

EXHIBIT 19
DATE 2/16/09
HB 252

Fax Cover Sheet

To:	From:
Montana House of Representatives Judiciary Committee	Dale Stewart
Fax Number:	Date:
406-444-4825	February 14, 2009
Re:	Total No. of Pages Including Cover:
HB 252	3

Notes/Comments:

Please deliver a copy of this fax to all members of the House Judiciary Committee listed below. This information needs to reach them by 8:00AM, Monday, February 16. Thank you!

Committee Members:

- | | |
|--------------------------|--------------------|
| Ron Stoker | Deborah Kottel |
| Ken Peterson | Ariene Becker |
| Gerald Bennett | Robyn Driscoll |
| Bob Ebinger | David Howard |
| Krayton Kerns | Margaret MacDonald |
| Edith (Edie) McClafferty | Mike Menahan |
| Michael More | Keith Regier |
| Diane Sands | Bob Wagner |
| Wendy Warburton | |

Attention: Members of House Judiciary Committee

Subject: Please oppose HB 252, Sexual orientation and gender identity in human rights and government practices, Margaret H. Campbell

Dear Members of the House Judiciary Committee:

My name is Dale Stewart from Lima, Montana. I serve as a member of the board of Trustees for School District #12 Lima. In reading House Bill 252, I am very concerned that if this bill passes into law it will have a negative effect on our way of life in this great state. Please take a moment to read this letter as you begin to discuss the future of this bill.

Section #1 Gender Identity "If it ain't broke don't fix it"

Under our current laws "Gender Identity" is already protected in every situation. There is to be no discrimination based on sex. If a person is born as one gender and for whatever reason feels like they would like to change their gender, currently they can do so through surgery and medication. When they do this, they are protected under our current laws.

Section #2 Expression "This changes the law from fact based to feeling based"

Our whole social order is based on the fact that there are males and females. One is not better or higher than the other, but they are different and many times have different functions and expectations in our society. The problems this law would create are enormous on all social levels.

School board issues if this bill passes into law:

1. Title 9 would have to be eliminated. If a young man plays football in the fall and then begins to express himself as a young woman and wants to play on the women's basketball team in the winter, there will be no way as a school board to stop this action.
2. Our school in Lima operates a swimming pool in the summer. There are rules of conduct to use the pool. Under this bill, a young lady may choose to express herself as a young man and come to the pool without wearing the top to her swimming suit. Once again the school board will have to accept this behavior.
3. If a young elementary girl leaves class to use the women's restroom, a high school young man who chooses to express himself as a woman may also leave class enter the same restroom. This action will have to be accepted by the school board.

Legal issues if this bill passes into law:

1. No longer will an officer of the law be able to describe an individual as male or female in any of their questioning or investigations, because the person may choose to express him or herself in a different way from day to day.

2. The Department of Corrections currently has separate facilities for males and females. They will no longer be able to separate these facilities based on sex. If a female expresses herself as a male they will not be able to force her to be held in the female facility.
3. Grants and tax breaks currently given to companies owned by women will have to be eliminated based on this bill.

Section #3 Sexual Orientation

"This by description is discrimination"

As this bill is written the definition of Sexual Orientation is, 'actual or perceived homosexual, heterosexual or bisexual.' This bill poses 2 problems as it is written.

1. The definition in itself is a discrimination of all other sexual orientations. My sexual orientation is to only have sex with my wife, yet I don't find a protection for my orientation (marital sex only) in this bill. I also believe this law would open the door to the elimination of laws which prosecute sexual predators based on their sexual orientation toward children.
2. The dictionary definition of orientation is, "to change a person or thing depending on current conditions." Once again the enforcement of this section will be based on feeling rather than fact since a person may change their orientation on a day to day basis.

In closing, I feel this bill has a political agenda rather than a humanitarian agenda. By adopting this bill, no further protection from discrimination will be granted to the people of Montana than that which already exist. I feel this bill is an attempt to be politically correct and follow other states as they try to create a discriminatory class of people based on feelings. Montana has never been a state to follow the crowd in how we make and enforce our laws or govern this great state; now is not the time to start.

I urge you to kill this bill and ask yourselves: Do we want to make laws based on being Politically Correct or do we want to make laws based on being Correct?

Thank you for your commitment to serving the people of this great State of Montana.

Sincerely,

Dale Stewart
711 Sunset West
Dillon, MT 59725