

February 17, 2011
The Honorable Ken Peterson, Chair
House Judiciary Committee
Montana State Legislature
Helena, MT 59620

Dear Chairman Peterson and Honorable Members of the Judiciary Committee:

I'm writing today as the Mayor of the City of Bozeman, asking you to table House Bill 516 due to its possible ramifications for Bozeman's adopted policies. The city of Bozeman has already exercised its self-governing powers and passed ordinances requiring equal treatment regardless of sexual orientation or gender preference in its own personnel practices and by those with whom it contracts for goods and services.

Montana State University, Montana's premier institution of higher education, with campuses in Bozeman, Billings, Havre, and Great Falls, has policies that recognize, "*color, national origin, sex, marital status, sexual orientation or preference, age, religion, creed or political belief, mental or physical disability, or status as a Vietnam era or disabled veteran*" as classes protected against discrimination. These campuses are valuable institutions in our communities, and I am amazed that any representative from any of these cities would deny their local government the ability to adopt the values directly expressed by the University.

In 2010, the Bozeman City Commission unanimously adopted hiring and employment policies that added sexual orientation and gender preference to its equal protection language, while also requiring that contractors with the city positively affirm a similar policy. We believe a welcoming environment that protects the rights of individuals is important to attracting and keeping intelligent and creative students, researchers, faculty and employees. Our policies also tell entrepreneurs and business owners from elsewhere that we are a desirable and welcoming place to bring their business.

Bozeman is a city with self governing powers, and Bozeman citizens have the legal right to adopt policies beneficial to themselves, their businesses and institutions. Home rule is an important part of the tradition of local government in Montana. I would encourage you, as a legislature often on record opposing federalism, to respect self-governance at the local level just as you demand it at the state level.

As an elected representative, I evaluate any policy in light of my belief that governments exist to protect the rights of individuals. From either the viewpoint of the individual, or from the elected representative of a home rule city, HB 516 does nothing to protect the rights of individuals from others or from government; it does just the opposite. It is disrespectful of the local governments, of the University system, and of the people of the state of Montana.

As an elected representative of 40,000 Montanans, I thank you for service to the citizens of Montana. If I may address questions or concerns, please don't hesitate to contact me.

Sincerely,

Jeff Krauss, Mayor
City of Bozeman
Cc: Montana League of Cities and Towns