

Dallas Erickson Testimony
House Bill 516
House Judiciary Committee
February 18, 2011

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DATE 2/18/2011
HB 516

Mr. Chair and Members of the Committee,

In our opinion this is a very important bill for the safety of families and the stability of businesses and churches and other organizations in Montana.

We have passed out the Missoula Ordinance called "Illegal Discrimination". Harris Himes has explained to you the extreme nature of this ordinance that changes standards of decency that have existed for millennia. Recently Dave Strohmaier, a member of the 12 member city council that passed the ordinance, said on a TV interview on KECI TV on Wednesday of this week, "The Citizens of Missoula spoke loud and clear that this is something we need to do here and I think ultimately throughout the state of Montana to preserve and protect civil rights".

That is a really strange statement since fewer than 12 council members voted for the ordinance and corruption in the city attorney's office and the courts took away the citizen's constitutionally guaranteed right to petition for a vote. Strohmaier has no idea of the wishes of the citizens of Missoula on this issue because the city silenced them. His desire to pass the law so it would become state law is very clear in his statement. Those that testified for the ordinance were mostly from outside the city and in truth the ordinance is only supported by a certain classification of people in Missoula.

In order to explain the necessity of this bill I am going to have to refer to the extreme law that Missoula passed several times. It appears to be one of the most extreme laws passed anywhere in the nation.

Some issues the Missoula City Fathers have not denied need to be covered. The ordinance includes terminology that is proposed today in another House Bill and defines "Gender Identity or expression" to mean "a gender-related identity expression, or behavior, regardless of the individual's sex at birth". Simply that means that the age old standard of sex at birth is changed to one that is nebulous and means whatever the person says it means.

That means that a person with a penis can now go into the showers where the people with vaginas have gone since we were created. In other words a man can use the showers that women use at the schools, churches, recreation facilities, swimming pools and all other public accommodations.

So if your daughter is in the restroom at a park, a man (defined as having a penis) can walk into the restroom whether he is gender confused or just likes to be near little girls in such situations. That means that your wife or daughter or sister or mother could be confronted with a man in a women's shower and there could be no repercussions. The city fathers have not denied this but say if the man was naked he could be arrested which is not true under the Montana Indecent Exposure law unless certain elements were present such as evident sexual gratification or appealing to other's sexual gratification.

I mention those issues, and there are dozens of others, such as the requirement for places of "Public Accommodations", exempting only Churches of less than 100 members, to allow gender confused and bi-sexuals and homosexuals to participate and have "equal access enjoyment of the goods, services, activities, facilities, privileges, advantages, and accommodations. . ." Since one of the services of a Church may be youth groups it means what it says. Since another of the services may be marriage it means what it says. Since the Church or organization or youth recreation facility may have nurseries it means what it says.

I encourage you to read the ordinance for yourselves.

Now I mention those things to illustrate the necessity of the state to control what classifications can be put into local discrimination ordinances. Of the 120 people involved in our effort to warn the city about

the ambiguity of the ordinance and then the effort to get the right to vote on it for Missoula City residents, there was and is great fear about what this ordinance does to them and their families and their churches.

Whether it be the classifications that Missoula put in their ordinance or adding "homeless" or any other of the hundreds of classification not included in the Missoula ordinance, it would make it difficult for businesses who hire people state wide or Churches that may attend an event in another community or school or any group or individual.

I know of people in the Bitterroot who no longer take their children when they shop at places in the City of Missoula because of the ordinance and the concern it causes them about their families.

Consider the possibility of every city and county having different discrimination ordinances with different classifications.

The way the Missoula ordinance came into being and the fact that citizens were denied the right to vote on it should alert us all to the problems caused by differing standards in every community and whether it represents the will of the people.

You as a legislature should be setting a state wide standard and we ask you to pass this bill.

Thank you.

Dallas D. Erickson, President
Montana Citizens for Decency through Law
P.O. Box 708
Stevensville MT 59870
(406) 777 5862 Cell Phone: 406 240-5277
E-mail: mcdl@accessmtwildblue.com