

Voice of the Readers

Letters in Voice to the Readers are limited to 300 words and subject to editing for clarity, libel and length.

Vote now

We, as co-chairmen of the pro-zoning group, Citizens for Orderly Growth, feel that the referendum petition on the Comprehensive Zoning Ordinance presented to the City of Billings on May 3, contains a sufficient number of signatures to call for a special election.

If the signatures are declared valid, COG has asked the City Council to consider holding the election much sooner than April, 1973. We feel it is an issue too vital to postpone for a year.

We also feel the number of signatures indicates a willingness of the citizens of this community to seek out factual information on this plan and not be content to base their judgment of the much needed ordinance on half-facts and scare tactics.

Therefore, COG intends to intensify its public education efforts concerning the new zoning ordinance. COG plans to publish a synopsis of the ordinance, explaining its intent and purpose and giving a factual summary of each article.

This information will be published prior to the election on this issue. Voting is one of our most precious rights, and in order to keep its validity, the electorate is under obligation to be informed in order to make an intelligent decision.

A great deal has been said about the fact that copies of the Comprehensive Zoning Plan are not available for free, general distribution. Reliable estimates indicate it would cost \$10,000 and take 90 days to print 25,000 copies of the Plan—enough for one copy per household in Billings. And, in spite of claims made by anti-zoners, funds have never been specifically allocated for publication of the Comprehensive Zoning Plan.

Helen H. Widenhofer
Barbara McGregor
COG, 1727 Miles

Dreamer

I had a dream the other night. I dreamt the Billings City Council and Mayor were taking off for a cruise on the "Sea of Indecision" in their good ship "Procrastination." Where they were going was a question—for their destination chart said: "Destination referred to committee."

Before I woke up, I water-skied past the good ship "Procrastination" and asked to come aboard. With a tie vote—broken by the Mayor's "aye"—I was accepted on board.

Asked why I was invading their privacy without my master charge card I explained I was a tax-paying Billings Citizen whose taxes overextended his master charge card.

I also told them I was fed up with council inactivity—shouting—name calling—and "referring to committee." I told them one way streets were vital to solve downtown traffic congestion. That thousands of dollars spent on surveys was ridiculous without action. I told them that Billings residents deserved more than what they were getting—from their council.

Guess what? I was told my remarks would be referred to Committee!

By this time I was wide awake.

R. M. Paterson
712 Park Lane

Solution

There has been a lot of talk and suggestions on what to do with Montana Ave. but as of yet there has been nothing but talk.

As we should know the railroad was there before the town was and probably will be there after the town is moved out west.

I would like to suggest a simple idea that might work.

Just start at 30th Street and do away with the garbage collectors or parkings, whatever you want to call them, back to the sidewalk. Then look at the side walk from 29th to 30th and cut that back to the walks that are in about half the sidewalk. Then taking parking off those two blocks.

That would give the truckers a chance to park without so much twisting and backing. Last but not least quit thinking about twisting the Airport Road all over town and put an underpass over 27th where it belongs.

G. R. Dick
245 Miles

Withdraw your name

The Gazette has properly provides us with a running report of the Deisz petition fiasco. I wonder if the signers of these petitions realize the cost to the taxpayers of their action. The cost, for instance, of properly checking the signatures alone has been estimated by the mayor at \$2500. It would cost another huge sum and untold hours of work to put the zoning plan on the ballot and to educate the public sufficiently to assure an informed vote.

It has taken years of study and planning for city officials to understand the need for comprehensive zoning and to devise a plan that satisfies both the planning board and the city council. It would take far more time and money to bring the public to the same level of understanding. This is why we have

understanding. This is why we have representative government.

However, a small group of citizens (who would have, in the new zoning plan, available access to appeal procedures, should they desire zoning changes) are trying, instead, to kill the entire plan. With the help of highly misleading propaganda, this group has succeeded in collecting more names than are needed to force a special election or hold the plan at bay until a 1973 election. Many who signed these petitions didn't realize the cost of this procedure or the months of work it would nullify.

Many signers have already withdrawn their names. Others can simply send a letter to the mayor (or "the City of Billings")

requesting that their names be removed from the Deisz petition. Or "withdrawal petitions" can be signed at City Hall. The city attorney has verified (citing two supreme court decisions) that signatures may legally be removed in this manner.

An 8c stamp may save the city hundreds of dollars, months of work, and years of progress.

Mrs. Polly Holmes
1620 Ave. F

We'll pay

How long must we wait? After 6 years of hassling and wrangling over the bookmobile and extended library services to Yellowstone County, we as taxpayers, residents, students and teachers are becoming impatient. First petitions—then voting—is it ever going to become a reality?

It seems to me that men and women who serve on these library boards should be able to come to an agreement without involving lawyers opinions? Are not both boards interested in giving service to the people? Especially when we voted for it. It is understandable that budgets and proposed budgets are difficult to understand—but not that difficult—so please

We need it—we want it—we voted for it—we'll pay for it—so lets have the new contract for library services signed now.

Esther G. Bengtson
Shepherd High School Librarian
Shepherd

Disappointed

May 7 I anxiously awaited the Gazette, so I could see the pictures and read the reviews on the State Music Festival, which I had attended the night before at Eastern Montana College.

When all I found was a picture during practice session, of a girl with her head down, I could hardly believe my eyes. And then to see a full page coverage of a child riding a bike, which most of us have witnessed a number of times, was almost more than I could take.

I'm sure you are unaware of the hours these students must practice throughout the year,

the competition and severe judging they must pass before they are even accepted in performing with this group. Then to have our state's top students, in the field of music, completely unrecognized, I feel is truly unfair.

Mrs. Larry Wittman
Absarokee

Editor's Note: Results of the judging, despite efforts to get them for publication May 7, were not available until late Monday and have since been published.

'A gain, though small'

14th in series

Substantial changes in the role of governor are few in the proposed Montana constitution to be voted on June 6. Most of the reform took place as a result of an amendment approved two years ago.

That was when Montanans overwhelmingly endorsed executive reorganization, the consolidation of boards, bureaus and agencies into 20 departments. The work was completed by the 1971 Legislature.

However, Article VI, The Executive, of the proposed constitution does take a few forward paces.

"The draft executive article, if adopted, will be a gain though a small one," writes Professor William F. Crowley of the University of Montana School of Law.

"Saddled as we are with cumbersome and antiquated governmental machinery we cannot afford to reject even small gains."

CROWLEY'S OPINIONS may be assumed to stem at least in part from his role as executive director, Commission on Executive Reorganization, which played a fruitful role in the reorganization accomplished in 1971.

Article VI, The Executive, does have a few definite changes. It eliminates the office of State Treasurer as a constitutional officer, although it may be retained as an elective office by law.

It substantially changes the concept of the lieutenant governor's duties. It requires that the governor and lieutenant governor run as a team, starting with the primary.

AS CROWLEY EXPLAINS, "The office of lieutenant governor is considerably enhanced. The proposed constitution plainly intends that the lieutenant governor be a fulltime officer. . . . The lieutenant governor would be freed of his present duty of presiding over the Senate and might become a fulltime deputy governor with extensive powers."

"This change would certainly strengthen the governor's office and staff both in dealing with the Legislature and with the executive bureaucracy. Conditions under which the lieutenant governor takes over the governor's office in case of death or disability of the governor are for the first time clearly outlined."

The new provisions are clear cut. The lieutenant governor does not assume powers of the governor until the governor is absent from the state for 45 days. He now takes over as governor when the chief executive crosses the border. However, the new constitution provides that the governor may empower him, in writing, to act prior to that time.

The new document also specifies that if the governor dies, his running mate will take over for the full term.

ANOTHER PROVISION authorizes the lieutenant governor and attorney general to notify the Legislature in writing that the governor is unable to perform, presumably for physical or mental reasons. The Legislature has 21 days after convening to determine by 2/3 vote that such a condition exists. Then the lieutenant governor takes over the office.

The governor is allowed to regain his constitutional powers by the same method, resuming office in 15 days unless the Legislature by 2/3 vote determines otherwise.

This provision, in Sec. 14, provides definite constitutional machinery for the succession. It is based on the 25th Amendment to the U.S. Constitution. It leaves no doubt to be resolved by court action.

AMONG THE OTHER noteworthy revisions are those concerning the governor's relationship with the Legislature.

His present powers of veto are substantially retained with further provision that he may return a bill for suggested amendments. This presumably balances the elimination of the pocket veto, a present provision which prevents him to veto a bill without overt act after legislative adjournment.

The new constitution would require him to

sign or veto every piece of state legislation. If vetoed after adjournment, the Legislature could reconvene to uphold or override the veto.

It does take away the governor's present authority to veto proposals for amending the state or federal constitutions and from vetoing initiative and referendum measures. He cannot, under the new constitution, deny the electorate its right to expression on these.

The draft also gives the Legislature a veto through the Senate in its confirmation of heads of the 20 executive departments. Once rejected by the Senate, a proposed appointee cannot be given the post by the governor on between-sessions basis. This can be done at present.

The rewritten article lowers the age of eligibility for constitutional executive offices to 25 for all from the present 30 for the governor, lieutenant governor, superintendent of public instruction and attorney general.

ELIMINATED ARE the constitutionally guaranteed status of the state examiners, board of pardons, board of examiners and board of prison commissioners. These remain statutory until changed by the Legislature.

Their elimination recognizes reality, that their functions are changing under the recently adopted reorganization plan and that their future provisions should not be frozen.

As Crowley writes, "The shortening of the article and elimination of the number of boards and some elective and appointive officers appears to mark important progress and in some respects, it does."

"In other ways, however, the actual change is small. The eliminated boards have lost practically all of their powers through past legislative action."

"The state examiner's office was intended as a watchdog over state government to inform the governor when other elected officials were not handling state money according to law. The office was never given the statutory powers or financial resources to carry out this assignment. Its primary function now is to be financial watchdog over cities and counties, a function which it will no doubt continue to perform. The job of checking the financial dealings of state agencies has been given to the legislative auditor."

In passing, it might be well to note that the cities and counties are required to pay for the state examiners' going over their books.

CROWLEY SAYS the constitutional office of treasurer was abolished and those of attorney general, secretary of state, superintendent of public instruction and auditor retained for political reasons. The treasurer can't succeed himself and the others can, thus forming a coterie to oppose the new constitution if eliminated.

"There is no real reason why some departments exist at constitutional level while others are authorized only by statute. Each of these departments (Agriculture and Labor for example) was added to the original constitution by amendment obviously in deference to the wishes of a particular group. . . . Constitutional status in these cases is more symbolic than real. . . . One of the prime objectives of new state constitutions everywhere has been to eliminate constitutional status of divisions within the general functional branches—legislative, executive and judicial."

"Even though the delegates refused to face up to the major issue of executive revisions, the proposed draft represents a small plus."

OTHER THAN THAT small plus, there would appear to be little reason for a voter to base his vote for or against the proposed constitution on the basis of changes in Article VI, The Executive. It accomplishes a modest amount of housekeeping but not much true reform.

Next: Article VII, The Judiciary.

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