



*The Big Sky Country*

AMOUNT 3  
DATE 3-9-05  
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## MONTANA HOUSE OF REPRESENTATIVES

**REPRESENTATIVE ROGER KOOPMAN**  
HOUSE DISTRICT 70

HELENA ADDRESS:  
CAPITOL BUILDING  
PO BOX 200400  
HELENA, MONTANA 59620-0400  
PHONE: (406) 444-4800

HOME ADDRESS:  
811 S. TRACY AVE.  
BOZEMAN, MT 59715  
PHONE: (406) 587-7555

COMMITTEES:  
JUDICIARY  
EDUCATION  
FISH, WILDLIFE AND PARKS

TO: Representative Dee Brown  
CC: State Admin. Committee  
FROM: Rep. Roger Koopman  
RE: HB 754, sample questions

Per Representative Brown's request, I have generated for the committee, some sample questions on the state and federal constitutions. Anyone wishing to have their test "scored" may return their sheets to either me or to Rep. Brown.

The state constitution queries, being in the multiple choice format, are more similar to what might be found on a state exam, authorized by HB 754. The questions on the U.S. Constitution were taken from the list of 100 questions given to foreign immigrants seeking American citizenship – the assumption being that state legislators, who deal with real constitutional issues as a part of our daily work, ought to know the constitution at least as well as newly naturalized citizens!

I am in the process of working with committee staff and the Secretary of State's office, to generate some refining amendments to this bill. (I will also be asking the SOS how they arrived at the projected test cost; my initial estimates were more like \$10-15.) I would respectfully request that the committee delay executive action until these amendments can be brought before you. Thank you.

As a final note, I would simply encourage committee members to take this proposal with the seriousness with which it was intended. Clearly, this is not a "partisan issue," as I am confident that every member agrees that having legislators who possess an adequate grounding in the state and federal constitutions is a noble objective. The question is how to achieve this in a non-compelling manner. I believe HB 754 accomplished that good goal, without restricting rights in any way.

The challenge, in the midst of our busy schedules, is being receptive to new ideas. We tend to want to validate what we do, by seeing it done elsewhere first. But of course, if every legislator and every committee took that position, there would never be any new ideas! I encourage committee members set aside the "newness" of this proposal, and judge it on its merits, and its obvious benefits to the legislative process and the people of Montana whom we humbly serve.

## QUESTIONS – STATE CONSTITUTION

1. Which of the following rights is listed in the Montana Constitution, but not specifically in the text of the U.S. Constitution?

- a. The right to keep and bear arms.
- b. The right to privacy.
- c. The right of free speech.
- d. The right to free exercise of religion.

2. The term of the governor of Montana is

- a. Two years.
- b. Three years.
- c. Four years.
- d. Six years.

3. The Montana Supreme Court has decided that the rights set forth in Article II of the Constitution (the "Declaration of Rights") –

- a. Are fundamental, and may be infringed only to further a "compelling state interest."
- b. May be infringed to further an "important state interest."
- c. May not be infringed in any circumstances.
- d. May always be overridden by duly-passed laws adopted by the legislature.

4. According to the Montana Constitution, the people may enact laws bypassing the legislature entirely, if they use the system of:

- a. Line-item veto.
- b. Referendum.
- c. Initiative.
- d. Petitioning the state land board.

5. Under the state constitution:

- a. The militia consists of all able-bodied citizens except those exempted by law.
- b. The militia is the same as the Montana National Guard.
- c. The militia is outlawed as a terrorist group.
- d. Montana has no militia.

6. Which of the following is NOT an executive branch officer in Montana?

- a. A state senator.
- b. The state auditor.
- c. The state superintendent of public instruction.
- d. The governor.

## QUESTIONS – U.S. CONSTITUTION

The following questions were taken directly from the INS citizenship test for new, naturalized citizens.

- (1) What is the Constitution?
- (2) What are the duties of the Supreme Court?
- (3) Name three rights or freedoms guaranteed by the Bill of Rights.
- (4) What is the introduction to the Constitution called?
- (5) Name one amendment that guarantees or addresses voting rights.
- (6) Who has the power to declare war?
- (7) In what year was the Constitution written?
- (8) How many changes or amendments are there to the Constitution?
- (9) What is the supreme law of the land?
- (10) What is the basic belief of the Declaration of Independence?