

August 2020

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Recommended Citation

Campbell, Bob (2020) "The Writing and Ratification Of The 1992 Montana Constitution," *Public Land & Resources Law Review*. Vol. 43 , Article 5.

Available at: <https://scholarship.law.umt.edu/plrlr/vol43/iss1/5>

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THE WRITING AND RATIFICATION OF THE 1972 MONTANA CONSTITUTION

Bob Campbell

In 1969 Montana legislators became concerned that legislation they were enacting was being ruled as unconstitutional by the Montana Supreme Court. They appointed a committee of two senators, two representatives, and two individuals appointed by the Montana Supreme Court to form the Montana Constitutional Commission to meet and report back to the legislature as to why this was occurring.

The Commission studied the issues and concluded that 51 percent of the 1889 Montana Constitution was obsolete and needed to be amended or repealed to meet the needs of a modern Montana.

The document did provide for amendments to be made and, if deemed necessary, the calling of the election of delegates to consider amendments or replacing the entire document.

The legislators voted to place the decision on the 1970 ballot and have the voters decide if they agreed with the calling of a constitutional convention. On November 2, 1970 the voters approved the calling of a constitutional convention by a two-to-one majority. Delegates were elected, and on January 17, 1972, they assembled in the House Chambers to write a new constitution.

The proposed constitution was placed on the ballot in a special election on June 5, 1972. The voters approved the new constitution and it went into effect on July 1, 1973.

The one hundred delegates who wrote and signed the constitution devoted much of their lives to promoting and supporting the many provisions that changed life in Montana forever.