

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By CHAIR JAN BROWN, on January 29, 1991, at 9:00 a.m.

ROLL CALL

Members Present:

Jan Brown, Chair (D)
Beverly Barnhart (D)
Gary Beck (D)
Ernest Bergsagel (R)
Fred "Fritz" Daily (D)
Ervin Davis (D)
Jane DeBruycker (D)
Roger DeBruycker (R)
Gary Feland (R)
Gary Forrester (D)
Patrick Galvin (D)
Harriet Hayne (R)
Betty Lou Kasten (R)
John Phillips (R)
Richard Simpkins (R)
Jim Southworth (D)
Wilbur Spring (R)
Carolyn Squires (D)

Members Excused: Vicki Cocchiarella, Vice-Chair (D)

Staff Present: Sheri Heffelfinger, Legislative Council
Judy Burggraff, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Announcements/Discussion: REP. JANE DEBRUYCKER was thanked for the art work from the elementary school in Bynum being displayed on the wall. CHAIR BROWN requested a thank you letter be sent to the students.

HEARING ON HB 345

Presentation and Opening Statement by Sponsor:

REP. JOE QUILICI, House District 71, Butte, introduced HB 345 to increase the number of physical therapy exams and times the person may take the exam from two times a year to three. The bill was requested by the Board of Physical Therapy.

Proponents' Testimony:

Kirt Hanson, Montana Chapter of American Physical Therapy Association, said, "We support this bill fully."

Joyce Dougan, Missoula Physical Therapist, said, "Based on conversations with other therapists within the state, I would support this proposal."

Opponents' Testimony: None

Questions From Committee Members:

REP. BETTY LOU KASTEN asked the current dates of the examination. Ms. Dougan said they are in February, July and November. REP. KASTEN said, "You're telling me three times a year." Ms. Dougan said, "Basically what has happened is this passed the Board of Examiners. It has been offered three times a year. In reviewing our statutes, we discovered it said two, so this is a clean up (measure) to get us in line with what we have been doing for a couple of years, unfortunately." REP. KASTEN asked why the month of November was chosen to give an exam when the universities are changing from quarters to semesters and there will not be a new graduation constituency. Ms. Dougan said that November is their largest testing period. The course work is completed at the University of Montana in June. The graduates then must complete two six-weeks affiliations within the region, which is generally completed by the end of September or early in October. The period between October and November gives these people a short time to study prior to the November exam.

REP. RICHARD SIMPKINS asked how many people fail the test. Is the test for the convenience of graduates or is it also for the convenience of those failing the test who wish to make it up? "I see where we are eliminating the waiting period requiring the test must be taken within six months." Ms. Dougan said, "I am very proud to say that none of the physical therapists who have applied for licenses here in the state of Montana, have ever failed the exam."

Closing by Sponsor:

REP. QUILICI said there are no fiscal changes that would occur with the bill's passage.

EXECUTIVE ACTION ON HB 345

Motion: REP. JOHN PHILLIPS moved HB 345 DO PASS.

Recommendation and Vote: The motion CARRIED unanimously.

HEARING ON HB 318Presentation and Opening Statement by Sponsor:

REP. MIKE KADAS, House District 55, Missoula, introduced HB 318 which would require the Legislative Auditor be appointed in even-numbered years. He said that last session he was appointed to the Audit Committee. He was given a sheet on his first meeting to evaluate the Legislative Auditor and to decide whether the Committee should rehire him. He said he "felt pretty much incapable of doing" that since that was his first meeting with the Committee. His first recommendation to the Committee was that the Legislative Auditor be hired in even numbered years instead of odd numbered years so the new members would have the chance to work with the auditor for a while before hiring him again for a 2-year period.

Proponents' Testimony: None

Opponents' Testimony: None

Questions From Committee Members:

REP. SIMPKINS asked why the term of the Legislative Auditor is limited for two terms, saying "that isn't (saying) much for job security." REP. KADAS said the Committee could determine what term it is. It could be four, ten, or whatever. The reason it is limited to two, is because in the past there has been an occasion where "there was a Legislative Auditor that really wasn't performing very well." It takes "more effort" to remove an individual with an open-ended term of employment. With a standard period of time for renewal of employment, a contract can "quietly" be not renewed. "I think that the two-year term is more appropriate. In no way do I want to cast any aspersions on the current auditor. . . . he is doing a great job."

REP. KASTEN asked Scott Secap if he had a contract with the state for two years. Scott Secap, Legislative Auditor, said no, "I am just appointed. I guess it is perhaps a matter of contract, but I can be removed after a hearing for mis or malfeasance."

Closing by Sponsor:

REP. KADAS said, "I think that the weight of the opponents testimony tells you how good a bill this is. I hope you pass it."

EXECUTIVE ACTION ON HB 318

Motion: REP. CAROLYN SQUIRES moved HB 318 DO PASS.

REP. KASTEN asked if the Legislative Auditor is the only one who falls under this type of jurisdiction. SHERI HEFFELFINGER said she didn't know the answer but would find out.

Recommendation and Vote: HB 318 DO PASS. The motion CARRIED unanimously.

HEARING ON HB 330

Presentation and Opening Statement by Sponsor:

REP. BEN COHEN, House District 3, Whitefish, introduced HB 330, an act to set the Governor's and Directors' salaries as a percentage of U.S. Representative's salaries. This bill should attract the "brightest and best" to state government. At present, our governor is paid \$53,000 a year. Rather than have the Governor's salary at a fixed rate, the salary be a percentage of the salary of a U.S. Congressman. "At the time I requested the bill be drafted, I thought that 80 percent of a Congressman's salary would be appropriate for the Governor of Montana . . . (as) the cost of living in Montana is about 80 percent of the cost of living in Washington, D.C. . . . The additional Governor's salary would begin in 1993. The Congressional salary in the fiscal note is \$135,100. Eighty percent of that would be "about \$96 thousand," and the Committee might feel that is excessive for the Governor's salary. He recommended on Pg. 1, Ln. 15, reading "80%" that the number be changed to 65%. If that were done, beginning January 1, 1993, the Governor's salary would be approximately \$80 thousand; Department heads would be receiving salaries of approximately \$65 thousand. It has been difficult for the Governor to obtain "bright and competent" people to run the department. The Department heads "work 20 hours a day at their jobs." He felt that to attract the "kind of people we want in those jobs" their salaries would have to be increased. "The head of the Board of Investment and all the top executives in the State Workers' Compensation Mutual Fund earn more money today than our Governor." He said he would like to see the bill as nonpartisan and a good government bill and the Committee would be seen as recognizing the need to attract the "very brightest and best" to those positions.

Proponents' Testimony: None

Opponents' Testimony:

Howard Ellis, Commissioner, District No. 5, Public Service Commission, said he "really isn't opposing the bill, but . . . to appeal to you folks to keep the bill alive on the table and use it as a vehicle for considering the wages and salaries of the elected officials of Montana. In the instance of the Public Service Commission, we are far below the average of the United States. The U.S. average in all 53 Public Utility Commissions is \$59 thousand plus. If you expect quality people to operate your government and provide services for you, you have to pay them accordingly." He said he was not speaking for the bill for his own benefit as he would not be "around if they were included in the bill" due to his age and plans.

Steve Yeakel, Chief of Staff, Governor Stephens' Office,
presented written testimony: EXHIBIT 1

Questions From Committee Members:

REP. WILBUR SPRING said he thinks "this is a good idea." He asked if the total cost had been computed. The bill would have a ramification "clear down to all public employees and would cost a huge amount of money." REP. COHEN said if 65 percent of Congressional salary were considered instead of the 80 percent, the Governor's salary would increase \$27,000 a year. The Department Heads are presently earning about \$50,000 and this would increase their salary by \$15,000 per department head for the 16 to 18 appointed department heads. It would cost less than \$500 thousand a year. "We know the Governor had a great deal of difficulty recruiting good people to fill the positions. In the long run he has been quite successful. An interesting sideline has occurred as a result of the dismally low department head salaries. This administration has more women in top executive positions than any previous administration. This is because of the inequalities that exist in women's salaries where some truly excellent women administrators have been willing to work at . . . less than comparable worth." REP. SPRING said he believed the "ball park figure would work on down to other public employees." He asked how Rep. Cohen proposed raising the funding. REP. COHEN said there is "nothing in the bill that would carry it down into any other employee's positions." The funding for those salaries comes from the General Fund.

REP. PHILLIPS he said he is concerned with tying the salaries to U.S. Congressmen when "they raise their pay every year or so." This would take the decision on the setting of salaries out of the "hands of Montanans and elected officials." We also give the Governor bed and breakfast." REP. COHEN said there are "some expenses that U.S. Congressmen get picked up just as you and I get some of our expenses picked up along with our salary. . . . (The Legislature) will set (the) percentage of the Congressman's salary. I drafted the bill at 80 percent and . . . recommended 65 percent. . . . We are free to change that percent at any time . . . This would take the political implications away from increasing the Governor's salary and keeping his salary moving with the rate of inflation. . . . It would require that those people who are recognized political leaders from this state, . . . seriously consider running for our Governor's office. . . . I raise everyone of my employees salaries on a regular basis. The Governor is one of yours and my employees."

REP. SIMPKINS asked if any thought had been given to tie it to a factor such as the increase in Montana per capita income or the increase in the average non farm wage. REP. COHEN said it was not one of the things he had considered. He considered where the state would most benefit from having the "best and brightest political leaders."

REP. JIM SOUTHWORTH said he did not think the U.S. Congressional pay was excessive. REP. COHEN said he would agree.

REP. GARY BECK questioned what of other western states paid their governors and state agency directors. REP. COHEN said that the 80 percent figure of \$90 thousand a year would have put us above the median of \$80 thousand. He said he would get the Committee a list of all of the salaries of all the governors in the United States.

Closing by Sponsor:

REP. COHEN said he would like "us all to separate any political considerations out of the decision and consider the needs for attracting the brightest and best to campaign for Governor" and to allow the Governor to be able to find the very "brightest and best" for the top state positions in the state.

HEARING ON HB 315

Presentation and Opening Statement by Sponsor:

REP. ERVIN DAVIS, House District 53, Lake County, introduced HB 315 which would require that jurors serve no more than every four years. Rep. Davis presented written testimony. EXHIBIT 2

Proponents' Testimony:

REP. JIM SOUTHWORTH said he has been a registered voter for 40 years and has never been called; he has always wanted to serve on a jury. He had questioned why the same people are chosen all of the time.

REP. WILBUR SPRING this is a great bill. He has been a resident voter for over 40 years and has never been picked. His wife was picked three times, even when she was incapacitated. He even pleaded to take her place. Of his two daughters, one has been picked for jury duty once and the other twice.

REP. GARY FORRESTER said in his travels last year on the election circuit he ran into more than one person who refused to register to vote because they wanted no part of the jury selection process.

Opponents' Testimony: None

Questions From Committee Members: None

Closing by Sponsor:

REP. DAVIS said he ran into the same problem that Rep. Forrester had - - people did not want to register to vote because they did not want to serve on a jury. There are other ways to obtain a

jury list other than from a list of registered voters. Other states use a drivers' license. He thinks more people would participate as a juror if they were allowed to do so.

EXECUTIVE ACTION ON SB 78

Motion: REP. CAROLYN SQUIRES moved SB 78 BE CONCURRED IN.

Discussion:

REP. SPRING said he would like to speak against the bill. He said the handout EXHIBIT 3 speaks for him "very well. There is no use for me to go into it any further... This expresses my feeling very clearly."

Motion: REP. ROGER DEBRUYCKER moved to amend SB 75 by deleting Ln. 5 on Pg. 2. This refers to the general election day.

CHAIR BROWN asked Ms. Heffelfinger if this would be outside of the scope of the bill. Mr. Heffelfinger said, "The intent of the bill was for the Martin Luther King Day and to trade that for Heritage Day; I don't believe that falls within the strict interpretation of the intent."

REP. DEBRUYCKER withdrew his motion.

REP. SOUTHWORTH said he favors the bill and is ashamed of the racist-type information that was distributed (listed as Exhibit 3).

REP. FRED "FRITZ" DAILY asked if there are any other states that have a different day than the third Monday in January. Ms. Heffelfinger said no. REP. DAILY had been asked by several state employees to keep Heritage Day because they prefer having a holiday on the day after Thanksgiving. He said he did not object to the bill itself and to establishing the state holiday for Martin Luther King, but he would prefer to see the day after Thanksgiving set aside to honor him.

CHAIR BROWN read two letters EXHIBIT 4 and EXHIBIT 5A and requested they be entered into the record.

REP. DAVIS said, "I do not like naming one day for one individual and everybody in the country taking off and getting paid or not paid.". He said he would go along with a President's Day. He said there are other national holidays set aside. He has no objection to Martin Luther King or any of the other individuals, and he is not a racist in "any sense of the word."

REP. BEVERLY BARNHART said she is surprised that the handout (Exhibit 3) is not signed.

REP. SPRING said he supports Rep. Daily's idea about Heritage Day about celebrating our heritage. He also supports Rep. Davis's idea.

CHAIR BROWN said she remembers from the hearing that Sen. Fritz commented on Heritage Day having not been celebrated to celebrate our heritage. He had said "that is a good idea if people really do it, but what happens is that it is a day off. How many people on the day after Thanksgiving are thinking about their heritage?"

REP. SIMPKINS said to go along with what Reps. Daily and Spring are saying, "We should make Heritage Day the day after Thanksgiving because it ties in to the heritage of our Thanksgiving celebration for the discovery of the United States as a whole. Adding heritage day, would be for Montana's heritage. That would be a four-day holiday which could be built into "quite a celebration." Sen. Fritz emphasized that Heritage Day was a floating holiday with every community and county setting whatever day they wanted to celebrate that day, it became a complex holiday to manage.

REP. PHILLIPS said he remembers how Heritage Day came about. The cost involved is with the people that have to work overtime or shifts such as the snow plow drivers and those in institutions. The Legislature was told a holiday costs about \$1.5 million per day for the state. "There is a lot of cost involved when you start talking holidays."

Motion: REP. DAILY moved to amend the SB 78 as follows: on Pg. 1, Ln. 18 - 19, strike line 18 and line 19. On Ln. 2, Ln. 6 - 11, reinsert that language, strike Heritage Day at the beginning, and insert Martin Luther King, Junior Day to be observed annually on a date . . .

Discussion:

REP. PHILLIPS said he wanted to point out the cost. So many state agencies work with federal agencies and financial institutions. When the federal government and others are taking the day off it hampers many from accomplishing any work. He felt Montana should be in line with federal holidays.

REP. BARNHART said she has a petition supporting a state holiday honoring Martin Luther King which had been signed by 281 students from Montana State University that she would like to have entered into the record. EXHIBIT 5B

Vote: The motion failed 18 - 5 with REPS. FRITZ, GALVIN AND BERGSAGEL voting no.

Vote: SB 78 BE CONCURRED IN. Motion failed by a vote of 9 - 9.
EXHIBIT 6

Motion: REP. SQUIRES moved SB 78 BE TABLED.

REP. SIMPKINS said we have just decided to send SB 78 out with an adverse committee report. I think a tabling motion may be out of order.

Ms. Heffelfinger clarified, saying there must be a positive action. When the be concurred in motion fails, there must be another motion which is positive that does pass. You cannot send it out with an adverse report. It would have to be a do not pass motion that carries.

REP. DAILY said, "This is a point of clarification for Rep. Squires, since the vote did not receive a positive action, the bill stays in Committee. Anyone that wanted to reconsider their action at the next meeting could certainly do that."

Ms. Heffelfinger said the bill would not have to be tabled. Executive session could be kept open.

REP. SQUIRES withdrew her motion to table.


REP. ROGER DEBRUYCKER moved to REVERSE THE VOTE.

CHAIR BROWN said the motion would then be SB 78 DO NOT CONCUR. We would then be in the same situation with a tie vote.


REP. PHILLIPS moved to adjourn.

ADJOURNMENT

Adjournment:



JAN BROWN, Chair



JUDY BURGGRAFF, Secretary

JB/jb

HOUSE OF REPRESENTATIVES
STATE ADMINISTRATION COMMITTEE

ROLL CALL

DATE 1/29/91

NAME	PRESENT	ABSENT	EXCUSED
REP. JAN BROWN, CHAIR	✓		
REP. VICKI COCCHIARELLA, VICE-CHAIR			✓
REP. BEVERLY BARNHART			
REP. GARY BECK	✓		
REP. ERNEST BERGSAGEL	✓		
REP. FRED "FRITZ" DAILY	✓		
REP. ERVIN DAVIS	✓		
REP. JANE DEBRUYCKER	✓		
REP. ROGER DEBRUYCKER	✓		
REP. GARY FELAND	✓		
REP. GARY FORRESTER	✓		
REP. PATRICK GALVIN			
REP. HARRIET HAYNE	✓		
REP. BETTY LOU KASTEN	✓		
REP. JOHN PHILLIPS	✓		
REP. RICHARD SIMPKINS	✓		
REP. JIM SOUTHWORTH	✓		
REP. WILBUR SPRING	✓		
REP. CAROLYN SQUIRES	✓		

HOUSE STANDING COMMITTEE REPORT

January 29, 1991

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report
that House Bill 345 (first reading copy -- white) do pass.

Signed: Jan Brown
Jan Brown, Chairman

HOUSE STANDING COMMITTEE REPORT

January 29, 1991

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report
that House Bill 318 (first reading copy -- white) do pass.

Signed: Jan Brown
Jan Brown, Chairman

TESTIMONY BEFORE HOUSE STATE ADMINISTRATION COMMITTEE
January 29, 1991
House Bill 330

I'm Steve Yeakel, Chief of Staff for Governor Stephens. I am here to express the Governor's appreciation for the concern evidenced for the Office of the Governor in this bill, but also to express to you the Governor's desire that this bill not pass.

There are reasons to support this bill. It is a fact that in terms of pay for Governors, only the Governor of Arkansas is paid less than the Governor of Montana. It is a fact that a governor will spend 75 hours/week on the job, give or take an hour or so.

But it is also a fact that pay for many, many jobs in the private and public sector lags behind what is appropriate.

There is still hardship in many areas of Montana's economy - - on the farm, in the oil patch, in many small businesses -- and it would be unfair to put any public official at the front of the list of those receiving increases in pay.

In addition, we hope that the legislature is on the brink of recognizing the market value of all state employees, and enacting a pay plan that moves all employees toward their proper level of compensation in the market. You will hear several attempts on behalf of certain groups of employees to "end run" this team concept to improved pay schedules. It is unfair to put any group of employees, including elected officials, ahead of the rest of the team.

For these two reasons, we respectfully ask that you not pass this bill.

January 24, 1991

TESTIMONY HB315

Madam Chair, members of the committee, my name is Ervin Davis, Representative from House District 53, Lake County.

The adoption of HB315 would allow an exemption, for a period of FOUR years from a jury pool for a person who has served on jury duty.

The intent of the bill is to increase citizen participation in the jury process. Presently, at least in Lake County, a pool of prospective jurors, approximately 600, is drawn annually. As jurors are needed, names are drawn from that pool - most often 30 to 50 depending on the significance of the trial - to be used in the voir dire process. Following the selection of jurors for each respective trial during that yearly period, ALL names are then placed back into the county pool. The above process is repeated annually.

This bill would allow the county to remove the names of those selected for jury duty from the pool for a FOUR year period; thus, allowing a larger number of registered voters to participate in the jury process.

I'm sure you know many folks who have never been selected, or even their name drawn for the pool, for jury duty. Personally, I've been drawn only once in 40 years and have never been selected for duty. On the other hand, I know many citizens in Lake County who have been drawn for the

pool and have been selected for jury duty on many, many occasions. Those who have been selected most often have been those on retirement, housewives and the self-employed. Those most often exempt are in law enforcement, county officials and other professions.

Therefore, the only change in the statute 3-15-503 is SECTION 1, subsection (4), page 2, line 18. All other subsections remain intact.

I believe more citizens would learn to appreciate the jury system, have more confidence in the system, would understand the system and would choose to participate in the system on a more regular basis.

I'd like to reserve the right to close.

Patriot Financial Service

INVESTMENT COUNSELING
HARD ASSETS
AT-LAW TRADING

January 28, 1991

FINANCIAL SEMINARS
BOOK STORE
EXEDUCATION 3
DATE 1/29/91
SB 78

Dear Montana legislator,

Another year has come and gone with the state of Montana remaining one of few in the united States of America NOT to recognize a holiday for the late Martin Luther King, Jr. It is the hope of the majority of Montanans, we feel, that this remain so.

Legislators in Washington, D.C. and in most states have been stampeded into voting for a King holiday almost exclusively due to his race. The apparent belief is that a Negro, particularly a well-known leader of the 1960's civil rights movement, should be so honored. We submit to you, however, that an American's accomplishments, service to the nation and all its citizens, and his or her untarnished reputation should be the determining factors for honoring one with a national holiday - and not that individual's race.

Dr. King, in our opinion, does not remotely possess the kind of record worthy of this land's honor. He was known to fraternize, openly and covertly, with Communist organizations, and was himself a member of many. His "moral failings" were not only well documented by the F.B.I., but even published by King's friend, the Rev. Ralph Abernethy. The preceding and countless other unsavory attributes of King, rather than being made public so informed decisions could be reached in regard to a King holiday, are under lock and key until the year 2027 by order of a federal judge. WE SUBMIT THAT ANYONE WHOSE PAST IS SO POTENTIALLY EMBARRASSING IS NOT WORTHY OF BEING PLACED IN THE SAME CATEGORY AS COLUMBUS, WASHINGTON, AND LINCOLN! There have been great Americans of the Negro race, such as Booker T. Washington and George Washington Carver, whose contributions to the improvement of Americans' lives were far greater than those made by King; and neither of those men, to our knowledge, ever were involved in organizations dedicated to the fomenting of social chaos and the ultimate overthrow of our government as was King.

We realize that you have probably received considerable pressure to vote in favor of a King holiday - most of it likely originating from outside the state of Montana. You are also no doubt aware of the threats of economic and other reprisals against the state of Arizona, whose citizens in a free election rejected a King holiday. WE HOPE THAT YOU WILL NOT CAPITULATE TO ANY SIMILAR THREATS, AND WILL VOTE THE FEELINGS OF MONTANANS BY VOTING AGAINST A KING HOLIDAY.

Thank you for your consideration.



Nez Perce

TRIBAL EXECUTIVE COMMITTEE

P.O. BOX 305 • LAPWAI, IDAHO 83540 • (208) 843-2253

January 15, 1991

EXHIBIT 4
DATE 1/29/91
SB 78

Montana State Legislature
Helena, Montana

Dear State Legislature:

The Nez Perce Tribal Executive Committee (NPTEC), the governing body of the Nez Perce Tribe (NPT) has recently been informed of a proposed holiday in honor of Chief Joseph. The Nez Perce Tribe appreciates the recognition of our famed Chief but cannot support such a holiday for the following reasons:

1. The NPTEC has not officially been contacted regarding proposed holiday for Chief Joseph.
2. Any actions regarding the Nez Perce Tribe or Nez Perce Tribal heritage requires approval of NPTEC.
3. The Nez Perce Tribe feels the proposed Chief Joseph Holiday is a political move to defeat a Martin Luther King Holiday.
4. The Nez Perce Tribe recognizes and appreciates the accomplishments of Martin Luther King for civil rights for all races of humanity.
5. The Nez Perce Tribe honors Martin Luther King Holiday for all Nez perce Tribal employees.

In closing, the Nez Perce Tribe supports a Martin Luther King Holiday and would appreciate future communication on all matters regarding the Nez Perce Tribe.

Sincerely,

Charles H. Hayes

Charles H. Hayes, Chairman
Nez Perce Tribal Executive
Committee

COMMISSIONERS:
President -
Vice President -
President -
Teresa
Endo
Leeper
M. Maxwell
iler
Reyna
adine E. Ricker
ip N. Sansotta

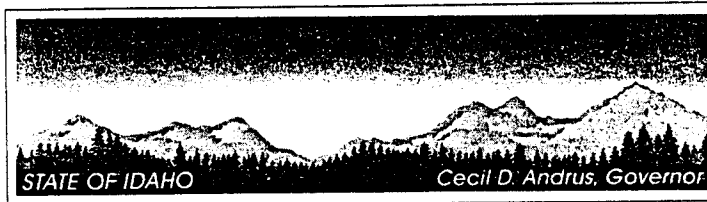


EXHIBIT 5A
DATE 1/29/91
SB 78

450 WEST STATE STREET
BOISE, IDAHO 83720
(208) 334-2873
Marilyn T. Shuler, Director

IDAHO HUMAN RIGHTS COMMISSION

Equal Opportunity Employer

January 14, 1990

Ken Tooele
202 Blake
Helena, WA 59601

Dear Ken:

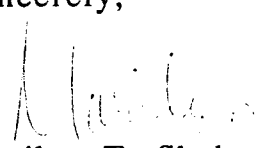
You asked me if I knew of any businesses who have failed to locate in northern Idaho because of the Aryan Nations compound in Hayden Lake.

I heard of a major company that apparently decided not to locate a conference center in northern Idaho because of the news reports it had heard of white supremacists.

It is important to let business people and others know when confronted with such decisions that the populace is strongly opposed to white supremacy. As proof we cite our malicious harassment and domestic terrorism and hate crimes reporting statutes as well as Idaho's celebration of Martin Luther King, Jr.-Idaho Human Rights Day, a paid state holiday.

Please call if I can provide other information. Keep up the good work.

Sincerely,


Marilyn T. Shuler
Director

MTS/mpd



PETITION SUPPORTING A STATE HOLIDAY HONORING MARTIN LUTHER KING.

Martin Luther King, Jr. committed his life to using non-violent means to advance the idea and the reality of the equality of all people. In support of these ideals, we, the undersigned, urge Montana state officials to establish King's birthday as a state holiday.

NAME	ADDRESS	TEL.
1. Daniel Brennan	411 1/2 W College Bozeman MT	
2. Genevieve Jones	103 1/2 S. 4th (Bozeman)	587-5643
3. Kate Mansfield	418 Boylston Pl (Bozeman)	587-0338
4. Cheryl Doay	157 McKeown, Cardwell	287-5550
5. Alicia Cummings	2211 Johnstone Cnt (Bozeman)	994-2772
6. Jill Sauer	1114 S. Black (Boz)	587-2002
7. Terri Ross	2220 W. Main #5 (Boz)	587-1548
8. Cindy Ellis	2220 W. Main #5 (Boz)	" "
9.		
10.		
11.		
12.		
13.		

Please send to your state legislator or return to:

Billy Smith
Department of History & Philosophy
Montana State University
Bozeman, MT 59717

Exhibit 5B consists of 38 pages of signed petitions. The originals are stored at the Montana Historical Society, 225 N. Roberts, Helena, MT 59601.
(406) 444-4775

EXHIBIT 6
DATE 1/29/91
SB 78

HOUSE OF REPRESENTATIVES
STATE ADMINISTRATION COMMITTEE

ROLL CALL VOTE

DATE 1/29/91 BILL NO. 5.B. 78 NUMBER 1

MOTION: Be concurred in

NAME	AYE	NO
REP. VICKI COCCHIARELLA, VICE-CHAIRMAN		
REP. BEVERLY BARNHART	✓	
REP. GARY BECK	✓	
REP. ERNEST BERGSAGEL		✓
REP. FRED "FRITZ" DAILY	✓	
REP. ERVIN DAVIS		✓
REP. JANE DEBRUYCKER		✓
REP. ROGER DEBRUYCKER		✓
REP. GARY FELAND		✓
REP. GARY FORRESTER	✓	
REP. PATRICK GALVIN	✓	
REP. HARRIET HAYNE		✓
REP. BETTY LOU KASTEN		✓
REP. JOHN PHILLIPS	✓	
REP. RICHARD SIMPKINS		✓
REP. JIM SOUTHWORTH	✓	
REP. WILBUR SPRING		✓
REP. CAROLYN SQUIRES	✓	
REP. JAN BROWN, CHAIR	✓	
TOTAL	9	9

**HOUSE OF REPRESENTATIVES
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STATE ADMINISTRATION

COMMITTEE

BILL NO. HB 345

DATE 1/29/91

SPONSOR(S) REP. QUILICI

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
21 W. J. HARRIS	W. J. HARRIS		X
E. J. HARRIS	W. J. HARRIS		X
Joyce Dungan		X	
Kirk Harrison	MTC CHAPTER AMER PHYS THERAPY ASSOCIATION	X	
TOM MEAGHER	P.T. CLINIC BUTTE MT.	X	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS
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SPONSOR(S) REP. KADAS

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
SCOTT SCACAT	Legislative-Auditor	X	

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Steve Yeatal	Gourner's Office		X
Howard Ellis	PSC		

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DATE 1/29/91

SPONSOR(S) REP. DAVIS

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
PAT BRADLEY MMA	Int Magistrate Association	X	
Jim Southworth	SELF	X	
William H. Brown	Self	X	
Gary Forester			

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