

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION & CULTURAL RESOURCES

Call to Order: By Rep. H.S. "Sonny " Hanson, Chair, on March 8, 1993, at 3:00 p.m.

ROLL CALL

Members Present:

Rep. Sonny Hanson, Chair (R)
Rep. Alvin Ellis, Vice Chair (R)
Rep. Ray Brandewie (R)
Rep. Fritz Daily (D)
Rep. Ervin Davis (D)
Rep. Ed Dolezal (D)
Rep. Dan Harrington (D)
Rep. Jack Herron (R)
Rep. Bob Gervais (D)
Rep. Bea McCarthy (D)
Rep. Scott McCulloch (D)
Rep. Norm Mills (R)
Rep. Bill Rehbein (R)
Rep. Sam Rose (R)
Rep. Dick Simpkins (R)
Rep. Wilbur Spring (R)
Rep. Norm Wallin (R)

Members Excused: None

Members Absent: Rep. Diana Wyatt

Staff Present: Andrea Merrill, Legislative Council
Susan Lenard, Committee Secretary

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

Committee Business Summary:

Hearing: SJR 14, SJR 23, SB 32, SB 330
Executive Action: SJR 14, SB 138, SB 211

HEARING ON SJR 14

Opening Statement by Sponsor:

SENATOR GROSFIELD, Senate District 41, Big Timber, introduced SJR 14 as a resolution to encourage Montana high schools to participate in local government day.

Proponents' Testimony:

Tara Rigler, Student at Gardiner High School, commented on the educational value of the proposed resolution. She said firsthand experience at seeing the way local government works will have a more positive affect on high school students than a lecture setting. Ms. Rigler asked for the committee's support of the resolution for it will assist in making the process more understandable to students.

Brandy Miller, Student at Gardiner High School, said SJR 14 will enable students to gain important insights into the way local government functions. She said the resolution would be a very valuable, beneficial, and low cost experience for students.

Windee Ringler, Student at Gardiner High School, stood in support of the resolution emphasizing it would allow students the opportunity to gain personal experience in the political arena. She states SJR 14 proposes a positive and motivational program. She asked for the committee's support of the measure.

Stacy Ballagh, Student at Gardiner High School, articulated her support for SJR 14. She explained the resolution was written by the Gardiner High School senior class with the hopes it will help in better understanding the electoral process.

John Carpenter, Student at Gardiner High School, said students will learn more about the balloting process and will make them more aware when it comes their time to be a part of the election process.

Opponents' Testimony: None.

Questions From Committee Members and Responses: None.

Closing by Sponsor:

SEN. GROSFIELD said it is important to get students into the county courthouse to gain firsthand experience on how the government functions. He stated SJR 14 is a good concept and asked for the committee's favorable consideration.

EXECUTIVE ACTION ON SJR 14

Motion: REP. DOLEZAL MOVED SJR 14 BE CONCURRED IN.

Discussion:

REP. MILLS said he believed it is in the power of schools to do so already and did not see the need for the bill. He stated "county courthouse" was specified in the testimony but he could not locate that specific language in the bill. He maintained he

could not support the resolution for it is unspecific and perhaps unnecessary.

REP. SPRING stated he was strongly in favor of the resolution although he had the impression it was already done in schools.

Vote: SJR 14 BE CONCURRED IN. Motion carried 14 to 4 with REPS. WALLIN, SIMPKINS, REHBEIN and MILLS voting no. EXHIBIT 1

HEARING ON SJR 23

Opening Statement by Sponsor:

SENATOR RYE, Senate District 47, Billings, explained SJR 23 is founded on the premise that sex education in schools should not be value neutral. He stressed there is indeed a point of view regarding ethical concerns which should be an integral part of sex education in schools. He stated sex education should teach not only mechanics but also values, ethics, good behavior, and consideration for other individuals. The bill urges all Montana school district boards of trustees to encourage public schools that teach sex education to continue to emphasize abstinence from intercourse as the most effective protection against pregnancy or sexually transmitted diseases. The senator noted the Senate Education committee amended the bill considerably from its original form. The Senate committee took out language it decided was judgmental. SEN. RYE asked for the resolution to be considered in its present form.

Proponents' Testimony:

Gary Swant, Self, stood in support of SJR 23 stressing schools that teach safe sex have a higher rate of teen sexuality than schools with a sex education program emphasizing abstinence. Written testimony was presented to the committee. Articles from TIME magazine and an unidentified newspaper were also distributed. EXHIBITS 2, 3 and 4

Erinn Beloate, Senior, Powell County High School, presented written testimony to the committee. EXHIBIT 5

Laurie Koutnik, Executive Director of Christian Coalition of Montana, stated, "as a pro-family organization, the Coalition strongly supports SJR 23 as a step in the right direction in serving the best interests to future generations of children in Montana." She stated "the U.S. has been involved in a sexual revolution over the past thirty years. Because of this, the country has seen a rising teenage pregnancy problem and an increase in sexually transmitted diseases." She said "the AIDS virus is a death sentence to those who are sexually active. Despite the billions of dollars spent to deliver the safe sex message and to treat infected youth, teenage pregnancy and sexually transmitted diseases are still on the rise." Ms. Koutnik

stated adults in this nation have "failed their children." She asserted "it is not good enough to say no, the children need something to which they can say yes." She said "the emphasis needs to be put on self-respect, the respect of others, love, marriage, family, true friendships and a hope in life." She commented that "sex is one of those complex and crucial issues in life that shape our very existence. Simple solutions, whether condoms, Norplant, or cute slogans, will not work. Abstinence is the only true comprehensive sex education message to provide one hundred percent protection physically, emotionally, and psychologically for children." **Ms. Koutnik** emphasized that "actions have consequences." She said "our society must reinforce the positive aspects and teach the simple truth." Emphasizing abstinence in sex education classes is a positive step in the right direction, **Ms. Koutnik** asked for the committee's support of the resolution.

Arlet Randash, Self, stated she has been involved as a life activist for the past two years in the areas of infanticide, euthanasia, and abortion. She maintained abortion is "a symptom of a much deeper problem in our society. It is symptomatic of a society that is deceiving itself and paying a price so high it will not survive unless it alters its course. The deception is founded on the belief there are shortcuts to personal responsibility and discipline within the realm of human sexuality." She said the present society is "telling its youth that drugs, pills, and chemicals inserted in time release capsules beneath the skin, gadgets, condoms, IUDs, surgical procedures, abortions, and vasectomies can be substituted for the wisdom of discipline and personal responsibility in controlling sexual passion." **Ms. Randash** declared that, from the public health view point, "our society's killing and maiming of its people can simply not be denied." She said "STDs, AIDS, increased cancers from men having vasectomies, women who abort their children, and the high rate of infertility due to the increased use of birth control pills are causing tremendous public health problems." She explained they are responsible for an enormous financial toll on the people of this nation. "The price the nation is paying for its health is nothing compared to the loss it feels within its spirits. One can only avoid the price being paid if one chooses to be blind. The technology of pills, condoms, and surgeries has not been able to substitute for the self-respect and esteem that flows from personal responsibility and discipline in human sexuality." She explained this has been proven out in "the tragic rate of divorce, the haunting loneliness of children living disruptive lives, and the greater poverty of women as men are relieved of their personal responsibility for their actions." She conjectured all of this is true because "abortion is advertised as the quick solution." She stressed schools need to be teaching abstinence. She challenged those who believe it is "unrealistic in this day and age." She said it was "unrealistic to continue a pattern that has reeked havoc and devastation on our culture." **Ms. Randash** emphasized "our nation is no longer threatened from without, but from

within. With the practice of abstinence comes dignity and self-respect." She noted that in 1940 three percent of children were born out of wedlock. In 1989 the number had risen to twenty eight percent. "Such statistics serve to underscore the failure of our present course." She exclaimed that "human sexuality, used responsibly or not, ushers in the gift of life. The gift of life becomes the curse of death both for people individually and as a nation when the respect of human sexuality is not passed on from generation to generation. Abstinence based education is not an option, it is a prerequisite to our culture's survival." Copies of a letter to Dear Abby, which **Ms. Randash** indicated accurately address her concerns, were presented to the committee. **EXHIBIT 6**

Sharon Hoff, Montana Catholic Conference, stated abstinence is the only sure way to prevent unwanted pregnancies and sexually transmitted diseases. "Abstinence is not costly and does not produce any side effects." She insisted young people are not ready for the kind of commitment needed with sexual activities. **Ms. Hoff** suggested young people need a model with a strong message which says it is acceptable to abstain. She stated the Catholic Conference's support of SJR 23.

Laura Lee Swant, Self, read testimony from **Laura and Michael Stevenson** which indicated their support of SJR 23. **EXHIBIT 7**

Harley Warner, Montana Association of Churches, stood in support of SJR 23 because it would promote a "good moral climate and Montana family values."

Opponents' Testimony: None.

Questions From Committee Members and Responses:

REP. SPRING asked the sponsor asked why the word "require" was replaced by the word "encourage" on line 8, page 1. **SEN. RYE** noted the bill in its original form took the attack that abstinence is not being covered in current courses on sex education. He said the intent of the bill was to make the subject of abstinence the mainstream of most sex education courses. During the Senate committee two individuals from the Office of Public Instruction testified in opposition to SJR 23 with the contention that abstinence is being taught as at least as feasible an alternative as anything else. **SEN. RYE** said in his opinion the language change made the resolution different from the intent of the original bill. He said he and the proponents would like to see abstinence as the most preferential form of sexual activity taught in the classroom. He said although he was not in agreement with the amendment he encouraged the committee to leave it in place.

REP. SIMPKINS asked **Wayne Buchanan, Board of Public Education**, if the accreditation standards contained any guidance to provide schools direction in sex education courses. **Mr. Buchanan** replied recommendations on the subjects of health and lifestyles do

exist within the standards in a section related to health and physical education. He said there was nothing specific in the accreditation standards with regards to sexual education. **REP. SIMPKINS** asked if this type of resolution would help to guide schools throughout Montana on the content of courses rather than letting it remain as the decision of each individual district. **Mr. Buchanan** replied SJR 23 would and said he believed a joint resolution is an entirely appropriate mechanism for doing so.

REP. WALLIN asked if the Board of Public Education was ready to take a stand on this important issue. **Mr. Buchanan** responded by saying the Board did not give him specific direction to speak on the resolution.

REP. DAILY asked **Rick Chiotti**, Office of Public Instruction (OPI), to describe the concern OPI had with the resolution. **Mr. Chiotti** said the accreditation standards contained a combined approach to health and physical education. The health education accreditation standards do address human sexuality by establishing recommendations on course content. He emphasized OPI did not testify against abstinence, but against the word "require" in the resolution because with that language the legislature would be taking away the prerogative of individual schools.

REP. DAVIS asked **Mr. Swant** for the total number of individuals surveyed in his study. **Mr. Swant** said the total number of students was 120, approximately 50% female and 50 % male. He said about 70% were sophomores (ages 15 and 16) and the remaining were juniors and seniors (ages 16 through 18).

REP. HARRINGTON asked **Mr. Swant** if he believed all health teachers with families of their own consider abstinence as an effective choice and teach it in the classroom. **Mr. Swant** replied he did not believe this to be the case. He said recent graduates of the universities and present curriculums promote the idea that adolescents will not abstain and therefore safe sex must be taught. He explained the safe sex system means condom use. **Mr. Swant** said research suggests that condoms fail between twenty and thirty percent of the time. Research also indicates that sexual activity increases in schools which teach safe sex. He said these schools experience more teen pregnancy after safe sex programs are taught. He offered this as a good example of why abstinence should be required in school sexual education courses. **REP. HARRINGTON** stated he has taught sexual education and has included abstinence in the course. He said it is his experience, as a teacher, that consideration needs to be made of other ways of handling the issue. He asked **Mr. Swant** if he did not believe that both abstinence and safe sex should be addressed in class. **Mr. Swant** replied he did not believe the topic of safe sex should be discussed in the classroom. He said doing so would give the students inappropriate information for their age. He stressed that "students at this age are concrete thinkers, not formal ones, and they will fail with safe sex methods." He commented he

would be responsible for increasing the number of students with sexually transmitted diseases. He said he will not put himself in the position where he is responsible for a condom failure and a student contracting AIDS. **Mr. Swant** emphasized he would "never encourage a student to practice safe sex because the risk is too great."

REP. WALLIN asked **Mr. Buchanan** if he knew there is a law in existence which states schools must teach good morals. **Mr. Buchanan** replied he was not aware of that law. **REP. WALLIN** asked **Mr. Buchanan** if he was aware of the existence of a law in California which states they must teach students to say no to premarital sex. **Mr. Buchanan** replied he was not cognizant of that law.

Closing by Sponsor:

SEN. RYE said there is a significant minority in the education system with an abiding contempt for what the rest of society would consider traditional values. He said SJR 23 attempts to "return to that happy time when America was a nation with a more pronounced value system." **SEN. RYE** said he was approached with the question of whether he was forcing his own personal morality on the people of the state. He said every bill passed through the legislature to some extent imposes the vision of what legislators think is right or wrong on the rest of society. He said there is a growing discrepancy between what parents and the education establishment believes should be taught in schools. **SEN. RYE** commented that residents in New York, "who have a tolerance level which exceeds that of the average Montanan, removed a commissioner of education who handed out condoms at schools and professed sexual freedom for the students." He said the basic intent of the resolution is to define commitment and personal responsibility as an integral part of sexual relationships. He emphasized that "sexual relationships cannot simply be a matter of recreation, mechanics, or of feeling good physically. Senate Joint Resolution 23 is an attempt of the Legislature to inform those who direct schools across the state that responsibility and commitment, and not just mechanics, should be an integral component of sex education classes." He urged the committee to support the bill in its present form because "the Senate will not accept a return to the original language."

HEARING ON SB 330

Opening Statement by Sponsor:

SENATOR BROWN, Senate District 2, Whitefish, indicated SB 330 was drafted at the request of the Board of Public Education. The bill pertains to the revocation of teacher or administrator certificates for reasons of immoral conduct. Section one defines administrators as under the purview of the act since they hold teaching certificates. In existing law if a teacher is found

guilty of moral misconduct he loses his teaching certificate and is no longer allowed to teach in the state. **SEN. BROWN** said many teachers who are guilty may resign before their certifications are revoked and thus can be hired by another school district in the state. Senate Bill 330 would obligate the local school board to report, along with supporting materials, evidence, and documentation, to the Office of Public Instruction that immoral conduct charges against this particular teacher have taken place.

Proponents' Testimony:

Wayne Buchanan, Board of Public Education, stated there are some serious problems with the present law. He said there is no penalty for teachers accused of moral perpetude or the conviction of a moral offense. He said teachers with these charges would come to an agreement with the school district to retire so they, and the district, would not have to go through the firing process. Presently the Board of Public Education may withhold up to 25% of the funds of the school district if it fails to file a report after a series of hearings. This has proven ineffective since districts are generally able to file the report before the Board has enough information to act. He stated SB 330 stipulates a school board of trustees is guilty of misconduct if it fails to file such a report.

Jack Copps, Office of Public Instruction, stood in support of SB 330. He noted a report must be sent to OPI in the event of a firing or of a resignation of a teacher accused and/or guilty of misconduct.

Bob Anderson, Montana School Boards Association, stated MSBA supports the bill in its present form.

Opponents' Testimony: None.

Questions From Committee Members and Responses:

REP. ROSE asked the sponsor if it was true administrators do not need to have teaching certificates. **SEN. BROWN** said they may have "grandfathered" some individuals into the system, but SB 330 makes it abundantly clear that administrators are also covered under the jurisdiction of the bill. **REP. ROSE** stated this moral question has always been on the books.

REP. ROSE asked **Mr. Copps** if SB 330 is merely a revision of current law. He wanted to know if morality is covered under present statutes. **Mr. Copps** said the issue of morality has been on the books for as long as he could recall.

REP SPRING asked **Mr. Copps** how many teaching certificates have been revoked in Montana over the last five years for moral reasons. **Mr. Copps** said he did not know a specific number but would speculate the number is approximately twenty.

REP. DOLEZAL asked Mr. Anderson if a new teacher is required to fill out an employment history as part of their application. Mr. Anderson replied he could not say if that is true in all school districts.

REP. DOLEZAL asked the sponsor how the new section, section 3, page 11, which allows for access to criminal justice information would be used. SEN. BROWN said he presumed if OPI received information from the school district regarding an individual accused of moral perpetude or moral misconduct this section would allow OPI the authority to go back and seek out more information.

Closing by Sponsor:

SEN. BROWN said it is important to make administrators subject to the same provisions in the law as teachers.

HEARING ON SB 32

Opening Statement by Sponsor:

SENATOR BLAYLOCK, Senate District 43, Laurel, explained SB 32 arose out of a two year interim committee study. He said the interim committee was created because of the supreme court decision which required the state to equalize schools on the per pupil costs, transportation, and capital outlay. He stated another supreme court decision stated any bond sold after July of 1992 was suspect. He noted the bill covered retrospective as well as prospective building projects. He said the bill was changed after the Senate Education Committee hearing to reflect for prospective building projects only. He said the fiscal note deals with the amount of GTB portion for those districts which sell school bonds whose mill value is below the statewide average. He explained GTB is used to moved those mill values up to the statewide average. That amount will increase as the years progress. SEN. BLAYLOCK said the state spends approximately twenty million per year on remodelling projects or on constructing new buildings. He said the concept of SB 32 has been included in SEN. WATERMAN'S sales tax bill. He noted SB 32 has to pass on its own. If it does not pass, all school building construction will cease.

Proponents' Testimony:

SENATOR BROWN, Senate District 2, Whitefish, stood as a cosponsor of SB 32. He said SB 32 is an attempt to address the questions of capital outlay and transportation, in a limited way, through the use of GTB.

Madalyn Quinlan, Office of Public Instruction, stated OPI supports SB 32 because it provides GTB aid to debt service mills levied by school districts. It provides an equalized revenue

source for capital outlay and will allow schools to get the unqualified bond opinions needed in order to issue school bonds. **Ms. Quinlan** distributed a handout describing the impact SB 32 will have on the bonding capacity of a few select school districts. Under current law school districts can "indebt" themselves up to forty-five percent of their taxable valuation. She said under SB 32 every school district could issue up to forty-five percent of the statewide taxable valuation per ANB. On the same sheet a description of the impact of the program on debt service mills was also indicated. **EXHIBIT 8**

Fred Maker, Superintendent of Superior Public Schools, said the people of Superior support SB 32. He noted the maximum amount his district can bond is forty-five percent of their three million eight hundred thousand dollar taxable value which would allow a bonding capacity of one million six hundred sixty thousand dollars. He stated, with current costs of construction and the need to school over two hundred children, that amount is not cost effective to the taxpayers. **Mr. Maker** said SB 32 will give Superior the authority to raise two and one half million dollars. He noted the GTB subsidy would greatly help the Superior community.

Don Waldron, Montana Rural Education Association, stood in support of the bill as amended.

Bill Baranger, Superintendent of Whitehall Public Schools, emphasized that SB 32 is a good bill for all of Montana. He said his district was able to pass their recent mill levy but now need a means of selling the bonds.

Jacob Gallagher, Sixth Grader from Whitehall Public School, asked the committee to give SB 32 serious thought and consideration so Whitehall is able to sell its bonds for a new middle school.

Bob Anderson, Montana School Boards Association, stood in support of SB 32 and noted **Eric Feaver, Montana Education Association**, requested to be recorded in favor of the bill.

Terry Minow, Montana Federation of Teachers, stated strong support for SB 32 for it is a conservative, well-reasoned approach for meeting schools' legitimate needs for capital outlay.

Daniel Gallagher, Fifth Grader from Whitehall Public School, said his community worked hard to pass their school bond and said he hoped the committee can support SB 32 so "lots of children can learn in better schools."

Nick Gallagher, Student at Whitehall Elementary Public School, said he hoped the committee could support SB 32 so many students can have "safe schools in which to learn and play."

Loran Frazier, School Administrators of Montana, reported SAM worked with the interim committee to devise SB 32. He stated it is a good bill that is needed and urged its passage.

Pat Melby, Underfunded Schools, emphasized the importance of SB 32. He stressed there would be no further construction of school buildings without the passage of the bill. He urged the committee's support of the measure.

Larry Fasbender, Great Falls Public Schools, stated SB 32 will assist in dealing with the need for expansion of current high schools across Montana.

Opponents' Testimony: None.

Questions From Committee Members and Responses:

REP. BRANDEWIE asked **Ms. Quinlan** if she could provide him with a list of all of the districts who would qualify for this GTB. **Ms. Quinlan** said the list she provided specifies those schools which qualify at this point in time. She said the list will grow as more schools issue bonds. **REP. BRANDEWIE** asked for a list identifying every school to qualify if it decided on a building program. **REP. BRANDEWIE** asked for a projection of the total annual cost of this program. **Ms. Quinlan** replied if SB 32 was in effect, as drafted, the state would be looking at a cost of seven and one half million dollars per year. With a rise in inflation and construction costs that amount would rise. **REP. BRANDEWIE** stated he believed a lot more schools would jump at the opportunity and take advantage of this program. He requested a projection of the maximum possible amount for which the state would be responsible, considering the many schools that could be interested.

REP. BRANDEWIE asked the sponsor if the language of the bill is tight enough to avoid excessive building costs such as exorbitant architectural fees. **SEN. BLAYLOCK** said the language is tight enough to require schools to keep their costs fairly conservative. He said it was important to remember the taxpayers are responsible for the millages. He maintained this would help to keep costs reasonable.

REP. BRANDEWIE asked the senator asked if any consideration has been made to require the use of PL-874 money for construction purposes. **SEN. BLAYLOCK** said it was discussed but, until the state gets close enough to complete equalization, schools cannot be forced to use PL-874 money for equalizing purposes as defined by federal law. **REP. BRANDEWIE** asked if, when equalization gets to the point where everyone is satisfied, schools on the reservations could be required to spend some of their PL-874 money for this purpose. **SEN. BLAYLOCK** said if the federal government concedes to the equalization formulas then the state can require the use of PL-874 monies to support the equalization efforts.

REP. GERVAIS asked for **Lynda Brannon, Indian Impact Aid Schools of Montana**, to expand on the previous question. **Ms. Brannon** said use of PL-874 money for debt service is currently allowed since federal law does not address it as specifically prohibited. She said PL-874 money is undergoing re-authorization at the federal level and the impact of the potential new language is uncertain.

REP. HANSON asked if PL-874 money was classified in two different ways. He asked if one is used for operation and effect and the other for construction and new construction. **Ms. Brannon** said the money designated for construction is PL-815 money.

REP. MILLS, noting **Lame Deer** is making a strong effort to get a new school, asked **Ms. Brannon** how the break down of funds, under this proposed law, would be for a brand new school where one isn't located presently. **Ms. Brannon** said Impact Aid districts, who were able to show 100% of their high school student body is technically unhoused, went to the top of the federal list for funding. **REP. MILLS** asked if there would be no impact under SB 32. **Ms. Brannon** said a facility funded with PL-815 dollars would be a minimum facility. If the district's goal was higher reaching it would have to be voted upon. In this case, it would be questionable if it could pass the judgment of the OPI test.

REP. ELLIS asked the sponsor what he thought of not only allowing but limiting the capital outlay of schools to a certain amount per student. **SEN. BLAYLOCK** said the question was whether or not to place limits on small schools which wouldn't be placed on everyone else.

REP. HANSON asked **Ms. Quinlan** if SB 32 would encourage small schools to expand their facilities. **Ms. Quinlan** explained the bill would enable smaller schools to build up to a two million dollar building. OPI would review the proposal, at that point, to ensure it does not go beyond accreditation standard requirements.

REP. SIMPKINS asked where the limiting factors are in the bill. **Ms. Quinlan** replied section 7, page 13, describes the steps a school district needs to follow to get certified by the Board of Public Education. She said districts need to have voter approval. The Board needs to determine what percentage of the total principal amount the proposed amount will use. She stated it is the responsibility of the superintendent of OPI to certify and notify the district of the amount of GTB aid, if any, for which the district qualifies. **REP. SIMPKINS** asked where the bill covers restrictions on requesting supplemental funding. **Ms. Quinlan** replied there is no such qualifier in the bill. She said OPI can be fairly certain of the costs for the 1994 fiscal year, but if districts immediately obtain voter approval, the amounts could rise for fiscal '95. **Ms. Quinlan** pointed out while the state superintendent is required by law to commit for a supplemental to the foundation program, there isn't similar language for this portion of state funding. **REP. SIMPKINS** asked if GTB has been looked at with regards to citizen input as per individual rather

than as per taxpayer. **Ms. Quinlan** said OPI has never looked at GTB in any way other than as taxable valuation per pupil.

REP. BRANDEWIE asked **Mr. Melby** if he would object to an amendment to the bill to place a two year moratorium on schools under 100 students. He said he was concerned with putting money into schools which might be targets for consolidation. **Mr. Melby** said from the side of the plaintiffs in the equalization lawsuit there would probably be no objection to that type of amendment.

REP. ELLIS asked **Mr. Melby** if it is true that even schools with the resources will not be able to sell bonds without this piece of legislation. He asked how a school, which receives no GTB funds, could be more able to defend themselves in a lawsuit from a citizen. **Mr. Melby** said the problem with capital outlay is that the capital outlay portion of school funding was declared "unconstitutional along with the rest of school funding. Until there is some kind of substantive change in the capital outlay funding system that reflects an effort by the legislature to provide some equalization of that particular component of the funding system, bond underwriters and bond councilors are simply not going to give unqualified opinions that those bonds are not free from successful legal council." He stated the constitutionality of the bill would be assumed unless proven otherwise. **REP. ELLIS** asked if, in more simple terms it was accurate to say the state is being "held hostage" by the bond council. **Mr. Melby** offered that analogy could be viewed as correct.

REP. HANSON asked if equalization could be defined as a certain number of dollars for construction and a specific amount allocated per student. **Mr. Melby** said a variety of components need to be considered when implementing an equalization plan.

REP. SIMPKINS asked if the state can separate school buildings and school programs and not consider them as part of equalization requirements. **Mr. Melby** responded that equalization needs to be looked at in terms of the whole system. He said local control does, however, need to be considered. **REP. SIMPKINS** asked if schools with no GTB could build anything they wanted. He said if schools are allowed to build anything they want when they have the money it just exasperates the whole equalization process. **REP. SIMPKINS** stated it was time to tell schools what they can't do instead of what they can. **Mr. Melby** maintained it might be best to rely on the local trustees and the local voters to do what is right. He offered Maryland as an example where no local money is used in the construction of new school buildings and the state decides on what type of structure will be built. He suggested this is more control than the people of Montana will accept.

Closing by Sponsor:

SEN. BLAYLOCK said the point raised on how the state will pay for this plan is a good one. The senator contended SB 424 is the answer. Senate Bill 424 deals with moving the authority for setting the rates on state school lands from the legislature to the Board of Land Commissioners. He commented on a study which indicated an increase of six to eight million dollars as a result of better management of state school lands.

EXECUTIVE ACTION ON SB 138

Motion: REP. MCCARTHY MOVED SB 138 BE CONCURRED IN.

Motion: REP. MCCARTHY MOVED SB 138 BE AMENDED.

Discussion:

REP. MCCARTHY said the amendments, offered by REP. WYATT, requires the two school districts involved to repay the foundation program money over a period of five years, from July 1st, 1993 to June 30th, 1998. EXHIBIT 9

REP. DOLEZAL asked if REP. BERGSAGEL'S amendments are required if REP. WYATT'S amendments pass. REP. HANSON replied they were.

REP. MCCARTHY stated the amendments do not require repayment of interest on the money, only for repayment of the original total of the foundation program money. The figures listed are for the total amount the schools owe.

REP. ELLIS indicated a discrepancy between the amount indicated on the amendment and the total amount of money over-distributed as reported in the hearing. Ms. Quinlan noted the Malta district was not included in the list as it had not come before the legislature with concerns on this issue. She explained the Malta district amount totals to approximately twenty-one thousand dollars. There is also thirty-one thousand dollars outstanding across the state for elementary transportation costs.

REP. REHBEIN asked if the amendments overlook the transportation costs. REP. MCCARTHY said she was presenting the amendments for REP. WYATT with the understanding they cover the two schools which came before the committee to testify. She said if the state wishes to collect on the transportation money it would have to go to Phillips county for that amount. REP. REHBEIN suggested the amendments should include the Malta district.

REP. HANSON asked Ms. Quinlan if the Malta district is involved in the lawsuit. Ms. Quinlan replied it is, and said it can be included in the amendment if that is the committee's wish.

Motion: REP. MCCARTHY MOVED TO AMEND SB 138 to include the Malta district in the repayment provision.

Discussion:

REP. SIMPKINS asked Ms. Quinlan if it was appropriate to include the Malta district and the transportation costs. Ms. Quinlan said it makes sense to add the Malta district, but insisted she was not familiar enough with the transportation issue to suggest how to draft the language for that issue into the amendment. She said it does not have to do with foundation entitlement amounts.

REP. HARRINGTON said without the amendment the state would be asking for immediate repayment of the over-distributed money.

REP. MCCARTHY noted OPI will set up a schedule for these schools so repayment will be required to be made on an annual basis.

Vote: SB 138 BE AMENDED. Motion carried unanimously.

Motion/Vote: REP. MCCARTHY MOVED SB 138 BE CONCURRED IN AS AMENDED. Motion carried unanimously.

EXECUTIVE ACTION ON SB 211

Motion: REP. MCCARTHY MOVED SB 211 BE NOT CONCURRED IN.

Discussion:

REP. MCCARTHY stated she teaches six and seven year old children. She said it is unreasonable to think the school day could be lengthened to afford these young students any more effective educational opportunities.

REP. REHBEIN stated SB 211 does not exclusively define a four day school week. He said the bill's intent is not just to address extra-curricular activities, but to allow schools some flexibility in their schedules.

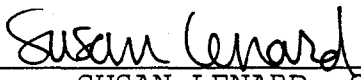
Motion/Vote: REP. ROSE MOVED SB 211 BE TABLED. Motion carried 16 to 2 with REPS. REHBEIN and SIMPKINS voting no.

ADJOURNMENT

Adjournment: 6:10 p.m.



REP. H.S. "SONNY" HANSON, Chair



SUSAN LENARD, Secretary

HSH/SL

HOUSE OF REPRESENTATIVES

Education and Cultural Resources COMMITTEE

ROLL CALL

DATE

3/8/93

NAME	PRESENT	ABSENT	EXCUSED
REP. SONNY HANSON , CHAIR	✓		
REP. ALVIN ELLIS , VICE-CHAIR	✓		
REP. DIANA WYATT , VICE-CHAIR		✓	
REP. RAY BRANDEWIE	✓		
REP. FRITZ DAILY	✓		
REP. ERVIN DAVIS	✓		
REP. ED DOLEZAL	✓		
REP. DAN HARRINGTON	✓		
REP. JACK HERRON	✓		
REP. BOB GERVAIS	✓		
REP. BEA MCCARTHY	✓		
REP. SCOTT MCCULLOCH	✓		
REP. NORM MILLS	✓		
REP. BILL REHBEIN	✓		
REP. SAM ROSE	✓		
REP. DICK SIMPKINS	✓		
REP. WILBUR SPRING	✓		
REP. NORM WALLIN	✓		

HOUSE STANDING COMMITTEE REPORT

March 9, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Education and Cultural Resources report that Senate Joint Resolution 14 (third reading copy -- blue) be concurred in .

Signed: HS "Sonny" Hanson
Sonny Hanson, Chair

Carried by: Rep. McCarthy

Committee Vote:
Yes 11, No 1.

531349SC.Hpf

HOUSE STANDING COMMITTEE REPORT

March 9, 1993

Page 1 of 2

Mr. Speaker: We, the committee on Education and Cultural Resources report that Senate Bill 138 (third reading copy -- blue) be concurred in as amended.

Signed: [Signature]
Sonny Hanson, Chair

And, that such amendments read:

Carried by: Rep. Dolezal

1. Title, line 6.

Following: "LEVIES;"

Insert: "REQUIRING CERTAIN SCHOOL DISTRICTS TO REPAY AN OVERDISTRIBUTION OF FOUNDATION PROGRAM MONEY FOR SCHOOL FISCAL YEAR 1991 THAT IS ATTRIBUTABLE TO AN OVERDISTRIBUTION OF LOCAL GOVERNMENT SEVERANCE TAX REVENUE;"

2. Page 2, line 17.

Following: "tax"

Insert: "; and

WHEREAS, Saco Elementary School District No. 12A, Saco High School District No. B, Whitewater Elementary School District No. 20AA, Whitewater School District No. D, Malta Elementary School District No. 14, and Malta High School District No. A, Phillips County, received foundation program money in excess of the districts' foundation entitlements for school fiscal year 1991."

3. Page 10, line 1.

Following: page 9, line 25

Insert: "NEW SECTION. Section 2. Repayment of foundation program money. Beginning July 1, 1993, and by June 30, 1998, Saco School Districts No. 12A and B, Whitewater School Districts No. 20AA and D, and Malta School Districts No. 14 and A, Phillips County, shall repay any overdistribution of foundation program money for school fiscal year 1991 attributable to an overdistribution of local government severance tax revenue in the following amounts, based on an annual repayment schedule approved by the superintendent of public instruction:

Saco School District No. 12A	\$135,682
Saco School District No. B	102,003

Committee Vote:
Yes , No .

531356SC.Hpf

March 9, 1993
Page 2 of 2

Whitewater School District No. 20AA	121,924
Whitewater School District No. D	73,196
Malta Elementary School District No. 14	12,923
Malta High School District No. A	8,086"

Renumber: subsequent section

-END-

EXHIBIT 1
DATE 3/8/93
SJR 14

HOUSE OF REPRESENTATIVES

Education and Cultural Resources COMMITTEE

ROLL CALL VOTE

DATE 3/8/93 BILL NO. SJR 14 NUMBER _____

MOTION: _____

BE CONCURRED

NAME	AYE	NO
Rep. Ray Brandewie	✓	
Rep. Fritz Daily	✓	
Rep. Ervin Davis	✓	
Rep. Ed Dolezal	✓	
Rep. Dan Harrington	✓	
Rep. Jack Herron	✓	
Rep. Bob Gervais	✓	
Rep. Bea McCarthy	✓	
Rep. Scott McCulloch	✓	
Rep. Norm Mills		✓
Rep. Bill Rehbein		✓
Rep. Sam Rose	✓	
Rep. Dick Simpkins		✓
Rep. Wilbur Spring	✓	
Rep. Norm Wallin		✓
Rep. Diana Wyatt	✓	
Rep. Alvin Ellis	✓	
Rep. Sonny Hanson	✓	

14 4

My name is Gary Swant and I want to speak in favor of the Joint Senate Resolution number 23 to require that Montana schools emphasize abstinence when teaching sex education.

I have taught biology at Powell County High School in Deer Lodge for 25 years and in my general biology course I teach a 5 to 6 week unit on human reproduction.

I have not always had my present attitude about sex education in the schools. About ten years ago I began to realize that the traditional way of teaching sex education was not working and I needed to do research into the subject. Since that research, I have taught abstinence only and the results have been very encouraging.

I might add that in the last year I have become so convinced that we are teaching sex education wrong that I spend the majority of my week-ends traveling to Montana communities to conduct rallies which I have entitled "Teens at Risk, Abstinence vs Safe-Sex". These rallies are for pre-teens, teens and parents. I have found overwhelming support for the position that I have taken.

Let me tell you what I found in my research. First of all schools which spend the most money on sex education have the highest rate of teen pregnancies and abortions. Idaho spends 55 percent of the national average on sex education and has 40 percent of the national average for teen pregnancies. California, on the other hand, spends 230% of the national average and has 140% of the national average for teen pregnancies.

The problem is that our approach is wrong. The United States bares the unfortunate distinction of having the highest adolescent pregnancy, abortion, and birth rate of any country in the developed world. We are assuming that high school students are formal thinkers, that they process data as adults do and can draw long term cause and effect consequences of their present behavior. As an educator I can tell you that the majority of students cannot. Let me give you an example of how they think. Think of driving on a slick highway and the difference between the way adults and teens would approach this problem. As an adult I might stop the car and get out and check for ice, a teen might accelerate to 90 and see if they slide. I had one girl tell me that she couldn't believe that she was pregnant, they only did it five or six times.

Written, and visual media glorify the fun, thrill and glamour of permissive sexual intercourse and never suggest that there are both physically and emotional risks. Believe me I have counseled many teens who thought that they were mature enough for sex, and found that they were not.

Typical sex education programs give a causal nod to abstinence and then go on to discuss safe sex, safer sex and condom use. What is the

message of this approach? Students hear teachers tell them that they cannot really control their biological drives and will need to be instructed in the use of protection. Teens need the affirmation that they can be in control of their bodies.

How effective are condoms? Unfortunately, the literature varies, but the failure rate for pregnancy is 12-15% for adults and 20-30% for teens. These figures are for pregnancies which can only occur three days during a menstrual cycle. We know the rates are higher for STD's which can be contracted all 28 days. In addition, we predispose high school students to be sexually active when we teach condom use. Yet in my surveys, students responded with only 9 percent saying that they always use a condom and 18% indicating they never use one. You see teens can't see the cause effect relationships between sexual intercourse, STD's, self worth, sexual comparisons, parental relationships and bonded marriages on their own. They need adult help. The time between the two events is too long for them to make the connection.

Recently, I discussed the relationship between the HPV virus and cervical cancer with my students. Not one student had heard of HPV, much less that nearly all women with cervical cancer also have venereal warts. Wouldn't it be better to teach them to abstain, until they are formal processors and can make decisions based on good information rather than media stories and their own biological drives?

When we teach condom use and safe sex we not only sacrifice morality for safety, but we end up with neither one. I have had four former students die of AIDS that I am aware of, the answer is not condoms, but abstinence.

Let me quickly share with you the results of the survey that I took with my students this year. Time does not allow me to share all of this data at this time, but I would be more than glad to share more at a later date. Sixty-five percent of the students who come into my class are sexually active, 35% with one partner, 32% with three or more partners and 45% have had sex 10 or more times. Remember these kids are 15 and 16 years old. Fifty percent have experienced oral sex and 35% became active at age 14 with 32% at age 15, some begin as early as age 10. Eighty percent of sexual contact is in their own homes, without alcohol, and 50% of it takes place in the early evening.

Will students buy the message that sex is not in their best interest? Doesn't the DARE program teach that drugs are not in their best interest? Let me quote from my students. One year after the reproduction unit, 70% of my students said that the information still has a great impact on how they think about sexual things, only 8% have become sexually active since the course, 9% have stopped, 33% have reduced their activity, 26% have remained virgin, and 25% continue as they did in the past. These are the students whose immediate response after the abstinence unit was, 72% of the sexually active students would quit and 92% of the non-sexually active students would not start.

This is only after one exposure to an abstinence based program. What if this is what we did at every appropriate level? I believe that all we have to do to solve this problem is change student attitudes. Remember when it was cute to see a drunk get in a car and drive off. Well someone got MADD and it is no longer cute. If we can begin to show students that it is not in their best interest to be sexually active and students tell other students, especially younger ones, we could begin to see the tide turn.

Wouldn't we be better off with teens who were abstinent rather than practicing safe sex which is only partially safe physically and emotionally exploitive.?

I know that this only a resolution, but it would be correct and courageous if this legislative body would decide that this issue is so important that they put into place a method to teach teachers how to get this message across to Montana's youth.

Let me add one last thought. What I have described is what Montana parents want for their children. How do I know? I invite the parents of my students to an evening session to explain my reproductive unit. I have never had a parent express disappointment that I only teach abstinence. Many parents have expressed to me the long term consequences and regrets they have experienced because of their own permissive sexuality as teens. Parents truly want to spare their children these heartaches.

This is the Senate's opportunity to stop the cycle that has for so long blocked our young people from reaching their full potential in health, marriage, and long term success.

Gary D. Swant
113 North Frontage
Deer Lodge, MT 59722
(406) 846-2451

EXHIBIT 2
DATE 3/8/93
28 STR 23

EXHIBIT 3
DATE 3/8/93
SB SSR 23

In Defense of a *a message from F*

The federal government has spent almost \$3 billion of our taxes since 1970 to promote contraceptives and "safe sex" among our teenagers. Isn't it time we asked, What have we gotten for our money? These are the facts:

- The federal Centers for Disease Control estimate that there are now 1 million cases of HIV infection nationwide.¹

- 1 in 100 students coming to the University of Texas health center now carries the deadly virus.²

- The rate of heterosexual HIV transmission has increased 44% since September 1989.³

- Sexually transmitted diseases (STDs) infect 3 million teenagers annually.⁴

- 63% of all STD cases occur among persons less than 25 years of age.⁵

- 1 million new cases of pelvic inflammatory disease occur annually.⁶

- 1.3 million new cases of gonorrhea occur annually⁷; strains of gonorrhea have developed that are resistant to

Why, apart from moral considerations, do you think teenagers should be taught to abstain from sex until marriage?

No other approach to the epidemic of sexually transmitted diseases will work. The so-called "safe-sex" solution is a disaster in the making. Condoms can fail at least 15.7 percent of the time annually in preventing pregnancy.¹⁴ They fail 36.3 percent of the time annually in preventing pregnancy among young, unmarried minority women.¹⁵ In a study of homosexual men, the *British Medical Journal* reported the failure rate due to slippage and breakage to be 26 percent.¹⁶ Given these findings, it is obvious why we have a word for people who rely on condoms as a means of birth control. We call them . . . "parents."

Remembering that a woman can conceive only one or two days per month, we can only guess how high the failure rate for condoms must be in preventing disease, which can be transmitted 365 days per year! If the devices are not used properly, or if they slip just once, viruses and bacteria are exchanged and the disease process begins. One mistake after 500 "protected" episodes is all it takes to contract a sexually transmitted disease. The damage is done in a single moment when rational thought is overridden by passion.

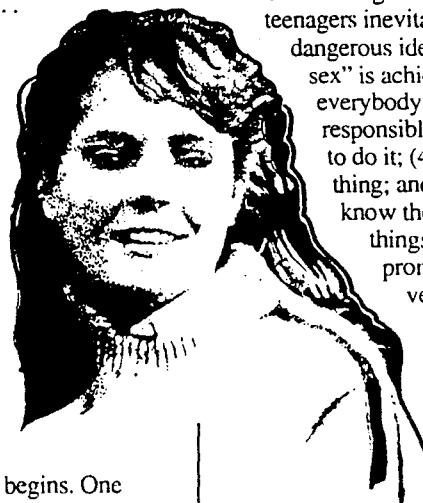
Those who would depend on so insecure a method must use it properly on every occasion, and even then a high failure rate is brought about by factors beyond their control. The young victim who is told by his elders that this little latex device is "safe" may not know he is risking lifelong pain and even death

intercourse for a full before starting any k contraception.²³ That of the experts who c: "unrealistic" and "ur

Even if we spent to promote condom teenagers would still consistently and prop human beings and th simply do not lend th disciplined response

But if you knew going to have intè wouldn't you teach about proper con

No, because that unintended consequence recommending con teenagers inevit dangerous ide sex" is achie everybody responsible to do it; (4 thing; and know the things pron ve



one reason teenagers intercourse is peer pr anything we do to irr body is doing it" rest fewer . . . people wh try. Condom distribu not reduce the numb to disease . . . they ra

Want proof of the federal government t contraception progra pregnancies have inc

'There Is No Safe Sex'

BY ROBERT C. NOBLE

The other night on the evening news, there was a piece about condoms. Someone wanted to provide free condoms to high-school students. A perky, fresh-faced teenage girl interviewed said everyone her age was having sex, so what was the big deal about giving out condoms? Her principal replied that giving out condoms set a bad example. Then two experts commented. One was a lady who sat very straight in her chair, white hair in a tight perm, and, in a prudish voice, declared that condoms didn't work very well; teenagers shouldn't be having sex anyway. The other expert, a young, attractive woman, said that since teenagers were sexually active, they shouldn't be denied the protection that condoms afforded. I found myself agreeing with the prude.

What do I know about all this? I'm an infectious-diseases physician and an AIDS doctor to the poor. Passing out condoms to teenagers is like issuing them squirt guns for a four-alarm blaze. Condoms just don't hack it. We should stop kidding ourselves.

I'm taking care of a 21-year-old boy with AIDS. He could have been the model for Donatello's David, androgynous, deep blue eyes, long blond hair, as sweet and gentle as he can be. His mom's in shock. He called her the other day and gave her two messages. I'm gay. I've got AIDS. His lover looks like a fellow you'd see in Sunday school; he works in a bank. He's had sex with only one person, my patient (*his* second partner), and they've been together for more than a year. These fellows aren't dummies. They read newspapers. You think condoms would have saved them?

Smart people don't wear condoms. I read a study about the sexual habits of college women. In 1975, 12 percent of college women used condoms when they had sexual intercourse. In 1989, the percentage had risen to only 41 percent. Why don't college women and their partners use condoms? They know about herpes. They know about genital warts and cervical cancer. All the public-health messages of the past 15 years have been sent, and only 41 percent of the college women use condoms. Maybe your brain has to be working to use one. In the heat of passion, the brain shuts down. You have to use a condom every time. *Every time.* That's hard to do.

I can't say I'm comforted reading a government pamphlet called "Condoms and Sexually Transmitted Diseases Especially AIDS." "Condoms are not 100 percent safe," it says, "but if used properly will reduce the risk of sexually transmitted diseases, including AIDS." *Reduce* the risk of a disease that is 100 percent fatal! That's all that's available between us and death? How much do condoms reduce the risk? They don't say. So much for Safe Sex. Safe Sex was a dumb idea anyway. I've noticed that the catchword now is



Condoms don't hack it. Passing them out to teenagers is futile.

"Safer Sex." So much for truth in advertising. Other nuggets of advice: "If you know your partner is infected, the best rule is to avoid intercourse (including oral sex). If you do decide to have sex with an infected partner, you should *always* be sure a condom is used from start to finish, every time." Seems reasonable, but is it really helpful? Most folks don't know when their partner is infected. It's not as if their nose is purple. Lots of men and women with herpes and wart-virus infections are having sex right now lying their heads off to their sexual partners—that is, to those who ask. At our place we are taking care of a guy with AIDS who is back visiting the bars and having sex. "Well, did your partner use a condom?" I ask. "Did you tell him that you're infected with the virus?" "Oh, no, Dr. Noble," he replies, "it would have broken the mood." You bet it would have broken the mood. It's not only the mood that gets broken. "Condoms may be more likely to break during anal intercourse than during other types of sex..." Condoms also break in heterosexual sex; one study shows a 4 percent breakage rate. "Government testing can *not* guarantee that condoms will always prevent the spread of sexually transmitted diseases." That's what the pamphlet says. Condoms are all we've got.

Nobody these days lobbies for abstinence, virginity or single lifetime sexual partners. That would be boring. *Abstinence and sexual intercourse with one mutually faithful uninfected partner are the only totally effective prevention strategies.* That's from another recently published government report.

Media messages: What am I going to tell my daughters? I'm going to tell them that condoms give a false sense of security and that having sex is dangerous. *Reducing* the risk is not the same as *eliminating* the risk. My message will fly in the face of all other

media messages they receive. In the movie "The Tall Guy," a nurse goes to bed with the "Guy" character on their first date, boasting that she likes to get the sex thing out of the way at the beginning of the relationship. His roommate is a nymphomaniac who is always in bed with one or more men. This was supposed to be cute. "Pretty Woman" says you can find happiness with a prostitute. Who are the people that write this stuff? Have the '80s passed and everyone forgotten sexually transmitted diseases? Syphilis is on the rise. Gonorrhea is harder to treat and increasing among black teenagers and adults. Ectopic pregnancies and infertility from sexually transmitted diseases are mounting every year. Giving condoms to high-school kids isn't going to reverse all this.

That prim little old lady on TV had it right. Unmarried people shouldn't be having sex. Few people have the courage to say this publicly. In the context of our culture, they sound like cranks. Doctors can't fix most of the things you can catch out there. There's no cure for AIDS. There's no cure for herpes or genital warts. Gonorrhea and chlamydial infection can ruin your chances of ever getting pregnant and can harm your baby if you do. That afternoon in the motel may leave you with an infection that you'll have to explain to your spouse. Your doctor can't cover up for you. Your spouse's lawyer may sue him if he tries. There is no safe sex. Condoms aren't going to make a dent in the sexual epidemics that we are facing. If the condom breaks, you may die.

Noble is a professor of medicine at the University of Kentucky College of Medicine, Lexington, Ky.

By allowing "safe sex" programs ~~to~~ into Montana schools, you are effectively throwing ~~the~~ teenagers to the wolves. Therefore, we need this resolution to affirm my right, and the rights of all MT teenagers, to have a haven from the immense media and peer pressure to have sex. Just as in recent years, school has become a haven from drugs and alcohol.

5JR 23
If one of you were to ask a teenager to stand out on a street corner and either yell "virgin" or yell "condom", most teens would opt to scream "condom". It is ironic in our society that virgin is an embarrassing word while condom is not. Why? Because contraceptives are constantly being discussed in movies, commercials, magazines, and newspapers. The barrage of sex messages is overwhelming to teenagers who already have hormones to tell us not to wait. We need a voice to tell the truth, to remind us that we aren't ready to face the consequences of sex in our youth.

It's true that some teenagers will become sexually active with or w/out an abstinence

program. But ~~there~~ that is no reason to encourage those who are unsure of whether to have sex to give away ~~that~~ our virginity.

➡ As I said in the Senate Committee: Teenagers are looking for love and latex is not a replacement. We want your time and attention, not a box of condoms. It is not fair to ignore us, hand us condoms and tell us to find love and attention somewhere else.

Unlike ~~the~~ previous generations, the teenagers of today don't hear the common sense message to save our virginity ~~until~~ ^{until} marriage

Erinn Michelle Belcate, age 17 March 8, 1999

—Independent Record, Helena, Montana, Saturday, January 23, 1993

COMICS & ADVICE

DEAR ABBY

Learn the facts of life at college

DEAR ABBY: I am a nurse practitioner in a college health setting. Every year I struggle with how to get the message to our students that sexually transmitted diseases (STDs) are very much present on campuses across the nation.

I'm not trying to be a prophet of gloom and doom, nor am I assuming that every student who arrives on campus is (or will be) sexually active during his/her college years. But a healthy sense of vulnerability is good for all of us, regardless of age.

Perhaps you would understand if I relate a few situations:

1. A young woman with a pelvic infection so se-

vere that she must be hospitalized comes to the health center. Even with IV antibiotics, there is no guarantee that her fallopian tubes are not already irreparably damaged. Her greatest fear is that her parents will find out that she is involved in a sexual relationship. Mine are that she may never conceive a child or may have tubal pregnancies due to scarring.

2. A young man brings his newest girlfriend to the health center with sores in the genital area. I have treated him for genital herpes in the past. He had struggled with how to tell her — and now he must. Confidentiality must be honored — I cannot and will not disclose to her that I even know the young man.

3. A young man calls, frantically asking to be seen immediately. He has just learned that a young female student with whom he had unprotected sex is dead. Rumor is that she developed an AIDS-related opportunistic infection. (It is true.) His HIV test is negative, but I don't know what the results of his subsequent testing will be.

4. A young woman with a previous history of psychological problems loses touch with reality. Her illness involves acting out sexually. Over a 48-hour period, she has sexual contact with 20 male students.

5. Two freshman roommates have their first gynecological exam. On the day of the exam, one learns that she is pregnant. Several days later, the other learns that she has HPV (the genital wart virus) on her cervix.

All of these students thought it could never happen to them. They are not ignorant, irresponsible, uncaring or promiscuous. Often, the individual has had only one sexual partner — ever. All too often

the person who is ordinarily cautious gets into a bad situation because alcohol has reduced his or her inhibitions.

These students do not come from deprived backgrounds. Their parents are doctors, lawyers, nurses, ministers, teachers, social workers, government employees, and many (if not a majority) are from two-parent families.

Sorry to be so long-winded, Abby, but these young people are our future. — COLLEGE HEALTH CARE WORKER

DEAR HEALTH CARE WORKER: Thank you for your enlightening letter, and for caring enough to share your experiences.

The 1991 Annual Report of the Division of STD/HIV Prevention, published by the U.S. Department of Health and Human Services, reveals in part that an estimated 12 million persons in the USA acquire a sexually transmitted infection each year. Two-thirds of those occur in people under 25 years of age. Besides death, some of the most serious complications caused by STDs are infertility, adverse pregnancy outcome, infant death, mental retardation and immune deficiencies.

I'm sure that none of those 12 million thought it could happen to them, but it did. As you said in your letter, "A healthy sense of vulnerability is good for all of us, regardless of age."

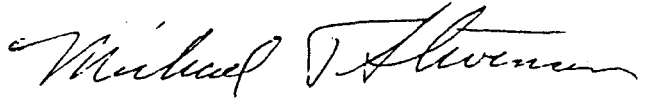
Education and Cultural Resources


RE: FOR Senate Joint Resolution 23

We come to you today as parents of two daughters; age 10 and 12.
We are in support of Senate Joint Resolution 23.

Children and youth are bombarded with many messages: one of which is "JUST SAY NO" to drugs and inappropriate touch. These are good messages that teach youth how to protect themselves. Yet, on the other hand they are told that concerning their sexual practices that they can engage in "SAFE SEX", all that they need is a condom. What are our children hearing? Maybe we should instruct our children that it is best not to do drugs, (but since they will do it anyway), here is how to practise "SAFE DRUGS" or "SAFER DRUG USE". Of course this is ridiculous and those in the DARE Program see the folly in it. "JUST SAY NO" is the only safe alternative. We have seen our daughters make informed, responsible choices against drug use. The Dare Program, which promotes drug abstinence has had a positive influence. It is our hope that they would hear similar choices concerning their sexual practices as they reach young adulthood.

As parents we strongly urge you to support Senate Joint Resolution 23 for our daughter's sake, for your children's sake. Thank you.


Michael T. Stevenson, MSSA


Laura F. Stevenson
PO Box 122
Ft. Harrison, Montana 59636

Legislative Oversight Committee on School Funding

Proposal to Apply Guaranteed Tax Base Aid to Debt Service Mills

Impact on Bonding Capacity

County	District	ANB	Tax Year 1991		Debt Limitation	
			Taxable Valuation	Current Law	With GTB	With GTB
Sanders	Noxon HS	102	11,508,143	5,178,664	5,178,664	5,178,664
Liberty	Chester HS	98	7,311,939	3,290,373	3,290,373	3,290,373
Wheatland	Harlowton HS	102	6,460,084	2,907,038	2,907,038	2,907,038
Prairie	Terry HS	102	4,302,813	1,936,266	2,086,614	2,086,614
Daniels	Scobey HS	99	3,510,139	1,579,563	2,025,243	2,025,243
Park	Shields Valley HS	96	3,375,111	1,518,800	1,963,872	1,963,872
Cascade	Centerville HS	100	1,629,536	733,291	2,045,700	2,045,700
Hill	Rocky Boy HS	100	32,216	14,497	2,045,700	2,045,700

Under the proposal, all high school districts with 100 students would have at least \$2 million available for a building project (assuming the district has no outstanding debt).

Impact on Debt Service Mills

County	District	ANB	Tax Year 1991		Mills Required	
			Taxable Valuation	Debt Service Payment	Current Law	With GTB
Sanders	Noxon HS	102	11,508,143	200,000	17.38	17.38
Liberty	Chester HS	98	7,311,939	200,000	27.35	27.35
Wheatland	Harlowton HS	102	6,460,084	200,000	30.96	30.96
Prairie	Terry HS	102	4,302,813	200,000	46.48	43.13
Daniels	Scobey HS	99	3,510,139	200,000	56.98	44.44
Park	Shields Valley HS	96	3,375,111	200,000	59.26	45.83
Cascade	Centerville HS	100	1,629,536	200,000	122.73	43.99
Hill	Rocky Boy HS	100	32,216	200,000	6208.10	43.99

Under the proposal, these high schools could finance an annual debt service payment of \$200,000 with 46 mills or less.

Senate Bill 32 (Third Reading Copy) Bond Issues Passed or Pending for Montana School Districts

This table shows the district and state share of any property tax levies that might be levied to make annual debt service payments on school district bond issues. The table assumes that GTB aid is provided by the state to guarantee \$17.87 per mill/ANB at the elementary level and \$45.46 per mill/ANB at the high school level, as is guaranteed in fiscal 1993. The state and district percentages are calculated using FY93 district mill values.

Fiscal 1994

School District	County	Size of		Status	Date of		District	State	Projected* FY 1994	Estimated GTB Cost to State
		Bond Issue	Bond Election		Share	Share			Debt Service Payment	
Helena Elem	Lewis and Clark	\$3,800,000	Approved	February 14, 1992	51.04%	48.96%	323,713	158,505		
Missoula Elem	Missoula	\$9,200,000	Approved	November 3, 1992	63.51%	36.49%	778,632	284,090		
Whitehall Elem	Jefferson	\$1,500,000	Approved	November 3, 1992	49.69%	50.31%	125,234	63,002		
Whitehall HS	Jefferson	\$2,400,000	Approved	November 3, 1992	103.10%	0.00%	204,460	0		
Lolo Elem	Missoula	\$1,244,000	Pending	February 24, 1993	29.83%	70.17%	103,869	72,888		
East Helena Elem	Lewis and Clark	\$2,000,000	Pending	April 1993	48.07%	51.93%	170,331	88,454		
Fairfield HS	Teton	\$81,000	Pending	June 1993	50.64%	49.36%	14,770	7,291		
Stevensville HS	Ravalli	\$10,000,000	Pending	Fall 1993	42.28%	57.72%	0	0		
Bozeman Elem	Gallatin	\$9,500,000	Pending	Fall 1993	74.48%	25.52%	0	0		
Total Issues		\$39,725,000					\$1,721,009	\$674,230		

* All debt service payments are projections as none of these bonds have been sold. Projections are based on debt service payment schedules run by Dain-Bosworth Inc. and assume level debt service payments and sale of school bonds within 30 days of approval. The estimates also assume two semi-annual debt service payments.

Senate Bill 32 (Third Reading Copy)

Bond Issues Passed or Pending for Montana School Districts

This table shows the district and state share of any property tax levies that might be levied to make annual debt service payments on school district bond issues. The table assumes that GTB aid is provided by the state to guarantee \$17.87 per mill/ANB at the elementary level and \$45.46 per mill/ANB at the high school level, as is guaranteed in fiscal 1993. The state and district percentages are calculated using FY93 district mill values.

Fiscal 1995

School District	County	Size of Bond Issue	Status	Date of Bond Election	District Share	State Share	Projected*		Estimated GTB Cost to State
							FY 1995 Debt Service Payment		
Helena Elem	Lewis and Clark	\$3,800,000	Approved	February 14, 1992	51.04 %	48.96 %	320,420		156,893
Missoula Elem	Missoula	\$9,200,000	Approved	November 3, 1992	63.51 %	36.49 %	777,545		283,693
Whitehall Elem	Jefferson	\$1,500,000	Approved	November 3, 1992	49.69 %	50.31 %	126,200		63,488
Whitehall HS	Jefferson	\$2,400,000	Approved	November 3, 1992	103.10 %	0.00 %	204,750		0
Lolo Elem	Missoula	\$1,244,000	Pending	February 24, 1993	29.83 %	70.17 %	107,370		75,345
East Helena Elem	Lewis and Clark	\$2,000,000	Pending	April 1993	48.07 %	51.93 %	168,075		87,282
Fairfield HS	Teton	\$81,000	Pending	June 1993	50.64 %	49.36 %	18,220		8,994
Stevensville HS	Ravalli	\$10,000,000	Pending	Fall 1993	42.28 %	57.72 %	853,900		492,880
Bozeman Elem	Gallatin	\$9,500,000	Pending	Fall 1993	74.48 %	25.52 %	809,215		206,492
Total Issues		\$39,725,000					\$3,385,695		\$1,375,068

* All debt service payments are projections as none of these bonds have been sold. Projections are based on debt service payment schedules run by Dain-Bosworth Inc. and assume level debt service payments and sale of school bonds within 30 days of approval. The estimates also assume two semi-annual debt service payments.

Amendments to Senate Bill No. 138
3rd Reading Copy

Requested by Representative Wyatt
For the House Committee on Education

Prepared by Andrea Merrill
March 8, 1993

1. Title, line 6.

Following: "LEVIES;"

Insert: "REQUIRING CERTAIN SCHOOL DISTRICTS TO REPAY AN
OVERDISTRIBUTION OF FOUNDATION PROGRAM MONEY FOR SCHOOL
FISCAL YEAR 1991 THAT IS ATTRIBUTABLE TO AN OVERDISTRIBUTION
OF LOCAL GOVERNMENT SEVERANCE TAX REVENUE;"

2. Page 2, line 17.

Following: "tax"

Insert: "; and

WHEREAS, Saco Elementary School District No. 12A, Saco High
School District No. B, Whitewater Elementary School District No.
20AA, and Whitewater School District No. D, Phillips County,
received foundation program money in excess of the districts'
foundation entitlements for school fiscal year 1991."

3. Page 10, line 1.

Following: page, line 25

Insert: "NEW SECTION. Section 2. Repayment of foundation
program money. Beginning July 1, 1993, and by June 30,
1998, Saco School Districts No. 12A and B and Whitewater
School Districts No. 20AA and D, Phillips County, shall
repay any overdistribution of foundation program money for
school fiscal year 1991 attributable to an overdistribution
of local government severance tax revenue in the following
amounts:

Saco School District No. 12A	\$135,682
Saco School District No. B	102,003
Whitewater School District No. 20AA	121,924
Whitewater School District No. D	73,196 "

Renumber: subsequent section

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Education & Cultural Resources COMMITTEE

BILL NO. STR 14

DATE 3/8/93

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Taram Rigler	Gardiner High School	X	
Brandy Miller	Gardiner High School	X	
Stacy Ballagh	Gardiner High School	X	
Windsor Rigler	Gardiner High School	X	
John Carpenter	Gardiner High School	X	
Raune Kachuk	myself	X	
Ben Vento	Myself	X	

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Education & Cultural Resources COMMITTEE BILL NO. SJR 23
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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
^{113 N Frontage} Gary Swant Deer Lodge	Myself	X	
^{816 5th} Erinn M. Belcote Deerbridge	Myself	X	
Laura Lee Swant	Self	X	
Lennie Korbuk	Christian Coalition of Mt	X	
Philip B. Svalstad	CAAP	X	
Arvidson	myself	X	
Andrea Fleming	myself		
HARLEY WARNER	MONT. ASSOC. OF CHURCHES	X	
SHARON HOFF	MT CATH CONFERENCE	X	

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Bob Anderson	MSBA	✓	
Jack Capps	ORI	✓	
Don Waldron	MSEA	✓	
Wayne Buchanan	BPE	✓	

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Tuck Gallagher	Me	S.B. 32	
JAKE GALLAGHER	Myself	SB32	
Manuel Salgado	Whitehouse	S.B. 32	
Lillian Salgado	"	SB32	
Bill Barranger	Whitehouse	SB32	
FRED MAKER	SUPERIOR	SB32	
Alvin D. Guntard	OPRF	X	
Bill Barringer	Whitehall Schools	SB32	
Bob Anderson	MSBA	✓	
Madaleyn Quinlan	OPI	✓	
Loran Fraggi	SAM	✓	
Don Waldron	MREA	✓	
Terry Munn	MFT	✓	
Pat Melby	Underfunded Schools	SB 32	

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Lynda BRANNON

MASBO / IISM

✓

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Eri Olaver	MSA	XXXX	
Larry Schubert	Great Falls Public School	✓	

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