

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
54th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By CHAIRMAN RICHARD SIMPKINS, on April 6, 1995,
at 11:00 A.M.

ROLL CALL

Members Present:

Rep. Richard D. Simpkins, Chairman (R)
Rep. Matt Denny, Vice Chairman (Majority) (R)
Rep. Dore Schwinden, Vice Chairman (Minority) (D)
Rep. Matt Brainard (R)
Rep. Patrick G. Galvin (D)
Rep. Dick Green (R)
Rep. Antoinette R. Hagener (D)
Rep. Harriet Hayne (R)
Rep. Sam Kitzenberg (R)
Rep. Bonnie Martinez (R)
Rep. Gay Ann Masolo (R)
Rep. William Rehbein, Jr. (R)
Rep. George Heavy Runner (D)
Rep. Susan L. Smith (R)
Rep. Carolyn M. Squires (D)
Rep. Jay Stovall (R)
Rep. Lila V. Taylor (R)
Rep. Joe Tropila (D)

Members Excused: NONE

Members Absent: NONE

Staff Present: Sheri Heffelfinger, Legislative Council
Christen Vincent, Committee Secretary

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

Committee Business Summary:

Hearing: NONE

Executive Action: HR 2 HJ 30

{Tape: 1; Side: A.}

EXECUTIVE ACTION ON HJ 30

Motion: REP. JAY STOVALL MOVED THAT HJ 30 DO PASS.

Motion/Vote: REP. SIMPKINS MOVED THE AMENDMENT. Motion carried
unanimously with REP. HARRIET HAYNE voting by proxy.

Vote: Motion carried 14-4 with REP. DORE SCHWINDEN, REP. PAT GALVIN, REP. GEORGE HEAVY RUNNER, and REP. CAROLYN SQUIRES voting no and REP. HAYNE voting yes by proxy.

EXECUTIVE ACTION ON HR 2

Motion: REP. SCHWINDEN MOVED DO PASS ON HR 2.

Motion: REP. REHBEIN MOVED TO AMEND HR 2.

Discussion:

REP. REHBEIN stated the amendments would clean up some of the language in the bill. He stated one of the things they had a problem with in the last meeting on this bill were lines 24 and 25. He stated he believed this amendment would take care of the language in those lines and addresses all of the concerns. He stated by incorporating some of the Idaho language from their resolution shows that Montana and Idaho have joined together in a cooperative effort to stop these kinds of hate crimes.

REP. SCHWINDEN stated the second part of the amendment he didn't have much of a problem with, however, he stated he didn't care for the language in the first part any more than the language in the original resolution. He stated the way the bill was originally drafted, in regard to the first part of the amendment, the original bill had better language. He moved to vote on the two sections separately.

REP. SIMPKINS asked if that would be acceptable by the committee. The committee was in agreement to vote on the amendments separately. He stated amendment one would be the top half of the amendment with the "whereas" and the second part would be the bottom half which states what the committee would resolve. He asked if there was any further discussion on the first amendment.

REP. SMITH stated she liked what this amendment says. She stated one of the problems with the way the bill was originally written they have words in the bill that they can't define. She stated this was a better way of choosing words to get their point across.

REP. BRAINARD stated he liked coincided language with the state of Idaho because they have been experiencing some of the same problems that Montana has been subject to. He stated he thought it was a good idea for the legislature to send the same message for both of the states.

REP. HEAVY RUNNER stated it was important when they want to convey a message to the people to keep things brief and to the point. He stated this issue was a complicated one, and there are areas that are tough to define. There are a lot of

interpretations of the situation, and it all depends on the person interpreting it.

REP. SCHWINDEN stated in regard to the first amendment, all of the "whereas" deal with Montana in the original bill. In the amendment it says freedom of speech and general rights and it has nothing to do with the state of Montana. He stated he didn't agree with this part of the amendments and he would have to oppose the amendment.

REP. BRAINARD stated in the various stages of Montana History there are many instances that aren't peaceful. He stated there are things in the state's history that are pretty great as well. He stated he liked the language of the amendment and he would support it.

REP. SQUIRES stated she agreed with **REP. SCHWINDEN**. She stated the amendment doesn't address what happened to the Capitol earlier in the week. She stated she likes the specificity better in the original bill in bringing to the attention of the people where the problems are. She stated the original bill talks about bigotry, hate, prejudice, people who have served their country. She stated this bill should be directed to specific things and not generalized. She stated the bill should be specific to what happened to the door of the Capitol, and what had happened in Billings in regard to the Jewish people, and also to the gays and lesbians. She stated they shouldn't sugar coat the wording of the bill.

REP. MARTINEZ stated if they started listening to everything that has happened they will have such a long list of events that they won't be able to include all things.

REP. GALVIN stated it is necessary to bring this issue to light. He stated the people must be awakened to what is going on.

REP. TROPILA stated he could see where **REP. REHBEIN** is coming from with the amendment, but they would be striking the whole resolution that was prepared and signed by fifty people. He stated if the committee were to amend the bill in this way it would be an entirely different bill. He stated with these amendments they would be keeping the title and changing everything else and that was not the intent of the sponsor. He stated if **REP. REHBEIN** wanted to introduce a resolution, he could do so and they could see where it would go. If it passed through committee, they could see what would happen to it on the House floor.

REP. REHBEIN stated the first part of the amendment they have addressed everything that is in the original bill. He stated he didn't think they missed anyone by doing this. He stated he thought they had added some people to this.

REP. SCHWINDEN asked if he could ask REP. EWER what his opinion of the amendment was.

REP. MARTINEZ stated she supported the second amendment. She stated she was a minority and she didn't like being "lumped" in a group. She stated she objected to the wording of sexual behavior.

REP. SIMPKINS allowed the question.

REP. SCHWINDEN asked if he had a chance to look at the amendments.

REP. EWER stated he had just looked at the amendments. He stated in the current form, the resolution does address specific groups. He stated he realized that there is a difference of opinion on that issue. He state it was imperative that the groups be identified because they have been the groups that have been targeted. He stated this resolution was part of an answer to an act that happened on the Capitol doorstep. He stated he objected to "gutting" the resolution and inserting wording from Idaho. He stated Montana could write their own resolution and he believed they have done so.

REP. TAYLOR asked if he objected to the second part of the amendment.

REP. EWER stated it was imperative to have the courage to list groups that have suffered from specific acts of hate and bigotry.

REP. REHBEIN asked if abortionists are listed on the original bill.

REP. EWER stated if he wanted to amend the sentence to say "and others that have done other such crimes of hate." He stated he did object to watering down the resolution and making the resolution generic. He stated these aren't generic times. He stated he thought it was a paradox for REP. REHBEIN and REP. SIMPKINS fighting to include abortionists in this bill. He stated that in his own opinion abortionists and the whole issue was a gender issue.

REP. MARTINEZ stated by listing these groups it is like keeping people separated instead of including all of the people together as one. She stated by separating people, there is no sense in writing the bill.

REP. GALVIN stated what he had heard REP. MARTINEZ to say was that it was okay to keep every one in a group as one except for sexual orientation. He stated if she had seen what was written on the doors of the Capitol she would have seen that this act of hate was against sexual orientation. He stated that is the biggest issue. He stated the way the resolution was written was how it should stay. Exhibit 1. He stated they should all work

together as one, but they shouldn't exclude a group because of conflicting opinions.

REP. DENNY stated that was part of why he was in support of the amendment. He stated part of the problem that causes hatred, bigotry and the like is when they divide themselves as being something different than other people. He stated regardless of their sexual orientation or ethnic background, they are a person. He stated hatred or bigotry aimed towards any person based on any criterion is wrong and they are adding to the problem when they list all of the separate groups. He stated they shouldn't be separate, different groups. He stated that was part of the reason they have the bigotry and fear and ignorance of each other.

REP. HEAVY RUNNER stated in the real world everyone would like to have the melting pot where they can look at each other as being the same. He stated unfortunately that is not the case. He stated he didn't want to be a generic person. He stated there are always going to be others and certain attitudes out there. Hopefully down the road those can be diminished. He stated he thought it was important for the state to address issues like this in order to start healing the wounds.

REP. GREEN stated he was in support of the amendment. He stated after the Civil Rights movement there had been problems with labor and various other groups. He stated he had been on a committee that was looking into these kinds of things. They were trying to make things more current with the times. He stated it was not a Colorado Supreme Court division at the time, but they talked to the Chief Justice of the Supreme Court about wording. He stated the Justice's definition of bigotry was simply anyone that disagrees with that person. He said his definition of prejudice was a similar definition. He said these words can cause problems. He stated he supported the amendment because he believed they needed to stay away from these words because they are unenforceable.

REP. MASOLO stated for many years she taught children not to be prejudiced. She stated she signed HR2 and she has no problem with what it says. She stated she would vote for the resolution with her name on it.

REP. SIMPKINS commented there is no mention in the resolution as it stands about a person's individual freedoms or right of expression. One thing that the Idaho resolution does address is that this individual freedom is not limitless and there is responsibility that goes along with this freedom. He stated vandalism goes beyond vandalism. He stated they couldn't condone any type of vandalism whether it is against an individual or a physical structure. He stated this is not addressed in the resolution as it now stands.

REP. GALVIN stated that REP. SIMPKINS didn't read what was written across the doors.

REP. SIMPKINS stated if they propose a resolution due to events during the past week there will be many resolutions. He stated they addressed what happened to the Capitol through a law passed through the system.

REP. SMITH stated she supported the amendment because it does say that they do have rights that do need to be tempered, and they respect the rights of all individuals to be secure.

REP. SCHWINDEN stated there are more than fifty members of the House that believed this was a good idea. He believed if they were to gut the entire bill and change the language, it then becomes a political issue rather than an issue where the Legislature wants to speak with one voice. He stated this would end up being a partisan battle over something that can do something for all people. He stated it didn't make sense to do that.

Vote: Motion failed 9-9 with REP. SCHWINDEN, REP. GALVIN, REP. HAGENER, REP. HEAVY RUNNER, REP. KITZENBERG, REP. MASOLO, REP. SQUIRES, REP. TAYLOR, and REP. TROPILA voting no. REP. HAYNE voted yes by proxy.

Vote: Motion on amendment 2 failed 9-9 with REP. SCHWINDEN, REP. GALVIN, REP. HAGENER, REP. HEAVY RUNNER, REP. KITZENBERG, REP. MASOLO, REP. SQUIRES, REP. TAYLOR, and REP. TROPILA voting no. REP. HAYNE voted yes by proxy.

Motion: REP. REHBEIN moved to amend to strike the language on line 24 after "anyone" to "have".

Motion: REP. REHBEIN moved the amendment.

Vote: Motion carried 13-5 with REP. SCHWINDEN, REP. GALVIN, REP. HEAVY RUNNER, REP. KITZENBERG, and REP. SQUIRES voting no. REP. HAYNE voted yes by proxy.

Motion: REP. REHBEIN moved to amend the resolution on line 15 striking everything after bigotry.

Discussion:

REP. SCHWINDEN stated the result of hate and hate crimes is fear. He said this is what they were seeing in this attempt. He stated he didn't see what was wrong with specifically talking about the things that have happened. Once someone starts being secretive and not talking about things in their life they will never come to a resolution. He stated he believed it was wrong to pretend nothing happened.

Vote: Motion failed 5-13 with REP. SIMPKINS, REP. GREEN, REP. REHBEIN, AND REP. SMITH voting yes.

Discussion:

REP. REHBEIN stated he had a difficult time with the word "intolerance". He asked for some kind of definition of the word.

REP. SMITH stated the definition she found for the word "tolerate" was "to allow so as not to hinder, to permit something not wholly approved of, to suffer or endure." She stated she was unable to find a definition for the word "intolerance."

REP. PECK stated intolerance is the refusal and lack of respect for others. He stated he believed the word was self explanatory.

REP. SIMPKINS asked if this would also include any acts of intolerance of love. He asked what the intolerance would be.

REP. PECK stated intolerance could be applied to any form of behavior or noun. He stated in this instance it would refer to those people who are intolerant of others and their condition and situations in life.

Motion: REP. SCHWINDEN MOVED THAT HR 2 DO PASS AS AMENDED.

Vote: Motion carried 11-7 with REP. SIMPKINS, REP. BRAINARD, REP. GREEN, REP. HAYNE, REP. MARTINEZ, REP. REHBEIN, and REP. SMITH voting no.

REP. SIMPKINS asked when were the Republicans consulted about the drafting of this resolution.

REP. SCHWINDEN stated he assumed they were consulted when they signed their names to the resolution. He stated he didn't know who the drafters of the bill were and he would have to sit down with those people to find out the answer to his question. He stated he assumed there was Republican input in the drafting of the bill. He stated the first indication they had they were going to take legislative action on what happened on the steps of the Capitol came when SPEAKER MERCER placed a proposed amendment on their desks to change the law in regard to vandalism. He stated there has been republican involvement.


REP. SIMPKINS referred the question to REP. PECK.

REP. PECK stated he didn't inquire as to party affiliation of those who worked on the drafting of this resolution.

REP. SIMPKINS stated he objected to any indication that this was going to be a partisan issue. He stated they say that it wasn't because the vote was not 12-6.

ADJOURNMENT

Adjournment: 11:45 a.m.


RICHARD SIMPKINS, Chairman


CHRISTEN VINCENT, Secretary

RS/cdv

HOUSE OF REPRESENTATIVES

State Administration

ROLL CALL

DATE April 06, 1995

NAME	PRESENT	ABSENT	EXCUSED
Rep. Dick Simpkin, Chairman	✓		
Rep. Matt Denny, Vice Chairman, Majority	✓		
Rep. Dore Schwinden, Vice Chair, Minority	✓		
Rep. Matt Brainard	✓		
Rep. Pat Galvin	✓		
Rep. Dick Green	✓		
Rep. Toni Hagener	✓		
Rep. Harriet Hayne			
Rep. George Heavy Runner	✓		
Rep. Sam Kitzenberg	✓		
Rep. Bonnie Martinez	✓		
Rep. Gay Ann Masolo	✓		
Rep. Bill Rehbein	✓		
Rep. Susan Smith	✓		
Rep. Jay Stovall	✓		
Rep. Carolyn Squires	✓		
Rep. Lila Taylor	✓		
Rep. Joe Tropila	✓		

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE April 16, 1995 BILL NO. HS NUMBER 30

MOTION: Rep Stovall moved to Pass as amended

HSR03001 ADB

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority		✓
Rep. Matt Brainard	✓	
Rep. Pat Galvin		✓
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne <i>By Proxy</i>	✓	
Rep. George Heavy Runner		✓
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires		✓
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE April 5, 1995 BILL NO. HJ NUMBER 30

MOTION: Rep. Simpkins moved the amendment.

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE April 6, 1995 BILL NO. HR 2 NUMBER 2

MOTION: Rep. Rehbein moved to amend #1

hr000301 agf

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority		✓
Rep. Matt Brainard	✓	
Rep. Pat Galvin		✓
Rep. Dick Green	✓	
Rep. Toni Hagener		✓
Rep. Harriet Hayne <i>By Proxy</i>	✓	
Rep. George Heavy Runner		✓
Rep. Sam Kitzenberg		✓
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo		✓
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires		✓
Rep. Lila Taylor		✓
Rep. Joe Tropila		✓

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE April 6, 1995 BILL NO. HR NUMBER 2

MOTION: Rep. Rehbein moved the amendment

#2

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	✗
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority		✓
Rep. Matt Brainard	✓	
Rep. Pat Galvin		✓
Rep. Dick Green	✓	
Rep. Toni Hagener		✓
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner		✓
Rep. Sam Kitzenberg		✓
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo		✓
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires		✓
Rep. Lila Taylor		✓
Rep. Joe Tropila		✓

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE April 6, 1995 BILL NO. HR NUMBER 2

MOTION: Rep. Rehbein moved the amendment

#3

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority		✓
Rep. Matt Brainard	✓	
Rep. Pat Galvin		✓
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne <i>By Proxy</i>	✓	
Rep. George Heavy Runner		✓
Rep. Sam Kitzenberg		✓
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires		✓
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE April 6, 1995 BILL NO. HR NUMBER 2

MOTION: Rep. Rehbein moved the amendment

#21

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority		✓
Rep. Dore Schwinden, Vice Chairman, Minority		✓
Rep. Matt Brainard		✓
Rep. Pat Galvin		✓
Rep. Dick Green	✓	
Rep. Toni Hagener		✓
Rep. Harriet Hayne		✓
Rep. George Heavy Runner		✓
Rep. Sam Kitzenberg		✓
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo		✓
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall		✓
Rep. Carolyn Squires		✓
Rep. Lila Taylor		✓
Rep. Joe Tropila		✓

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE April 6, 1995 BILL NO. HR NUMBER 2

MOTION: Rep. Schwinden moved Do Pass

as amended.

NAME	AYE	NO
Rep. Dick Simpkin, Chairman		✓
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard		✓
Rep. Pat Galvin	✓	
Rep. Dick Green		✓
Rep. Toni Hagener	✓	
Rep. Harriet Hayne		✓
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez		✓
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein		✓
Rep. Susan Smith		✓
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	



HOUSE STANDING COMMITTEE REPORT

April 6, 1995

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that **House Resolution 2** (first reading copy -- white) **do pass as amended.**

Signed: *Dick Simpkins*
Dick Simpkins, Chair

And, that such amendments read:

1. Page 1, lines 24 and 25.

Following: "anyone" on line 24

Strike: ", regardless" on line 24 through "orientation," on line
25

-END-

Committee Vote:

Yes 11, No 7.

791312SC.Hbk



HOUSE STANDING COMMITTEE REPORT

April 6, 1995

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Joint Resolution 30 (first reading copy -- white) do pass as amended.

Signed: *Dick Simpkins*
Dick Simpkins, Chair

And, that such amendments read:

1. Page 2.

Following: line 2

Insert: "BE IT FURTHER RESOLVED, that the Secretary of State is requested to send a copy of this joint resolution to Montana's Congressional Delegates, accompanied by a request that Montana's Congressional Delegates distribute copies of the resolution to their respective colleagues in the United States House of Representatives and in the United States Senate."

-END-

Committee Vote:
Yes 11, No 4.

791313SC.Hbk

Amendments to Senate Bill No. 136
Third Reading Copy

Requested by Representative ~~Denny~~ *Harrington*
For the Committee on Rules

Prepared by Greg Petesch
April 5, 1995

1. Page 12, line 13.

Following: "official"

Strike: ".i."

Strike: "member of a quasi-judicial board or commission."

*H. didn't
include*

2. Page 12, lines 24 and 25.

Following: "individual" on line 24

Strike: remainder of line 24 thorough "family" on line 25

3. Page 12, line 27.

Strike: "and" through "family"

4. Page 12, line 29.

Strike: "or" through "family"

5. Page 12, line 30 through page 13, line 1.

Following: "individual" on line 30 through "family" on line 1

6. Page 13, line 3.

Strike: "(e)" through "i"

Renumber: subsequent subsection

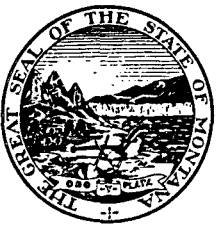
7. Page 13, lines 4 and 5.

Following: "individual" on line 4

Strike: remainder of line 4 through "family" on line 5

8. Page 13, lines 12 and 13.

Strike: subsection (5) in its entirety



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

REPRESENTATIVE PATRICK G. 'PAT' GALVIN
HOUSE DISTRICT 48

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HELENA, MONTANA 59620-0400
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EXHIBIT 1
DATE 4-6-95

COMMITTEES:
STATE ADMINISTRATION
HOUSE HIGHWAYS
(VICE-CHAIR—MINORITY)
STATE-FEDERAL RELATIONS

Until one is subject to any of the crimes of hate, bigotry or prejudice listed, that person will not understand the degradation imposed.

As a child, I was ridiculed for being Catholic. Name calling, (catlicker) statue worshiper, and even denied membership in a recreational facility.

For being Irish in an ethnic neighborhood and not being able to understand their common European language.

Until I entered the Marine Corps, I didn't know that Hispanics were "Spics and Beaners" and were to be considered as beneath everyone else. I had never seen a black Marine until I went to Camp Pendleton for discharge--they replaced the Hispanics at the bottom of the pecking order. I learned then that the whites would treat them as lessers.

I was taught that it was ok to beat up on gays and take their money because the police didn't like them. You would not be prosecuted even if caught. Gays and lesbians were something offensive until I learned they were among my friends and acquaintances. They fought and died at Iwo and Okinawa like any other Marine. I learned that they didn't "hit" on me or try to bring me into their group. All of the ones I knew and know are decent citizens. These are some of my life's experiences.

Amendments to House Joint Resolution No. 30
First Reading Copy

Requested by Rep. Simpkins
For the Committee on State Administration

Prepared by Dave Bohyer
April 6, 1995

1. Page 2.

Following: line 2

Insert: "BE IT FURTHER RESOLVED, that the Secretary of State is requested to send a copy of this joint resolution to Montana's Congressional Delegates, accompanied by a request that Montana's Congressional Delegates distribute copies of the resolution to their respective colleagues in the United States House of Representatives and in the United States Senate."

4-5

Amendments to House Resolution No. 2
First Reading Copy

Requested by Representative Rehbein
For the Committee on State Administration

Prepared by Greg Petesch
April 5, 1995

1. Page 1, lines 7 through 20.

Strike: lines 7 through 20

Insert: "WHEREAS, freedom of speech is a cornerstone of the individual liberties upon which our country was founded and for which many young men and women of this country and this state have sacrificed their lives; and

WHEREAS, although the Legislature recognizes the constitutional right of every citizen to harbor and express beliefs on any subject whatsoever and to associate with others who share similar beliefs, the Legislature further recognizes that such rights are not limitless and must be tempered with a consideration of the rights of all other individuals to be secure and protected from fear, intimidation, and physical harm from the activities of groups and individuals; and

WHEREAS, the Legislature further recognizes that the advocacy of unlawful acts by groups or individuals against other persons for the purpose of inciting and provoking bodily injury or death is not constitutionally protected and poses a threat to public order and safety; and

WHEREAS, public statements threatening civil war and the infliction of bodily harm upon public officials are outside the realm of those rights of free speech protected by the constitution and are abhorrent to a civilized society."

2. Page 1, lines 24 through 29.

Strike: lines 24 through 29 in their entirety

Insert: "That threats of violence and unlawful social disruption cannot be condoned and that all responsible citizens be urged to exercise their constitutionally protected first amendment rights of free speech with appropriate restraint. Let Montana be known as a state in which independence and personal strength are encouraged and respected but not abused."

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House Joint Resolution No. 28
 Introduced by Sen. Ryan Sen. Holligan Sen. P. H. Brown
Sen. Doherty Sen. Harty Sen. P. H. Brown
 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE
 REPRESENTATIVES OF THE STATE OF MONTANA CONCERNING ALL ACTS
 OF VIOLENCE AND TERRORISM IN MONTANA AND URGING FEDERAL LAW
 ENFORCEMENT AGENCIES TO ASSIST IN INVESTIGATING THE
 FIREBOMBING OF THE BLUE MOUNTAIN MEDICAL CLINIC IN MISSOULA.
 WHEREAS, on March 29, 1993, arsonists firebombed and
 destroyed the Blue Mountain Medical Clinic in Missoula, Montana;
 WHEREAS, these increases in terrorist activities have
 threatened the lives and liberties of Montana citizens and
 their families; and
 WHEREAS, these acts of violence and terrorism directly
 violate sections 3, 4, and 10 of the Declaration of Rights
 provisions of Article II of the Montana Constitution; and
 WHEREAS, the acts of terrorism committed in Montana are

1 markedly similar to acts of terrorism occurring in other
2 parts of the United States.

3
4 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
5 OF REPRESENTATIVES OF THE STATE OF MONTANA:

6 (1) That the members of the 53rd Legislature encourage
7 Montana's Attorney General and all state law enforcement
8 agencies to use all available resources to pursue and bring
9 to justice the perpetrators of terrorist violence in
10 Montana.

11 (2) That Montana law enforcement agencies be encouraged
12 to increase security to protect the property, staff, and
13 clients at medical facilities providing abortions.

14 (3) That the United States Attorney General be
15 requested to actively investigate the terrorist actions
16 occurring at the Blue Mountain Medical Clinic and to direct
17 that additional security be provided at Montana medical
18 facilities providing abortions.

19 (4) That the United States Department of Justice, the
20 Federal Bureau of Investigation, and other federal law
21 enforcement agencies be strongly urged to assist Montana law
22 enforcement agencies in investigating the Blue Mountain
23 Medical Clinic arson case and any similar incidents of
24 terrorist violence occurring in Montana.

25 BE IT FURTHER RESOLVED, that copies of this resolution

HJR 28

 Passed House 84-16
 Passed Senate 46-3

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 125

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING RESTRAINT IN THE EXPRESSION OF PERSONAL BELIEFS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, freedom of speech is a cornerstone of the individual liberties upon which our country was founded and for which many young men and women of this country and this state have sacrificed their lives; and

WHEREAS, while the Legislature recognizes the constitutional right of every citizen to harbor and express beliefs on any subject whatsoever and to associate with others who share similar beliefs, the Legislature further recognizes that such rights are not limitless and must be tempered with a consideration of the rights of all other individuals to be secure and protected from fear, intimidation and physical harm from the activities of groups and individuals; and

WHEREAS, the Legislature further recognizes that the advocacy of unlawful acts by groups or individuals against other persons for the purpose of inciting and provoking bodily injury or death is not constitutionally protected and poses a threat to public order and safety; and

WHEREAS, public statements threatening civil war and the infliction of bodily harm upon public officials are outside the realm of those rights of free speech protected by the constitution and are abhorrent to a civilized society.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that threats of violence and unlawful social disruption cannot be condoned. We urge all responsible citizens to exercise their constitutionally protected first amendment rights of free speech with appropriate restraint. Let Idaho be known as a state where independence and personal strength are encouraged and respected but not abused.