices of peace provided by legislature. Section 5.

Article VIII

Revenue and Finance

Retained from present Constitution:

Requirement retained that taxes must be levied by general law for public purpose. Section 1.

Provision providing that the state shall never surrender or contract away its taxing power is retained. Section 2.

Provision against diversion of gasoline tax and other highway revenue to uses other than those related to highways was retained, but made more flexible by allowing legislature to use the revenue for other purposes upon approval of three-fifths of the membership of each house. Section 6.

New provisions added:

Responsibility for system of property appraisal, assessment and equalization placed at state level; details of the program left to the legislature. Section 3.

Local debt left to legislative determination. The present prohibition against state financial aid to local government units eliminated. Section 10.

The legislature is given increased latitude in determining what property should or should not be granted tax-exempt status. Proposed constitution no longer says that all property must be taxed and the legislature can decide what should be taxed. Section 5.

State debt may be authorized by either (a) a two-thirds vote of each house of the legislature or (b) a majority of the people voting on the issue. Section 8.

The legislature is charged with strict accountability and proper investment of state funds with some limitation on

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proper investment of state

money. Sections 12 and 13.

The legislature may provide
for an independent appeal
procedure for taxpayer griev-
ances. Section 7.

Article IX

Environment & Natural Re- sources

Retained from present Con-
stitution:

(No provisions retained be-
cause this is a new article. Sev-
eral related provisions in vari-
ous articles of present con-
stitution are retained in other
articles of the proposed con-
stitution.)

New provisions added:

The state and each citizen is
directed to maintain and im-
prove a clean and healthful en-
vironment; the legislature is di-
rected to provide adequate re-
medies to protect the envi-
ronment. Section 1.

All land disturbed by the tak-
ing of natural resources must
be reclaimed as provided by
law. Section 2.

Water rights are given con-
stitutional recognition. All wa-
ter is declared to be the prop-
erty of the state for the use of its
people. Section 3.

The legislature is directed
to provide for identification and
preservation of the state's cul-
tural and historical resources.
Section 4.

Article X

Education and Public Lands

Retained from present con-
stitution:

The legislature and other
governmental units continue to
be prohibited from spending
money for sectarian purposes,
but a revision specifies that the
prohibition does not apply to
federal funds provided ex-
pressly for distribution to non-
public education. Section 6.

Constitutional protection of
investment of public school
fund, and constitutional status
of the Board of Land Commis-
sioners are continued. Con-
stitutional direction for holding
and disposing of public lands is
continued. Sections 2, 3, 4 and
11.

The present provision against
discrimination in education is
retained and substantially
broadened. Section 7.

New provisions added:

Two distinct boards (one for
higher education and one for
public education) are created,
differing from the present situ-
ation where one board is re-
sponsible for all education mat-
ters. The two boards jointly
form a third (the state board of
education), which is responsible
for long-range planning and
policy and program coordina-
tion and evaluation for the
state's educational system. Sec-
tion 9.

The Board of Regents of
Higher Education is expressly
given full power, responsi-

tem. Section 9.

Local school trustees are
guaranteed "supervision and
control" over local schools.
Section 9.

The distinct and unique cul-
tural heritage of American In-
dians receives constitutional
recognition; one of the state's
educational goals is stated to
be preservation of Indians' cul-
tural integrity. Section 1.

Article XI

Local Government

Retained from present Con-
stitution:

Counties can be consolidated
only with the approval of the
residents of each county affect-
ed. Section 2.

The legislature is directed to
provide alternative forms of
city and county or city-county
consolidated government; such
alternative forms, however,
cannot be adopted without ap-
proval of local voters. Section
3.

Counties which wish to retain
the so-called "traditional" form
of county government — three
county commissioners and 10
other elected officials — are as-
sured that they may do so. Sec-
tion 3.

Unless the local voters wish
to adopt a different system in
their city or county, local gov-
ernment units will continue to
have only those powers given
them by the legislature. Section
3.

New provisions added:
Two or more counties may
agree to elect one official to
serve a multicounty area; in
addition, offices within a county
continue to be subject to consol-
idation. Section 3.

The legislature is ordered to
provide procedures by which lo-
cal voters may design their
own forms of government —
called self-government char-
ters. Section 5.

A new class of self-govern-
ment powers is provided for
those units which, with voter
approval, have adopted their
own charters or adopted a self-
government form offered by
the legislature. These units
may exercise all powers except
those prohibited by the con-
stitution, state law or the local
charter. Section 6.

Local government units are
given broad authority to coop-
erate and share services and
functions in about every way
imaginable. Section 7.

Residents of a city or county
are assured an opportunity
within four years after adoption
of the constitution to vote on
whether they want to change
their form of government. Such
voter review of local govern-
ment will be repeated at 10-
year intervals.

Article XII

Departments & Institutions

Retained from present con-

stitution continues its constitutional
status; special levies for agricul-
tural purposes also received
continued constitutional author-
ization. Section 1.

The legislature is directed to
provide for a department of la-
bor and industry. Section 2.

A maximum of eight hours is
defined as a "regular day's
work" in all industries except
agriculture and stockraising;
however, the legislature may
redefine that maximum. Sec-
tion 2.

Public institutions and facil-
ities shall be provided as the
public good may require, in-
cluding veteran's homes. Sec-
tion 3.

New provisions added:
Primary responsibility for
welfare assistance is placed on
the legislature, rather than the
counties, as is now the case.
Section 3.

Restoration of rights of per-
sons committed to institutions.
Section 3.

Article XIII

Retained from present Con-
stitution:

Corporate charters shall be
granted, modified, or dissolved,
pursuant to law. Section 1.

Legislature is directed to
enact liberal homestead and ex-
emption laws. Section 5.

Perpetuities are prohibited,
except they may be allowed for
charitable purposes. Section 6.

New provisions added:
Salary commission created to
recommend compensation for
judiciary and elected members
of the legislative and executive
departments. Section 3.

The legislature is directed to
provide for an office of con-
sumer counsel to represent the
public before the Public Service
Commission. The office is to be
funded by a special tax on the
regulated companies. Section 2.

The legislature is charged
with providing protection and
education against harmful and
unfair practices by either for-
eign or domestic corporations,
individuals, or associations.
Section 1.

The legislature must provide
for a code of ethics prohibiting
conflicts of interest of state and
local officers and employes.

Section 4

Article XIV

Constitutional Revision

New provisions added:
Changing the constitution
made easier. Amendments and
constitutional conventions could
be proposed by initiative peti-
tions from the people, as well
as by action of the legislature.
The present limit on the num-
ber of constitutional amend-
ments on any one ballot would
be removed. Sections 1, 2, 8
and 9.

The question of whether to
call a constitutional convention
would automatically be sub-
mitted to the voters.

The Billings Ga

86th Year—No. 333

Billings, Montana, Monday Morning, March 27, 1972

Delegates proud of their work

By DENNIS E. CURRAN
Gazette State Bureau
(First of three parts)

HELENA — Constitutional Convention delegates are wearing the proud smiles of authors as they head home to display their proposed new constitution.

While differing often over specific articles, delegates generally think the overall document they have written is a vast improvement over the existing 1889 constitution.

Gazette State Bureau interviews with 25 delegates, representing a cross-section of the 100-member convention, reveal overwhelming sentiment that the new constitution generally frames a government that can do a better job.

At the same time, the interviews reveal that delegates often disagree over which sections are great, okay and not so hot.

"I DON'T THINK any of us got everything we wanted, but I can't see anywhere where it isn't an improvement," said Donald Foster, a young Lewistown Independent.

"I think we've written a good if not a great constitution," Noel Furlong, a Kalispell Democrat told the State Bureau.

Don Scanlin, a Billings Democrat, was especially enthusiastic.

"It's so much better than the one we had, there's no comparison," he said.

J. C. Garlington, a Missoula Republican, nodded toward his yellow legal pad with four or five pages filled with what he sees as improvements.

"THERE ARE MORE goodies in there than you can imagine," he commented.

Delegate Grace Bates, a Manhattan Democrat, also was writing down improvements, but some delegates were finding their notepads less than full of goodies.

"It does include a lot of reforms we all knew had to be made, but we still let too much legislation creep in," observed Jeff Brazier, a Helena Democrat.

Some delegates, Republicans Archie Wilson of Hysham, Art Kamhoot of Forsyth and Torrey Johnson of Busby, acknowledge the number of reforms included in the document but express grave fears over some of the finance sections.

JOHNSON SAID HE thinks 97 per cent of the new constitution would be an improvement over the old, but he's afraid of a few sections.

"I haven't made up my mind if I can live with them or not," he said.

(Continued on Page 2)



Unrising fails

Delegates proud

Franklin Arness, a Libby Democrat, is disappointed for other reasons.

"I'm no flaming liberal, but it seems to me we've made very little reform," he said. "We took out some of the legislation (in the present constitution) and put some of our own back in.

The voters, Arness said, "wanted a change in the basic institutions, and we really haven't proposed that here."

THE LEGISLATIVE article, with its provisions for expanded sessions, openness and single-member districts, won the praises of most of the 25 delegates interviewed, and many thought it is the convention's greatest triumph.

"If nothing passed but the legislative article, it would still be terrific," said Mae Nan Robinson, a Missoula Republican and the convention's youngest delegate. She rates the proposed new constitution 88 on a scale of 100 compared to 50 for the old document.

Delegate James Felt, a Billings Republican and former speaker of the Montana House of Representatives, emphasized that the Legislature would be strengthened by giving it more time.

"**WE (LEGISLATURE)** were at best a review board for proposals that came out of the executive department," he said. "Too many times we weren't even able to give a thorough review."

However, Wilson said the flexible time limit would mean longer sessions, "and that's going to preclude a lot of good people from serving in the Legislature."

The revenue and finance article also was hailed by many as a great improvement, but its removal of fiscal limitations on government also provoked the strongest opposition among delegates interviewed.

Dan Harrington, a Butte Democrat, termed the section possibly the best in the constitution but conceded it could be the weakest in terms of voter approval.

"**THE LEGISLATORS** are going to have tremendous pressures on them to do things they couldn't do before," Kamhoot complained. "Before they could back up against the wall, but now there's no wall.

"Most of the article is not in the best interests of the property owners of the state," Wilson said.

Local government pleased Mason Melvin, a Bozeman Democrat, "because of the terrific freedoms and opportunities it affords cities and counties."

"We opened it up and made it flexible so that any local government can go as far as it wants, but at the same time we've recognized our traditions," offered Lucille Speer, Missoula Democrat and Local Government Committee member.

BUT ANOTHER COMMITTEE member, Lynn Sparks, a Butte Democrat, was disappointed with the local government article.

"I didn't think it provided a strong enough incentive for local governments to improve their situation," she said.

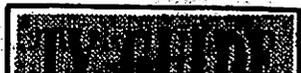
However, Miss Sparks joined Miss Speer in praising the constitution as a whole. Miss Speer, a retired librarian who has written several books about constitutional revision, noted that some of the articles brought more reform than she ever dreamed.

Delegates interviewed also praised and criticized the education, natural resources, executive, judicial and bill of rights articles.

The interviews included 13 Democrats, 11 Republicans and one Independent, embracing liberal, moderate and conservative philosophies and representing all areas of Montana.

**Nancy Kuhl
on TV special**

Nancy Kuhl, daughter of Mr.



Photofax

... a crowd

LeMaister, still packs an extra sandwich every day for Peggleg Bill, who flies unknown breeding rocks every April and returns each September to his five-acre kingdom. When LeMaister retires sometime next year, the bird no doubt will be on hand to screech a farewell.

... king comeback

The true alligator exists only in North America and his range has been largely constricted to Florida, south Georgia, Louisiana and a few other Deep South areas.

Officials in Florida also have reported alligators are making a good comeback in the Everglades, another of the major ranges of the fierce-looking, but unaggressive survivor of the

tanned hides; a federal ban on shipment of hides across state lines, and bans on sale of alligator products in New York and Florida.

A Georgia law that takes effect July 1 will make it illegal to possess alligator hide products. Joe Tanner, director of the state Game and Fish Department, said the law will not force persons to discard alliga-

Delegates willing to exp

By DENNIS E. CURRAN
Gazette State Bureau
(Second of three parts)

HELENA—If somebody wanted to start a fan club for the new constitution, he wouldn't have to look any farther than the constitutional convention roster.

And if he wanted someone to explain the proposed new institution, he could have a line formed within minutes.

Many delegates, though not all, plan to campaign for the document they've just written, and almost all of them are anxious to at least explain it to the people, judging from a series of State Bureau interviews with 25 convention delegates last week.

The delegates interviewed, representing a cross-section of the political, geographical and philosophical make-up of the 100-member convention, showed differing degrees of support for the new document ranging from unabashed endorsement down through those who haven't made up their minds whether to oppose it.

BUT ALL 25 SAID they plan to help explain the proposed constitution to the people.

"I'd like to submit the voters to the same sort of education we've had," said Mason Melvin, a Democrat from Bozeman.

"I'd like to explain it because I think the public can understand it better if they understand the reasons behind it," he said.

Lucille Speer of Missoula is not on the convention's voter education committee, but the retired librarian plans to do her part to get the constitution ratified.

"I certainly intend to get with any citizens' group that is working for it," she said.

George Rollins, a Democrat from Billings, said he thinks the delegates have drafted a constitution which deserves supporting.

"I plan to work for it as hard as I can," he said.

Others, like Arlyne Reichert of Great Falls and George

Heliker, of Missoula, plan to do as a whole but plan also to vote on a (one-house) legislature proposed on the ballot.

"UNICAMERAL WOULD think there are other positions Mrs. Reichert, a Democrat, has for me."

But still others confessed proposed constitution are likely

"I think a lot more of weeks ago, Erv Bysler, a Republican, said last week. "I'll probably good outweighs the bad."

Archie Wilson, a Hysham, said he's "inclined against" but concedes there are some good and bad points and let



The Billings

Two states by reorganization

By ARTHUR HUTCHINSON
Gazette State Bureau

HELENA — Success of Montana's executive reorganization has prompted Idaho and South Dakota to follow the same path toward a more responsible administration.

"Both states will have on their general election ballot this November a constitutional amendment whose principal requirement is that there be no more than 20 executive departments," said George Bousliman, deputy director of the Montana Commission on Executive Reorganization.

Bousliman, by invitation, brought Montana's experience to the attention of the neighboring states in a governmental spinoff.

MONTANA VOTERS had approved such a limiting amendment in 1970. The Legislature followed in 1971 with a reorganization act under which 161 existing state agencies were consolidated into 19 major departments.

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Heliker, of Missoula, plan not only to support the document as a whole but plan also to work for passage of a unicameral (one-house) legislature proposal, which will be a side issue on the ballot.

"UNICAMERAL WOULD be the greatest reform, but I think there are other positions really worth supporting," said Mrs. Reichert, a Democrat. "All these other things are bonuses for me."

But still others confess that some provisions in the proposed constitution are likely to limit their support.

"I think a lot more of it today than I did two or three weeks ago, Erv Bysler, a Fort Benton Republican, commented last week. "I'll probably end up voting for it because the good outweighs the bad."

Archie Wilson, a Hysham Republican, told the State Bureau he's "inclined against" the constitution though he concedes there are some good sections. He said he'll explain the good and bad points and let the voters decide for themselves.

Cedor Aronow, a Shelby Democrat, takes a similar let-the-people-decide stance and said he is still undecided about whether he's for it or against it.

"I'M NOT VIOLENTLY opposed, and I'm not enthusiastically for it," he said.

Franklin Arness, a Libby Democrat disappointed in what he views as a lack of structural reform, calls it a safe document.

"I don't think I'll oppose it, although I kind of thought for awhile I would," he said. "It's not much, it's pretty feeble, but it's better than nothing. I think I'll recommend they can vote for it if they want—it can't hurt them."

Most delegates interviewed expressed at least mild disappointment with some provisions in the new constitution, but like them or not, they know they have a job to do between now and June 6 just explaining what we done.

The job will take them to schools, service clubs and street corners, and it started almost the instant they returned to their home communities.

The Billings Gazette



SECTION TWO

Tuesday Morning, March 28, 1972—11

Two states impressed by reorganization plan

By ARTHUR HUTCHINSON
Gazette State Bureau

but in those two states, as in Montana, it simply had not worked," he said.

THE DEPUTY DIRECTOR said Idaho Gov. Cecil D. Andrus got the idea from Gov. Forrest H. Anderson, who had picked up the plan from Colorado Gov. John Love when reorganization was passed there in 1966.

South Dakota Gov. Richard F. Kneip became aware of the reorganization plan through a team of flying federal and state officials he called in to advise the state on technical matters in executive organization, budgeting and planning.

Bousliman was one of three or four state officials in the 20-man team that was operating under the White House office of management and budget.

"YOU MIGHT ASK why the federals were descending on statehouses and the answer is that it was part of President Nixon's 'new federalism' to return the flow of power to the states," Bousliman said.

Bousliman also went to Idaho to testify before a select bipartisan legislative committee on reorganization.

He said the thrust of his testimony was that the only way reorganization could be accomplished was with a mandate of the people.

THE IDAHO LEGISLATURE accepted this and placed the proposed amendment on the ballot.

Before taking the executive reorganization job in Montana, Bousliman worked for the legislative councils of Idaho and South Dakota.

"We're happy to know that surrounding states have seen what we've done and considered it a model to follow," he said. "It's a great tribute to Gov. Anderson and the foresight of the people of Montana."

Montana became the 11th of the 50 states to adopt executive reorganization. Most of the states limit the executive branch to 20 departments, but a few have a limit of 25, Bousliman

HELENA — Success of Montana's executive reorganization has prompted Idaho and South Dakota to follow the same path toward a more responsible administration.

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Sit-in dinner

When the wind is cold and the rain soaks through to the bones, a man needs a place to eat his lunch,

even a postman. This unidentified Mt. Vernon, Wash., postman is using a route storage box.

Judicial politics may be eliminated

HELENA (AP) — Judicial appointments, occasionally succulent political plums, may be plucked permanently from the polls system orchards under the proposed Montana constitution.

Delegates came up with a system combining appointment and election that could insulate the courts more from politics.

Most Montana judges, both on the Supreme and district court levels, now first reach the bench by appointment to fill a mid-term vacancy. Since many judicial races go uncontested in subsequent elections, appointments, in effect, often become lifetime ones.

Four of the five Supreme Court justices and 19 of the 28 district court judges were first appointed to their posts by governors.

Although Supreme Court justices usually face campaign competition, district court judges often run unopposed.

Here is the system of judicial selection approved by the convention that could give the Montana voter more say:

Nomination. An independent committee, created by the legislature, will recommend a list of several attorneys to fill mid-term vacancies on the supreme and district courts. While not writing in any instructions, some delegates called for a committee made up of both lawyers and laymen.

Selection. The governor must appoint one of the nominees, or the Supreme Court's chief justice will. Governors now are not required to go through any screening process but some have voluntarily

They may appoint any lawyer and sometimes reward political friends.

—Confirmation. Unlike the present system, the Senate will have to confirm appointments.

—Election. Any other lawyer may run for judicial office as they can do now. If an incumbent serves out his term and retires, an election for the seat will be staged.

—Merit Retention. If no one runs against a judge, his name still will go on the ballot. The voter will be asked: Should the judge be retained? Citizens presently facing the choice of voting for an uncontested judge or not at all, could vote to remove the judge from office.

The system of selection was a compromise between opposing factions favoring appointments and those wanting elections.

"There is more elective and selective process here than with any other offices," lawyer Ben E. Berg Jr., R-Bozeman, said. Berg, who served on the Judiciary Committee, favored appointment with judges facing contested elections the first time after appointment and merit retention thereafter.

Justice of the peace courts are retained in the proposed article, but improvements are anticipated.

The legislature is directed to provide for dignified surroundings for JPs, thus eliminating the makeshift courtrooms in bars, kitchens and garages, out of which some operate.

JPs in larger counties receive regular salaries, but others are paid on a fee system, which has come under fire. All the lower court justices would re-

ceive regular salaries if the constitution is adopted.

It also directs the legislature to set training qualifications for JPs.

Citizens who may have some unsavory experiences in justice courts may see improvements if the legislature follows its mandate.

Berg said the lower court system will be much more flexible under the proposed judiciary article. By allowing lower courts to have concurrent jurisdiction with district courts, such innovations as a small-claims court could be established, he said.

Acknowledging that impeachment of judges is an ineffective tool, the convention set the framework for a judicial standards commission to investigate complaints.

After investigating, its recommendations will go to the Montana Supreme Court, which may retire, censure, suspend or remove any justice or judge.

To attract attorneys to the bench, Supreme Court terms were raised from six to eight years and those of district judges from four to six years.

A plan to have the state finance campaigns of Supreme Court justices failed after being tentatively approved. It was submitted by John M. Schiltz, D-Billings, who failed in his attempt to unseat the chief justice in 1970.

The plan would have outlawed any other judicial campaign spending and alleviated fears that large corporations and others were buying influence by contributing to campaigns.

consolidated into 19 major departments. Fourteen of these have been activated with five remaining to be organized before the deadline Jan. 1, 1973.

Bousliman said both neighboring states had the same experience and borrowed freely from Montana.

"They had tried repeatedly to reorganize statutorily without a mandate of the people,



State road construction lower than estimated

HELENA (AP) — The Montana highway Commission awarded contracts, Monday on 11 highway projects around the state totaling \$3,924,319, 14 percent below the state's cost estimate.

State engineers had estimated the projects would cost over \$4.5 million.

Most of the projects involve signing, fencing and installation of traffic control devices throughout the state.

The projects and successful low bidders by county:

Silver Bow — Landscaping and related work on Montana Street Interchange, Lexington Street Separation, Oregon Ave. separation, Harrison Ave. interchange, Sheridan Street separa-

tion, Upper Nine Mile station and East Butte interchange, 115 through Butte Montana Street-East Butte interchange. Jim Gilmar excavating, Inc., Butte, \$288

Missoula County — Removal of guard rail, new concrete and signing on 25.25 miles the Missoula West to C West roads beginning approximately nine miles west of soula and ending approximately two miles northwest of C Stillwell-Gerard Constr

Co., Bellevue, Wash., \$73 Valley, Roosevelt Construction of interior fencing on U.S. 2 beginning approximately 5 miles west Oswego and extending e

Billboards get additional time

HELENA (UPI) — The billboard industry in Montana has been given an additional 90 days before it must register certain billboards in the state.

The 1971 legislature passed the outdoor advertising regulations dealing with billboards.

The regulations bring the state into conformance with the National Beautification Act.

The regulations were to go into effect March 31.

But the Department of ways just received the final and wants time to study and to give the industry to register the billboards.

The Highway Commission moved the date back to Ju

Billboards on certain highways will not be allowed. Those given a permit will have an initial \$6 each and be renewed every three years