

BALLOT ISSUES

1960-1 \$65 MILLION PRISON BONDS

Rejected 39.3% 71.1% voted, 79,291 for and 120,749 against

1959 Laws chapter 250 (H Bill 424), subject to voter approval, proposed a \$5 million bond issue to be serviced by a one-million property levy for construction of a new prison to replace the 90-year-old facility at Deer Lodge. A series of disturbances rocked the prison in 1957 and 1958 and conditions in the crowded institution became a lively political issue. The first substantive proposal presented by an interim legislative council established in 1957 was to build a new prison near Deer Lodge, financed in large part by a \$5 million bond issue. About one-third of the legislators voted against the measure. A state council on corrections, judges, labor, welfare and church groups and the prison warden campaigned for voter approval of the funding. Critics said the entire burden should not be borne by property owners.

A north-south regional division appeared in the vote; voters in only four northern counties were in favor of the bonding but 21 of the 24 counties that voted above the state average were north of a midline across the state. Voters in Ansonia, Bulks, Billings and Miles City all opposed the measure by about 68 percent and those in Powell County where the prison was located voted 80 percent against it. Among nine prior proposals of bonds for construction at state custodial institutions, the only one to be rejected by the voters was for a twine factory at the prison (compare 1916:4).

VOTE ON THREE AMENDMENTS ENJOINED

The 1959 Legislature proposed three constitutional amendments. 1959 Laws:

Chapter 191 (S Bill 7) would terminate ex officio service of the governor, superintendent of public instruction and attorney general on the board of education, and create separate boards of education for the public schools and regents for the university system, each to have eight members appointed by the governor with senate consent.

Chapter 193 (H Bill 197) would allow four-year terms of office for all county and local officers whose terms were not otherwise fixed by the constitution (Compare 1938:3, 1942:2, 1944:2).

Chapter 194 (H Bill 43) would terminate ex officio service of the governor, secretary of state and attorney general as a board of prison commissioners.

Two of the amendments would diminish responsibilities of the governor so, contrary to custom, the legislature decided not to send them to him for signature. Article XIX of the constitution defining the amendment process made no reference to the governor as a participant. Article V section 1 expressly deprived the governor of veto on "measures referred to the people by the legislative assembly." Governor Ford had acknowledged his irrelevance in the amendment process (1944:2). The attorney general said "the rule appears to be universal" that submission of amendments to the governor was not required (Opinion 6, February 27, 1959). But the supreme court enjoined the amendments from the 1960 ballot anyway because Article V section 40 of the constitution relating to ordinary legislative pro-

THIRTY-SEVENTH LEGISLATIVE ASSEMBLY

SENATE HOUSE OF REPRESENTATIVES

SENATE	COUNTY	HOUSE OF REPRESENTATIVES
(O) 38 (R) 17 (1) 1		(O) 40 (R) 54
J S Bremner (R)	Beaverhead	Frank W Hazelsbaker (R)
Carlton A Graham (O)	Big Horn	Clyde L Hawks (R)
Richard Nixon (O)	Blaine	Francis Bardanovue (O)
Lester C Goodkin (O)	Broadwater	Herman L Moudreau (O)
William R Mackey (R)	Carbon	Weldon O Higham (R)
Ben Brownfield (R)	Carters	C C Bentz (R)
Charles A Bovey (O)	Cascade	Alex Blawie Jr (R)
*Gordon McCowan (O)	Douglas	Russell Tomlin (O)
M H Grime (R)	Duster	William E Spivey (O)
Ed Ganey (O)	Dawson	C C Stranahan (O)
James N Shaw (R)	Daniels	M L Mathers (R)
John L Mckee (O)	Dawson	Palmer E Telsign (O)
*Donald J Morrow (O)	Deer Lodge	John Edwards (R)
*James E McKenna (O)	Fallon	De S A Weeks (R)
*George Siderius (O)	Flathead	J O "Boots" Aabjornson (R)
Carl Lehmkind Jr (R)	Gallatin	Fred O Broeder Jr (R)
John J Macdonald (O)	Garfield	Marshall H Murray (R)
Percy DeWalt (O)	Gardiner	Virgil Hanks (O) (R)
Usher F Bergard (R)	Golden Valley	John N Thompson (R)
*Hugh A Dwyer (O)	Grant	Kenneth A Coulter (O)
Robert A Dwyer (O)	Hilli	Dee H Lewis (O)
*George Siderius (O)	Hill	Ed Adolph Lord (R)
*George S McKenna (O)	Jefferson	Harold H Lord (O)
Leland H Schoonover (O)	Judith Basin	Paul E Bremner (O)
Dr William F Cashmore (R)	Lewis & Clark	Ed Kolar (R)
David F James (O)	Liberty	Milo Jensen (R)
William P Herffman (O)	Lincoln	Dan Dykstra (R)
*Walter G Sagnusky (R)	Madison	Thomas L Judge (O)
Robert B Thomas (R)	McCone	Walter Laas (O)
Carl Roedel (R)	Meagher	Arthur H Sheldon (O)
*C E LaCombe (O)	Mineral	John H Anderson Jr (R)
*Edward T Dussault (O)	Missoula	Stewart J Wright (R)
R T O'Neill (O)	Museeishell	Elmer Schye (O)
Ben H Stein (O)	Park	Arthur N Jensen (O)
*Kenneth Cole (R)	Petroleum	William H Bush (O)
Lochiel Edwards (R)	Phillips	Donald O Lucas (R)
Raldo H Cook (O)	Pondera	Mrs Bess R Reed (R)
Alvin Lewton (O)	Powder River	Florian Baldwin (R)
Mike Leavelle (O)	Prescott	Lester W Hall (R)
*W A (Bill) Goff (O)	Rawlins	Robert S Rundel (O)
*C R Thiasen (O)	Richland	Leslie Eskildsen (O)
*R C Harken (O)	Roosevelt	Raymond W Gustafson (O)
*Eugene H Mahoney (O)	Sanders	Carl H Smith (O)
*Lloyd J Michals (O)	Sheridan	Mark H Spivey (O)
*Frank D Reardon (O)	Silver Bow	Arnold H Farnsworth (R)
*Webster Keller (O)	Stillwater	F O Burrill (R)
A Ronald McDonnell (R)	Sweet Grass	Ted Schwilcken (O)
*Paul R Rice (O)	Teton	John D Melcher (O)
*George W Wilson (O)	Toole	Magnus Aashelm (O)
*Robert S Cochr (O)	Townsend	Lloyd E Sorenson (O)
*Herd H Baley (O)	Valley	John E (Jack) Healy (O)
*Rosewell H Anderson (R)	Wheatland	Lawrence G Stinzelz (O)
	Wildcat	Ray J Mayrivan (O)
		John H Leuthold (R)
		Gene Spilde (R)
		W Gordon McIner (O)
		Leonard G Bantz (O)
		Lloyd Barnes (O)
		E A Swenz (R)
		Fred W Reinecke (R)
		James Anderson (R)