

Laws & Rules, Governmental Services Committee
Special Meeting Minutes

DATE & TIME: November 22, 2016 – 6:50 PM
LOCATION: Legislature Chairman’s Office, 6th Floor, County Office Building
PRESIDING OFFICER: Chairman Kevin Roberts
LEGISLATIVE STAFF: Jay Mahler, Deputy Clerk
PRESENT: Legislators Belfiglio, Donaldson, R. Parete (arrived 6:57 PM),
Rodriguez, and Chairman Ronk
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Bartels, Berky and Maloney, Legislative Counsel Pascale, Patricia Doxsey – Daily Freeman, Vic Melville – League of Women Voters

Chairman Roberts called the meeting to order at 6:53 PM.

Resolution for the November 22, 2016 Session of the Legislature

Resolution No. 425 – Condemning Violence And Hate Speech And Expressing Solidarity With Muslims And All Those Targeted For Their Ethnicity, Race, Religion, **Gender, Gender Identification, Or Political Views**

Resolution Summary: This resolution condemns all hateful speech and violent action and affirms the Legislature’s commitment to pursuing a policy agenda that affirms civil and human rights, and ensures that those targeted on the basis of ethnicity, race, religion gender, gender identification or political views can turn to government without fear of recrimination.

Motion No. 1: **Moved to DISCUSS Resolution No. 425**

Motion By: Legislator Ronk

Motion Seconded By: Legislator Rodriguez

Discussion:

Chairman Roberts reminded the members that the Resolution before them contained the amendments adopted at the regular Laws & Rules, Governmental Services meeting the previous evening.

Chairman Ronk advised the members that there was a lot of discussion about the Resolution in his caucus and a number of things they would like to have revisited.

Legislator Berky commented that her caucus also had a number of things that they would like addressed. She informed the members that her caucus was comfortable with the use of the word condemning as it does not make speech illegal. Chairman Ronk reminded the members that Legislative Counsel Pascale expressed his concerns that the resolution in the current form does not indicate with certainty that it is memorializing.

Legislator Rodriguez said he didn't mind if "memorializing" was added to the resolution, but believed it was inherently expressing the sense of the legislature and would qualify as memorializing according to Roberts Rules of Order. Legislator Berky added that there were some First Amendment issues that needed to be worked through. She also said that the term "political views" was a different matter and should be separated from the other classes referred to in the resolution.

Legislator Bartels asked what the concerns were from the Chairman's caucus. Chairman Ronk responded that Legislative Counsel Guerin advised the caucus that there may be some free speech issues, specifically that there was no definition of what constitutes hate speech. He added that some members had concerns with the term solidarity and the ambiguity on the resolution as memorializing.

Legislator Donaldson commented that the resolution should be a policy and not memorializing. Legislator R. Parete asked if there were any laws already on the books and said this resolution was simply reaffirming existing laws. Legislator Rodriguez said that there has been a recent escalation in targeting certain groups of people which is what prompted the introduction of the resolution. The members discussed the difference between a policy on hate speech and a memorializing resolution condemning it.

Motion No. 2: Moved to POSTPONE Resolution No. 425 AS AMENDED

Motion By: Legislator Ronk

Motion Seconded By: Legislator Belfiglio

Discussion: None

Voting In Favor: Legislators Roberts, Belfiglio, R. Parete, Rodriguez and Ronk

Voting Against: Legislator Donaldson

Votes in Favor: 5

Votes Against: 1

Disposition: Resolution POSTPONED

Chairman Roberts asked for a motion to adjourn the meeting.

Adjournment

Motion Made By: Legislator R. Parete

Motion Seconded By: Legislator Ronk

No. of Votes in Favor: 6

No. of Votes Against: 0

TIME: 7:01 PM

Respectfully submitted: Jay Mahler, Deputy Clerk

Minutes Approved: December 19, 2016