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# Daines' Dilemma: Support DC Secrecy or Montana Openness?

A Newspaper Column by Evan Barrett

June 20, 2017

The repugnant Republican US Senate process of rewriting our healthcare laws is a totally secretive effort behind closed doors that deliberately denies Montana citizens the ability to know what is being proposed before it is jammed down our throats. Montana Senator Steve Daines says it makes him “frustrated.”

The GOP plans to push this bill through without citizens having any chance to participate. They plan to radically change one-sixth of America's economy by June 30 by dramatically changing health care for hundreds of thousands of Montanans and tens of millions of Americans without any openness and public participation. Their approach doesn't embrace the people who elected them, it fears the people. In a naked power move, the GOP Senate plans to deliberately jam it through before the people can even have a chance to tell them it is bad. But Senator Daines wants us to know he is “frustrated.”

No reflection time. No hearings. No discussion. No amendments. No openness. No participation. Not the Montana way. But Senator Daines really wants us to know how “frustrated” he is.

Challenging this process will take more than cheap words about “frustration” from our junior senator. Instead of spouting useless rhetoric, Daines needs cast a firm “NO” vote that reflects the public participation values Montanans cherish and expect.

Those values are not just floating in the Montana air. They are firmly implanted in the Montana Constitution ratified by the people 45 years ago this month.

Recently the fifteen out of one-hundred Montana Constitutional Convention delegates who are still alive were recognized by Governor Bullock with a certificate and a proclamation. They, along with the families of the 85 deceased delegates, were cited for their “outstanding service to the state” as the Governor expressed “undying admiration and appreciation to the citizen delegates who wrote Montana's magnificent 1972 Constitution.”

In this landmark Constitution, often cited as the best state Constitution in the nation, are a declared “right to know” and “right of participation” for every Montana citizen, making our state one of the most open and participatory state governments in America.

Our Constitutional right-to-know says: “no person shall be deprived of the right to examine documents or to observe deliberations of all public bodies or agencies.” Our Constitution also declares that “the public has a right to expect government agencies to afford ... reasonable opportunity for citizen participation.”

Those Constitutional values stand in stark contrast to the power-based, highly-partisan secretive process going on today in the US Senate. While Montana's Constitutional requirements are not legally binding on our members of Congress, they are a standard of conduct to which we expect those in Congress to adhere. Yet Senator Daines can only express that he is "frustrated."

Our Senator Daines apparently faces a dilemma. Does he bow to the GOP Senate's repugnant process, trying to prove that he [Daines] can be a good and faithful servant to the DC swamp where "might is right?" Or will Daines stand with Montana values and both say and vote "NO" on any secret bill that seeks to radically change our country's health care system to provide massive tax breaks to the wealthy without a thorough, open and participatory public process?

It's not enough for Daines to just say he is "frustrated." That is a false front to cover what appears to be support for the process and the bill. He needs to totally reject this process and bill that is tainted beyond saving. The stench attached to that process will attach itself to any and all who support it, including our Senator Daines.

Because it only takes three GOP Senators to stop this secret process, if Daines refuses he will stop this thing in its tracks. Maybe knowing that is what makes him "frustrated?"

This dilemma for our Senator Daines should be easy to resolve. He can and should vote against anything that does not adhere to the public processes we constitutionally demand here in Montana every day, including this month when we honor the 45<sup>th</sup> Anniversary of the enactment of those very precious concepts.

If Daines sides with Montana, its people and its Constitution, the bill cannot pass. We are watching.

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*Evan Barrett, who lives in historic Uptown Butte, recently retired after 47 years at the top level of Montana economic development, government, politics and education. He is an award-winning producer of Montana history films who continues to write columns and record commentaries, and occasionally teach Montana history and contribute to community and economic development projects.*

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