

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By DICK SIMPKINS, CHAIRMAN, on March 17, 1993, at
8:35 a.m.

ROLL CALL

Members Present:

Rep. Dick Simpkins, Chairman (R)
Rep. Wilbur Spring, Vice Chairman (R)
Rep. Ervin Davis, Vice Chairman (D)
Rep. Beverly Barnhart (D)
Rep. Pat Galvin (D)
Rep. Bob Gervais (D)
Rep. Harriet Hayne (R)
Rep. Gary Mason (R)
Rep. Brad Molnar (R)
Rep. Bill Rehbein (R)
Rep. Sheila Rice (D)
Rep. Sam Rose (R)
Rep. Dore Schwinden (D)
Rep. Carolyn Squires (D)
Rep. Jay Stovall (R)
Rep. Norm Wallin (R)

Members Excused: None.

Members Absent: None.

Staff Present: Sheri Heffelfinger, Legislative Council
Dorothy Poulsen, Committee Secretary

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

Committee Business Summary:

Hearing: SB 222; HB 673
Executive Action: SB 186; SB 213; SB 276

EXECUTIVE ACTION ON SB 186

Discussion:

REP. SPRING asserted the legislature passed too many laws which
do not accomplish anything.

REP. MOLNAR recalled the Public Service Commission districts already had reasonably similar populations and agreed with REP. SPRING that the bill did not seem necessary.

Motion/Vote: REP. WALLIN MOVED SB 186 BE NOT CONCURRED IN. Motion carried 9 to 7 with REPS. SQUIRES, RICE, GERVAIS, SCHWINDEN, GALVIN, DAVIS, and BARNHART voting no.

Motion/Vote: REP. HAYNE MOVED SB 186 BE TABLED. Motion carried 9 to 7 with REPS. SQUIRES, RICE, GERVAIS, SCHWINDEN, GALVIN, DAVIS, and BARNHART voting no.

EXECUTIVE ACTION ON SB 276

Motion: REP. SCHWINDEN MOVED SB 276 BE CONCURRED IN.

Motion: REP. SPRING moved to amend the fine from \$50,000 to \$25,000. EXHIBIT 1

Discussion:

REP. GERVAIS opposed the amendment stating the fine should remain \$50,000.

REP. SCHWINDEN asked REP. SPRING to explain why he had chosen \$25,000. REP. SPRING said he felt \$50,000 was excessive.

REP. REHBEIN said he opposed the bill in general because there had been only one recorded violation.

REP. SIMPKINS reminded the committee that if the bill did not pass, then employers would be fined only \$1,000 for attaching political information to employees' pay checks.

REP. ROSE said the ballot was secret so he saw no value in the bill.

Vote: SB 276 BE AMENDED. Motion carried 10 to 6 on a roll call vote with REPS. DAVIS, GALVIN, GERVAIS, REHBEIN, SCHWINDEN and SQUIRES voting no. EXHIBIT 2

Motion/Vote: REP. GALVIN MOVED SB 276 BE CONCURRED IN AS AMENDED. Motion carried 11 to 5 with REPS. REHBEIN, HAYNE, MOLNAR, SPRING, and ROSE voting no.

EXECUTIVE ACTION ON SB 213

Motion/Vote: REP. HAYNE MOVED SB 213 BE TABLED. Motion carried 13 to 3 with REPS. GERVAIS, REHBEIN, and SQUIRES voting no.

HEARING ON HB 673Opening Statement by Sponsor:

REP. "RED" MENAHAN, House District 67, Anaconda, introduced HB 673 which requires that probationers and parolees pay a supervisory fee and provides that revenue from the fee be used for equipment and training for probation and parole officers. He stated the bill imposes a \$25 monthly fee on probationers and parolees, and the fee would be statutorily appropriated to the agency. He said the bill is an attempt to make criminals pay part of the costs of the probation and parole system, and gives the court the discretion to waive, reduce, or suspend the fee. He contended the number of parolees would increase because of the cap on inmates in the prison system, and the fee would help pay for the parole system. He reported probation and parole officers had requested training money in past sessions, but funds had been cut in the special session.

Proponents' Testimony:

Kevin McRae, Montana Federation of State Employees, addressed both the need for and validity of the supervision fee. He explained probation and parole officers have powers of arrest and search and seizure, and the authority to carry firearms. He said the training budget for the officers has been inadequate, and they have received no specialized training in these areas. He said the needs would become even more pressing if the legislature agrees to reduce the prison population. He reported officers had individual caseloads of 85 felons with a statewide caseload of 4,000 clients. He maintained the fee had validity because it asked people benefitting from the program to help pay for it. He reported other states, including Florida, Alabama, Oklahoma, Colorado, Texas, Michigan, New Mexico, and Idaho, have a similar fee. He said when Montana received a parolee from a state with the fee, Montana must collect the fee for the other state. He illustrated how dependent some states are on the fee revenue by describing a situation in which Texas extradited a parolee from Montana for failure to pay the fee. He said the bill would provide urgently needed revenue for officer training without tapping the general fund. He asked for passage of HB 673.

Monty Carrillo, probation and parole officer, Helena district, stated the revenues were needed for officer training and to upgrade equipment. He reported in the Helena district, with 931 parolees, \$23,075 per month or \$276,900 per year would be generated by the fee.

Mike Ferriter, Community Corrections Bureau Chief, Department of Corrections and Human Services, stated he supported the bill only if the fee revenue was supplemental to the general fund appropriation. He said the bill would create significant revenue and would make clients more responsible and accountable for their actions. He reported that Montana's 47 probation and parole

officers currently supervise 4,632 clients. He said the supervision fee would generate \$903,000 annually, based on a 65-percent collection rate. **Mr. Ferriter** said currently \$7,000 had been allocated for training and \$23,650 for equipment. He said the new revenue would allow officers to receive training mandated by legislation and postponed because of budget cuts as well as training recommended by the American Corrections Association. He said funds would be used to upgrade a dilapidated vehicle pool, computerize probation and parole records, provide hand-held radios and/or cellular phones, and provide additional electronic monitoring equipment. He urged support of HB 673 as an enhancement to an overworked department.

Opponents' Testimony: None.

Informational Testimony: None.

Questions From Committee Members and Responses:

REP. DAVIS asked **Mr. Ferriter** to confirm the estimated revenue would be \$903,000. **Mr. Ferriter** explained he had calculated that at a 65-percent collection rate, the department would collect \$903,000. REP. DAVIS asked **Mr. Ferriter** to review the expenditures he had mentioned. **Mr. Ferriter** explained that last year's allocation was approximately \$7,000 for training and \$23,000 for equipment. He said the supervision fee revenue of \$903,000 would be used to buy new vehicles, electronic monitoring equipment, computerized data systems, etc. REP. DAVIS asked **Mr. Ferriter** whether he could develop a fiscal note accounting for the use of the fee revenue. **Mr. Ferriter** agreed he could.

REP. SQUIRES asked **Mr. Ferriter** whether the parolees or probationers would have employment. **Mr. Ferriter** responded one of the goals of probation/parole officers was to help the client establish employment. He reported about 85 percent of probationers are already in the community and some have employment.

REP. SIMPKINS referred to line 14, page 3, which provides the court or board's discretion to waive or reduce the fee, and asked REP. SQUIRES whether the section satisfied her concern. REP. SQUIRES asked whether people who cannot pay were sent back to prison. **Mr. Ferriter** clarified SEN. WATERMAN had introduced a bill to increase fees on people in pre-release centers. He stated HB 673 did allow for waiver of the fee, and he assumed only a 65-percent collection rate. He said the fee would be a condition of probation or parole, and refusal to pay the fee would be a violation of parole for which individuals could be returned to prison.

REP. REHBEIN asked **Mr. Ferriter** to describe the current training requirements for parole/probation officers. **Mr. Ferriter** responded that officers are required to complete 40 hours of orientation training when hired and that 16 hours of annual

training are required by statute. He said he had checked training records and found that officers had completed an average of 32 hours of training last year. He said legislation last session mandated 80 hours of training at the Montana Law Enforcement Academy. He said the training had been planned and then cancelled because of budget reductions.

REP. REHBEIN asked whether officers used their personal vehicles for job-related travel. Mr. Ferriter replied personal vehicles were used on a limited basis, if state vehicles were not available. He said one goal was to provide officers with vehicles. REP. REHBEIN asked Mr. Ferriter whether officers had access to the state motor pool. Mr. Ferriter said they had limited access to the motor pool. He said Helena officers had access, but officers in 19 offices around the state only had five leased vehicles.

REP. GERVAIS asked Mr. Ferriter whether the \$25 fee would be in addition to fines. Mr. Ferriter confirmed the fee would be in addition to fines or restitution required by the court. REP. GERVAIS asked Mr. Ferriter whether the bill raised the question of double jeopardy. Mr. Ferriter replied he did not think double jeopardy was an issue. He described the fee as a contribution for involvement in the justice system. He viewed the proposal as a way of making individuals more responsible for their actions. REP. GERVAIS commented the bill was a good idea but expressed the fear that if it worked well, then the legislature would want the money in the general fund. Mr. Ferriter said he shared the same concern.

REP. MOLNAR asked Mr. Ferriter how the \$25 fee compared to fees in other states. Mr. Ferriter responded the fee was in the mid-range. REP. MOLNAR asked Mr. Ferriter whether other states had determined the cost of collecting the fee. Mr. Ferriter replied he did not have that information.

REP. ROSE suggested collecting the fee would not be a problem because the parole and probation officers would know where clients were. Mr. Ferriter agreed.

Closing by Sponsor:

REP. MENAHAN said he was not attempting to create punitive legislation for people who were trying to stay out of prison. He said better community-based programs might be possible through the bill.

HEARING ON SB 222Opening Statement by Sponsor:

SEN. HARRY FRITZ, Senate District 28, Missoula, introduced SB 222 which replaces Columbus Day with American Indian Heritage Day as a legal state holiday and commemorative day for public schools. He noted the bill had been presented earlier at a joint hearing of the Senate and House State Administration committees and reviewed three major reasons for the bill. First, he stated until recently, Native American people had largely disappeared from American history. He reported that a remarkable rediscovery of Native American people and their contributions to the history of the nation had been made. Secondly, he said Columbus Day had come to symbolize the wrong things to many Americans. He said the day had come to symbolize 500 years of conquest and dispossession and thus had become, in many respects, a divisive holiday. Finally, he said American Indian Heritage Day had particular relevance to Montana where much of history was intimately connected with Native American people in both the nineteenth and twentieth centuries and where Native Americans were the largest minority.

Proponents' Testimony:

Christine Kaufman, Executive Director, Montana Human Rights Network, explained part of the mission of the network was to celebrate and support diversity. She reminded the committee over 100 school children had testified at the earlier hearing in support of the bill. She said the discovery of America had led to a policy of genocide and destruction of a people and a culture. She noted the policy had changed, but effects of the policy remained. She stated there seemed to be some fear that Columbus Day would be lost. She compared Columbus Day to St. Patrick's Day and contended the day would still be celebrated as the day Columbus arrived in America, regardless of the bill. She noted REP. STOVALL had been working on a commemorative day for Native Americans. She pointed out a commemorative day already existed and reported HJR 57 introduced by Rep. Kimble some years ago had established the fourth Friday in September as Native American Indian Day. She contended few people were aware of the commemorative day. She urged passage of SB 222.

Dan Shea, citizen of Irish descent, stated that the more he learned about history, the more he realized that the historical process itself was never complete because history was reinterpreted as new facts became known. He declared the history of the United States was inexorably intertwined with Native Americans. He maintained knowledge of American history depended on knowledge of the history of Native Americans. He reported Christopher Columbus was not even aware of the people who inhabited the North and South American continents. Mr. Shea declared it was proper to change the focus of Columbus Day to consider the contributions of Native Americans to the history of

the world. He suggested the more that was learned about Native American history, the better all history would be understood.

Eric Feaver, Montana Educational Association, Montana Federation of Teachers, and the Montana Federation of State Employees, supported SB 222. He denied trying to bash Columbus. He maintained that Native American culture would be celebrated by honoring them with American Indian Heritage Day. He reported there was a greater focus on Native Americans in schools today and that focus would be further stimulated by designating the day. He urged strong support of the bill.

Nancy Coopersmith, Office of Public Instruction, stated that the nation was trying to recognize cultural diversity. She suggested Montana needed to celebrate American Indians because they were valued citizens in our culture and because their status as the first inhabitants of the nation needed to be recognized. She said the many contributions of Native Americans to Montana and the nation needed to be honored. She suggested the celebration of our history needed to be changed to recognize the diversity of society. She urged passage of the bill.

Richard Sangray, Chief of Staff, Chippewa-Cree Tribe, Rocky Boy Reservation, urged the committee to support the bill.

Tootie Welker, Montana Alliance for Progressive Policy, supported SB 222.

Kate Cholewa, Montana Women's Lobby, supported the bill.

Kathleen Fleury, Coordinator of Indian Affairs, presented written testimony from the Fort Peck Tribes in support of SB 222.

EXHIBIT 3

REP. BOB GERVAIS, House District 9, Browning, reminded the committee that many Native Americans had been present in the earlier hearing and reported many Indians did not know about the present hearing. He referred to discourteous display toward the Crow tribe the previous day and described it as the most discourteous display he had ever observed. He suggested the vote on the previous day had been a racial gesture and suggested SB 222 would receive the same treatment. He declared people needed to know more about Native Americans and lamented the absence of a Native American Studies program in the state.

Opponents' Testimony:

REP. JOE QUILICI, House District 71, Butte, said he did not oppose Native Americans having their own holiday; he just did not want to lose Columbus Day. He said for as long as he could remember, his family had celebrated Columbus Day as an Italian heritage day, and he opposed changing the day to American Indian Heritage Day.

REP. PAT GALVIN, House District 40, Great Falls, said he reluctantly opposed changing Columbus Day to American Indian Heritage Day. He reported one of the largest service organizations was the Knights of Columbus who have Christopher Columbus as their patron. He asserted it took great courage for Columbus to cross the ocean. He declared the Indian Nation should have their day in Montana, but not Columbus Day. He recommended the Indian victory at the Little Big Horn would be more appropriate. He said he had not been aware of the commemorative day.

Gary Langley, citizen, stated, as the grandchild of Italian immigrants, he opposed SB 222. He stated Native Americans should be honored in a way which did not malign the memory of Columbus or Italian immigrants.

Robert Denny, State Deputy, Knights of Columbus, reported the Knights of Columbus was a 110-year-old international organization with 5,500 members throughout the state. He said the Knights were opposed to SB 222, but they were enthusiastically in favor of recognizing Montana's Indian heritage and the injustices against the Indians. He suggested there were better ways to honor the Indian heritage than changing Columbus Day. He said until recently Columbus had been recognized as a hero with many cities, rivers, and buildings using his name. He said the Knights of Columbus had chosen to focus on Columbus' good traits and forgive his shortcomings. He said Columbus had come to symbolize the entire 500 years of European values brought to America. **Mr. Denny** approved the idea of establishing a Native American heritage day, but contended discarding Columbus Day was inappropriate because it would ignore the good of European culture and insult those who have adopted his name. He claimed SB 222 created polarization, not harmony; he asserted it would seek revenge, not justice. He concluded SB 222 was not necessary to honor Native Americans; he recommended selecting another day to celebrate Indian heritage day.

Margaret Hollow, Helena, presented written testimony in opposition to SB 222. **EXHIBIT 4**

Gregory Engellant, Knights of Columbus, opposed the bill.

Mike Micone, Helena, recalled that in the Senate hearing Columbus Day had been described as an event. He suggested the event was the discovery of America and listed other events which are celebrated in America. He agreed Indian culture should be celebrated and recommended choosing a more appropriate day. He asserted creating a holiday for Native Americans would not address the problems they face.

R. Stephen White, Helena, distributed written testimony in which he reviewed the history of Columbus Day and described the more recent negative image of Columbus. He asked the committee to vote against the bill. **EXHIBIT 5**

Laurie Koutnik, citizen, reported her family's response to SB 222. She said her son, daughters, and husband had all expressed concern over the loss of Columbus Day. She said the consensus of her family was that two days should be celebrated, Columbus Day and Native American Day. She urged rejection of the bill.

REP. WILBUR SPRING, House District 77, Belgrade, opposed the bill.

Informational Testimony:

Questions From Committee Members and Responses:

REP. ROSE asked Ms. Coopersmith when the requirement for Native American studies from school curricula was removed. Ms. Coopersmith said she did not know the answer. REP. ROSE asked Ms. Coopersmith who served as Indian coordinator in the Office of Public Instruction (OPI). Ms. Coopersmith responded that Bob Parsley was the Indian education specialist. REP. ROSE asked Ms. Coopersmith to describe OPI's efforts in student exchanges between Indian and non-Indian schools. Ms. Coopersmith replied she was unaware of student exchanges, but she knew of teacher exchange programs. She reported OPI sponsored the American Indian Institute each year to teach effective strategies for working with American Indian students and information on Indian culture. REP. ROSE asked Ms. Coopersmith to assess OPI's efforts in encouraging teachers to teach Native American heritage. Ms. Coopersmith replied the Montana Advisory Council for Indian Education had recently praised OPI for their efforts in multi-cultural education. She said they currently had more federal funding for Indian programs than ever before. She said more could be done if more resources were available. REP. ROSE asked Ms. Coopersmith what programs OPI had for landless Indians. Ms. Coopersmith reported the curriculum guide included information about landless Indians.

REP. SIMPKINS asked Ms. Coopersmith who determined the history curriculum. Ms. Coopersmith replied curriculum was the responsibility of local school districts. She explained the accreditation standards called for curriculum development and offered models with educational goals. REP. SIMPKINS asked Ms. Coopersmith whether schools were likely teaching different perspectives on historical events. Ms. Coopersmith replied that although curricula was a local decision, the decision would be influenced by national organizations which set educational goals within content areas. REP. SIMPKINS asked Ms. Coopersmith whether she was suggesting that local districts were influenced by national organizations without OPI monitoring. Ms. Coopersmith responded she had used national goals as only one influence on local districts.

Closing by Sponsor:

SEN. FRITZ said he resented the assertion that Columbus Day was an Italian ethnic holiday. He stated Columbus Day celebrates the discovery of America in 1492 and the arrival of Europeans on the continent. He noted they were not Italians, but Spanish, and reported the peak year for Italian immigration was 1907. He suggested the Italians could have a day, just not Columbus Day.

SEN. FRITZ reported he had just learned that Montana had a Native American Commemorative Day. He said he probably should have been aware of the day because the sponsor, Rep. Kimble, had come from his district. He said the lack of awareness of the commemorative day pointed out the ineffectiveness of resolutions. He concluded that he rejected amendments to SB 222 and supported changing Columbus Day to American Indian Heritage Day.

ADJOURNMENT

Adjournment: 10:40 a.m.



DICK SIMPKINS, Chairman



DOROTHY POULSEN, Secretary

DS/DP

HOUSE STANDING COMMITTEE REPORT

March 17, 1993

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that Senate Bill 276 (third reading copy -- blue) be concurred in as amended .

Signed: *Dick Simpkins*
Dick Simpkins, Chair

And, that such amendments read:

Carried by: Rep. S. Rice

1. Page 2, line 24.
Strike: "\$50,000"
Insert: "\$25,000"

-END-

Committee Vote:
Yes ____, No ____.

601231SC.Hpf

Amendments to Senate Bill No. 276
Third Reading Copy

Requested by Rep. Wilbur Spring
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
March 17, 1993

1. Page 2, line 24.
Strike: "\$50,000"
Insert: "\$25,000"

EXHIBIT 1
DATE 3/17/93
HB SB 276

HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION

COMMITTEE

ROLL CALL VOTE

DATE 3/17/93 BILL NO. SB 276 NUMBER _____

MOTION: To amend \$50,000 to \$25,000

NAME	AYE	NO
REP. DICK SIMPKINS, CHAIR	✓	
REP. WILBUR SPRING, VICE CHAIR	✓	
REP. ERVIN DAVIS, VICE CHAIR		✓
REP. BEVERLY BARNHART	✓	
REP. PAT GALVIN		✓
REP. BOB GERVAIS		✓
REP. HARRIET HAYNE	✓	
REP. GARY MASON	✓	
REP. BRAD MOLNAR	✓	
REP. BILL REHBEIN		✓
REP. SHEILA RICE	✓	
REP. SAM ROSE	✓	
REP. DORE SCHWINDEN		✓
REP. CAROLYN SQUIRES		✓
REP. JAY STOVALL	✓	
REP. NORM WALLIN	✓	
TOTAL	10	6

EXHIBIT 2

DATE 3/17/93

HB SB 276

FORT PECK TRIBES

Assiniboine & Sioux

February 8, 1993

State Administration Committee
ATTEN: Dick Fimpkins
State of Montana
Helena, Montana - 59601

RE: SENATE BILL 222

Dear Mr. Fimpkins:

The Fort Peck Assiniboine and Sioux Tribes are submitting this letter of support concerning the above referenced bill, "an act replacing Columbus Day with American Indian Heritage Day as a legal State holiday and commemorative day for public schools," to the 53rd Legislature. The Fort Peck Tribal Executive Board met on February 8, reviewed the Senate Bill 222 and unanimously voted in support of this legislation. The bill succinctly portrays the feelings of the Native American on Ft. Peck Reservation.

Senate bill 222 provides the basis for sharing Montana's past and improving the relationship between all Montanans through celebration of our state's heritage.

Favorable Committee review of Senate Bill 222 is a positive step towards improvement of State/Reservation relationships.

Sincerely,



Caleb Shields
Chairman

EXHIBIT 3
DATE 3/17/93
HB SB222

3/9/93

TO: House of Representatives State Administration Committee

Against S222 to change Columbus Day to American Indian Heritage Day.

We have had a National Holiday for Columbus for 200 years. The majority of Americans have a closer relationship to what Columbus Day means as our ancestors immigrated to this country, than to any other holiday that we have. I have no objection to any race or religion celebrating any holiday they wish but I strongly object to taking a National Holiday such as Columbus Day and changing it to a private holiday for a particular race in Montana.

Please don't change the name. Let's stay in the country as part of it.

Margaret O. Holloway
Helena, MT. 59601

EXHIBIT 4
DATE 3/17/93
HB SB222

TESTIMONY OF R. STEPHEN WHITE
IN OPPOSITION TO
SB 222

For many years our country has celebrated October 12th as a special day of recognition to a man who led a small group of ships across a large ocean to seek out a new land. Columbus Day was for many years called "Discovery Day" (and still is in Indiana, ND and Ohio). Even today it is called "Landing Day" in Michigan.

In 1892 President Harrison appointed October 12th as a general holiday for the people of the United States. In his speech to the nation on October 12, 1892, President Harrison said "Columbus stood in his age as a pioneer of progress and achievement. In the churches and in other places of assembly of the people, let there be expression of gratitude to divine Providence for the devote faith of the discoverer and for the divine care and guidance which he directed our history and so abundantly blessed our people."

It wasn't until September 1934 that President Franklin Roosevelt sent out a proclamation, asking all 48 states to observe October 12th as a national holiday.

In recent years books have been written which have distorted the achievements of Christopher Columbus. Much of the content of these writings ignore the true motivations of this adventurer. In his own writings Columbus tells of why he was motivated to cross the ocean. "It was the Lord who put into my mind (I could feel His hand upon me) the fact that it would be possible to sail from here to the Indies. All who heard of my project reflected it with laughter, ridiculing me. There is no question that the inspiration was from the Holy Spirit, because he comforted me with rays of marvelous illumination from the Holy Scriptures, a strong and clear testimony from 44 books of the Old Testament, from the four Gospels, and from the 34 Epistles of the blessed Apostles, encouraging me continually to press forward, and without ceasing for a moment they now encourage me to make haste."

I have attached additional material regarding his writings which are very revealing. I have also attached a copy of a page out of a recently published children's book which paints a very negative picture of Christopher Columbus. Our schools have recently been teaching our youth of a very different image of Columbus. Last Fall schools in Arlee even put Columbus on trial.

In Columbus's writings he was the first to acknowledge his shortcomings by writing, "I am a most unworthy sinner, but I have

EXHIBIT 5
DATE 3/17/93
NO. SB 222

cried out to the Lord for grace and mercy, and they have covered me completely." Columbus was not the first adventurer to touch land in the Western Hemisphere - others before him had come ashore. But from his voyages came the settlement and building up of the new continent. For the years before his death on May 20, 1506 he lived a neglected and poverty stricken life. He was poor and unregarded. But to be sure, he perhaps did not die an unhappy man. It wasn't primarily gold or honors and titles that he was after, though he had hoped to have them to pass on to his sons.

To change the focus of this holiday that is the only non-religious holiday date on which all Pan-American lands join us in celebrating, is not appropriate. Columbus day is celebrated in Spain, Italy and parts of Canada.

Not many people realize that American Indian Day was first observed in New York in 1912. The first general observance of Indian Day occurred in New York State on the second Saturday of May 1916. In 1960 Gov Rockefeller proclaimed September 23rd as American Indian Day, in honor of the state's indians.

American Indian Day is now set in several states by a Governor's proclamation or by legislative enactments. Some observe it on the 2nd Saturday in May, others on the 4th Friday in September, while some suit the convenience of their citizens as to the date, such as Illinios and Mass..

The original intent of the October 12th celebration was to honor a man who risked life and reputation, to seek a new land. I urge this committee to vote against this bill. A NO vote is not a vote against our Native American citizens, but a vote to preserve a day which has been set aside to honor the discovery of our nation.

EXHIBIT 5
DATE 3/17/93
HB SB222

Every year, we remember the good things about Columbus and his exciting voyage. But there is something many people forget. We forget about the people Columbus called Indians. (Indians are called Native Americans now.) We forget about the awful way the Native Americans were treated. We forget about the people who died. Maybe it's time to think of Columbus Day in a new way. October 12 can be a day to tell the whole story of the voyage that changed the world. It can be a day to remember the Native Americans. And it can be a day to remember that when we explore, we must be good to the life we meet along the way.

EXHIBIT 5
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B 56222



(i) Who was Christopher Columbus?

While conducting Christian Heritage Tours, I frequently ask the question: "Who do you believe Christopher Columbus was?" Answers vary from "an adventurer" to "a sailor" to "the discoverer of the New World." He was in fact, all of the above, but the most important aspect of his life—his Christianity, is never mentioned. Not many people are aware of Christopher Columbus' deep faith in God and His Son, Jesus Christ. Furthermore, very few people realize that it was this faith which was the impetus that initiated his whole voyage. Columbus wrote a book entitled *Book of Prophecies*, in which he copied down Scripture pertaining to bringing the gospel to unknown coastlands. The book was only recently translated into English from the original Latin and Spanish versions by a great scholar, Dr. August Kling. It was my privilege to spend several fascinating hours sharing research finds with Dr. Kling prior to his death in 1986.

Columbus' entire voyage was funded and made possible through Queen Isabel and King Ferdinand of Spain—uniquely in light of its missionary outreach. Isabel herself having a strong Christian world view, the populace accepted and embraced Columbus' tenuous expedition primarily for evangelistic reasons.

His real name, early history books disclose, was Cristobal Colon. His writings show a strong thread of Christianity. Even his signature is encased in a triangular pattern, with the beautiful names of Almighty God—El Shaddai (Almighty God); Adonai (Lord God) abbreviated, written above his signature, Christopher Ferens (Christ Bearer):

"X.p.o. Ferens," was meant to represent Columbus as the cross-bearer or the Christ-bearer:

.S.
X .S. A .S.
X M Y
: Xpo FERENS. /

When the expedition found its first nugget of gold, it was carefully wrapped and sent back to Columbus' son, Don Diego, to

deliver to Queen Isabel. It included detailed instructions in writing, telling him "to return it to her so that she may see the miracle of the Lord and remember to whom she ought to thank for it."¹

Six years after Columbus' discovery of the New World we see that the spiritual welfare of the native people was still of primary importance to him. In his famous mayorazgo (*Testament of Founding Hereditary Family Estate*), dated Thursday, 22nd February, 1498, he states:

Also I order to said Don Diego, my son, or to him who will inherit said mayorazgo, that he shall help to maintain and sustain on the Island Espanola four good teachers of the holy theology with the intention to convert to our holy religion all those people in the Indias, and when it pleases God that the income of the mayorazgo will increase, that then also be increased the number of such devoted persons who will help all these people to become Christians. And may he not worry about the money that it will be necessary to spend for the purpose . . . ?

Through the ages of history, many great inventors, scientists and visionaries have acknowledged the Bible and the leading of the Holy Spirit as the basis for their contributions which revolutionized the world of their day. Columbus was no exception. The following lengthy quotation from the Introduction of Christopher Columbus' *Book of Prophecies* summarizes not only his deep commitment to the gospel mandate, but also points to the Bible as the very source of his inspiration:

At a very early age I began to sail upon the ocean. For more than forty years, I have sailed everywhere that people go. I prayed to the most merciful Lord about my heart's great desire, and He gave me the spirit and the intelligence for the task: seafaring, astronomy, geometry, arithmetic, skill in drafting spherical maps and placing correctly the cities, rivers, mountains and ports. I also studied cosmology, history, chronology and philosophy.

It was the Lord who put into my mind (I could feel His hand upon me) the fact that it would be possible to sail from here to the Indies. All who heard of my project rejected it with laugh-

The prophets wrote in various ways. Isaiah is the one most praised by Jerome, Augustine and by the other theologians. They all say that Isaiah was not only a prophet, but an evangelist as well. Isaiah goes into great detail in describing future events and in calling all people to our holy catholic faith.

Most of the prophecies of Holy Scripture have been fulfilled already . . . I am a most unworthy sinner, but I have cried out to the Lord for grace and mercy, and they have covered me completely. I have found the sweetest consolations since I made it my whole purpose to enjoy His marvelous presence.

For the execution of the journey to the Indies I did not make use of intelligence, mathematics or maps. It is simply the fulfillment of what Isaiah had prophesied. All this is what I desire to write down for you in this book.

No one should fear to undertake any task in the name of our Savior, if it is just and if the intention is purely for His holy service. The working out of all things has been assigned to each person by our Lord, but it all happens according to His sovereign will even though He gives advice. He lacks nothing that it is in the power of men to give him. Oh what a gracious Lord, who desires that people should perform for Him those things for which He holds Himself responsible! Day and night moment by moment, everyone should express to Him their most devoted gratitude.

I said that some of the prophecies remained yet to be fulfilled. These are great and wonderful things for the earth, and the signs are that the Lord is hastening the end. The fact that the gospel must still be preached to so many lands in such a short time—this is what convinces me.³

I have shared this information with many different school groups. The responses have always been amazement and surprise—even resentment at the truth having been withheld from them. In talking with the students, it became apparent that they were being taught sterile, dry facts, devoid of the spiritual values which motivated Columbus' great achievements, galvanizing him to action. That is maybe why they were being turned off to educa-

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ter, ridiculing me. There is no question that the inspiration was from the Holy Spirit, because he comforted me with rays of marvelous illumination from the Holy Scriptures, a strong and clear testimony from the 44 books of the Old Testament, from the four Gospels, and from the 23 Epistles of the blessed Apostles, encouraging me continually to press forward, and without ceasing for a moment they now encourage me to make haste.

Our Lord Jesus desired to perform a very obvious miracle in the voyage to the Indies, to comfort me and the whole people of God. I spent seven years in the royal court, discussing the matter with many persons of great reputation and wisdom in all the arts; and in the end they concluded that it was all foolishness, so they gave it up. But since things generally came to pass that were predicted by our Savior Jesus Christ, we should also believe that this particular prophecy will come to pass. In support of this, I offer the gospel text, Matt. 24:25, in which Jesus said that all things would pass away, but not his marvelous Word. He also affirmed that it was necessary that all things be fulfilled that were prophesied by himself and by the prophets.

I said that I would state my reasons: I hold alone to the sacred and Holy Scriptures, and to the interpretations of prophecy given by certain devout persons.

It is possible that those who see this book will accuse me of being unlearned in literature, of being a layman and a sailor. I reply with the words of Matt. 11:25: "Lord, because thou hast hid these things from the wise and prudent, and hath revealed them unto babes."

The Holy Scripture testifies in the Old Testament by our Redeemer Jesus Christ, that the world must come to an end. The signs of when this must happen are given by Matthew, Mark and Luke. The prophets also predicted many things about it.

Our Redeemer Jesus Christ said that before the end of the world, all things must come to pass that had been written by the prophets.

tion in general and history in particular. The problem is, the very inner life has been stripped away from our history. Students are not exposed to the life-changing and motivating forces at the core of these heroes' lives. As so many giants of history testify, it is God who gave them the talents and the enablement to change their world for His glory.

Of 10 modern biographies by major publishers consulted, none makes mention of Christopher Columbus' faith in Christ and his motivation for the furtherance of the gospel. This phenomenon conforms with the style and content of the vast majority of history books, textbooks, dramatic presentations and exhibitions promoted throughout America on the life and adventures of Christopher Columbus. Let us take a look at what recent biographers are teaching children in regard to the discoverer of America:

From a 1989 Children's Press publication entitled, *Christopher Columbus, the Great Explorer* we read:

... He sailed to Cuba
He found more islands.
But when he got back
he found sick, angry men.
Then Columbus did some cruel things.
He sent island people to
Spain as slaves.
He made others look for gold.
If they didn't find enough
he punished them.⁴

Another publication, bearing the name, *Columbus Day*, published in 1990, teaches children the following about this noted personage:

... Columbus liked the Indians. But when he saw that their jewelry was made of gold, he began making evil plans. He decided that the Indians should be the slaves of the Europeans who would settle in this region. The Indians would mine gold for the Europeans and do their other work. Columbus also hoped the Indians would become Christians. He felt they would gain more from Christianity than they would lose by becoming slaves. Before leaving the island, Columbus kid-

napped a few Indians. He wanted them to guide him to other islands. And he wanted to show them off back in Spain.⁵

The above two children's books portray a cruel, evil, money-grubbing and materialistic slave-driver. This is the opposite to Christopher Columbus' true identity, which has been documented from original sources, as discussed above.

What a tragic legacy to pass on to our nation's children—an evil report on the character of a godly hero, the discoverer of America!

Even in the following dramatic presentation, *Columbus Discovers America*, written in the 1930s, Columbus' motivation is said to be slaves, gold, ivory, jewels and land. No mention is made of the true, spiritual purpose and motivation for his voyage:

... Herald. He comes!
(There is a slight stir outside and Columbus plainly dressed, a man of about fifty-six, white-haired, tall, well-formed and dignified, enters, followed by Father Juan, Sebastian, and goes at once to the King, kneels, kisses his hand, and then to the Queen the same. He presents Father Juan, who makes obeisance, and then Sebastian.)

Columbus: Your Majesty—your humble servant. My lieutenant. Sebastian! Father Juan!

Ferdinand: Well, my good sir, what have you to say to us? More, I trust, than you have said at other times!

Columbus: (As always, with great dignity) I have more to say, may it please your Majesties. It is this. I have lingered long about the outskirts of your Majesties' court. I have forborne to wait upon the kings of other lands. I have hoped without hope, waited with no end in view. I have been exposed to scoffs and indignities, ridiculed as a dreamer, scorned as an adventurer, and why? Because I have hoped to make this united kingdom of Aragon and Castile the greatest in the world! And your Majesties still keep me cooling my heels like any needy beggar at your gates.

gospel must still be preached to so many lands in such a short time—this is what convinces me.⁷

And let it be so.

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Ferdinand: Bold words these, Senor Christopher!

Isabella: Oh, Senor, is this the way to gain favor with princes?

Columbus: I do not try to gain favor with princes. I confer favor on them! I am filled with wonder that Your Majesties, who have jointly undertaken so many great and perilous enterprises, should hesitate where the loss is so trifling and the gain so great.

Isabella: Indeed?

Columbus: And that a queen so devout forgets how much may be done to the glory of God.

Ferdinand: The gain so great, you say? And how?

Columbus: I offer Your Majesties boundless lands and wealth, unnumbered subjects, and everlasting fame!

I ask only to go forth in your name to risk my own life, to encounter great hardships and certain peril, only that I may plant the flags of Aragon and Castile on virgin soil, and return to you, my ships laden with slaves, with gold, with ivory, and jewels! . . .

In conclusion to this section on Christopher Columbus, I quote again from Columbus' *Book of Prophecies*, as to his motivation and enablement. As he said, it was simply the fulfillment of Isaiah's prophecies in the Old Testament:

. . . I am a most unworthy sinner, but I have cried out to the Lord for grace and mercy, and they have covered me completely. I have found the sweetest consolations since I made it my whole purpose to enjoy His marvelous presence. For the execution of the journey to the Indies I did not make use of intelligence, mathematics or maps. It is simply the fulfillment of what Isaiah had prophesied. All this is what I desire to write down for you in this book. No one should fear to undertake any task in the name of our Savior, if it is just and if the intention is purely for His holy service . . . the fact that the

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