

**MONTANA STATE SENATE
2005 LEGISLATURE**

VISITOR REGISTER

DATE February 7, 2005

SENATE COMMITTEE ON Education

BILLS BEING HEARD TODAY: SJ-8

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
DOUG NULLE	442-4073	SELF			X
John Schaeberger	375-0088	Bitterroot Human Rights Alliance		X	
VICTORIA CLARK	821-1682	SELF		X	
Deb Essen	642-6429	self	SJ 8	X	
Dou Matlock	363-5778	self	SJ 8	X	
Allen Smith	227-3308	Self	SJ 8		X
Lyle E Hostetler	257-9746	Self	SJ 8		X
Gina Schellenbeger	821-4490	Self			X
BILL SNODDY	227-5121	SELF	SJ 8		X
DOUGLAS BANKS	821-4604	self	SJ 8		X
David Jones	363-5292	self	SJ 8	X	
Dr. David W. Baker	236-5934	Little Belt Consulting Natl Centre for Science Education	SJ 8	X	
MARK GRANT	363-2571	SELF	SJ 8	X	

RACHEL ROBERTS 444-7773 Montana Family Foundation SJ 8

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

Lindsay Sinclair 683-7923 self SJ 8 X

Linda Patergal 406-5136 self SJ 8

**MONTANA STATE SENATE
2005 LEGISLATURE**

VISITOR REGISTER

DATE February 7, 2005

SENATE COMMITTEE ON Education

BILLS BEING HEARD TODAY: SJ-8

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Corrine Gantt	363-2571	self	SJ-8	X	
Rod Miner	821-4750	self	SJ8	X	
BILL LACROIX	363-1329	SELF	SJ8	X	
DICK GREEN	961-0118	SELF	SJ8		X
Lori Johnson	777-3493	self	SJ8	X	
TAVIS McADAM	412-5506	MT Human Rights Network	SJ8	X	
Esther Fishbaugh	587-0455	self	SJ8		X
Tom Kendrick	455-9440	MT Human Rights	SJ8	X	
Arthur L. Plowman	962-3383	self	SJ8		✓
Pat Plowman	962-3383	self (President, Carbon County Republican Nom)	SJ8		✓
HARRIS HINES		MFC			✓
Mal Westcott	961-3936	self	SJ8	X	
Jane Nofsinger	449-2816	MT Eagle Forum	SJ8		X

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

**MONTANA STATE SENATE
2005 LEGISLATURE**

VISITOR REGISTER

DATE February 7, 2005

SENATE COMMITTEE ON Education

BILLS BEING HEARD TODAY: SJ-8

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
George Stanley	2435692	U. of Montana	SJ8	X	
Angela C. Sanderson	546-9409	U of Montana-Student	SJ8	X	
ROBIN SHROPSHIRE	444-0875	UM-Heleney	SJ8	o	
TIM WALKER	475-3568	SELF	SJ8		X
Becley Stockton	449-3670	SELF	SJ8		X
Gerald Yenne	756-8992	Self -	SJ8	X	
Scott Hill	429-5331	Self	SJ8		X
Bill Stumberg	2876637	Self - Church	SJ8		X
Bob Leach	227-8113	Self	SJ8		X
Ann Millan	461-0871	MFC	SJ8		X
Greg Truse	409-1526				X
Kyle Strode	445-1853	self	SJ8	X	
Marilyn Schender	475-3793	self	SJ8	✓	
Jennifer Gujer	461-4031	Self	SJ8	✓	

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

February 7, 2005

Testimony in opposition to SJ 8

Mr. Chairman, Members of the Committee:

My name is Eric Schiedermayer. I represent the Montana Catholic Conference, the voice for Montana's two Roman Catholic bishops in the state legislature, who in turn are the spiritual leaders of over 140,000 Montanans.

The Catholic Church stands very much in favor of the "separation of church and state" when it is properly understood. Likewise, the Catholic Church has absolutely no problems with the theory of evolution, and most of us, including Pope John Paul II, are quite comfortable with the idea that God used such a gradual approach in his creative act. We have no problem with evolution – biological and geological – begin taught in our schools.

Several proponents of the bill spoke quite eloquently about how faith and science complement each other, how they ask different questions and do not contradict each other when properly understood. The Catholic Church agrees whole-heartedly.

So, you might say that I don't really stand in opposition to this bill. I felt however, that to stand as an informational witness would not be completely accurate either, as I do have some concerns about it. When Senator Toole, in his sponsoring remarks, said, "Welcome to the culture wars," he hit upon those concerns.

My fear is that this bill is in fact being used as a vehicle to further another current of thought which is at work in our culture – that people should leave their faith in their closet at home and NOT bring it into the public forum.

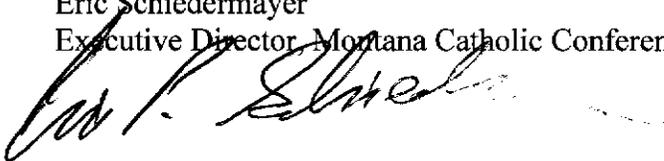
The Catholic Church is convinced that just the opposite is necessary. Rather than eliminating faith and values from our public decision making, from the way we set the directions and priorities of our society, we need to EXPAND the role they play. We need to flavor our culture with Gospel values – values of compassion for the poor and vulnerable, respect for the intrinsic dignity and value of every human person, concern for the COMMON good rather than our own individualistic interests.

One proponent spoke of the division this issue brought to her community, and how that community "wasted a year" dealing with it. I would caution all of us not to let the same thing happen now at the state level.

Respectfully submitted,

Eric Schiedermayer

Executive Director, Montana Catholic Conference



~~IS VERY IMPORTANT THATS ISSUE THAT A...~~

Why does the Supreme Court apply the establishment clause more strictly in public schools than elsewhere in public life?

The Court exercises special caution in the public schools due to the presence of impressionable young students who are at school as a result of compulsory-attendance laws. This combination of children and a captive audience distinguishes the school prayer cases from other situations such as legislative sessions or college graduations, where courts may be more lax in applying the establishment clause. As the caretaker for all the children in the community, a public school has the responsibility to protect the conscience of every student. This will include children of various religious faiths, as well as those of no religious faith. Only by maintaining a posture of neutrality can the school be fair to all.

SUBMITTED

BY MARK GANTT

~~I would also like to read from a letter of support from David Blamire, a noted~~
C. WHICH I WOULD LIKE TO ENTER INTO THE RECORD

~~NATIONAL HISTORICAL WRITER, WHO IN NOVEMBER LAST YEAR WROTE THE NATIONAL GEOGRAPHIC COVER ARTICLE TITLED "WAS DARWIN WRONG"~~

PACIFIC NORTHWEST REGION

serving Alaska, Idaho, Montana, Oregon, Washington



General Chair
 RIK A. SCHUSTER ♦

Executive Past Chair
 LIAM H. GOLDBERG ♦

Chair
 WARD SIBELMAN ♦

Secretary
 DAJ CLIFTON ♦

Special Advocacy Board
 JANE BAER ♦
 BERT BARONSKY ♦
 J. BERG ♦
 KIMETH BLOCK ♦
 ILIP CHANEN ♦
 JIM COE ♦
 J. COBY COHEN ♦
 VIO VAH COHEN ♦
 SEMARJY COLEMAN ♦
 J. DAVIS ♦
 EL FELDMAN ♦
 MARK FINNELSTEIN ♦
 MARTIN GEFFON ♦
 RINEI GOLDBERG ♦
 IER GOLDMAN ♦
 BRILLE GOODMAN ♦
 INSTANCE GOULD ♦
 RVEY GREENBERG ♦
 NRY HAAS ♦
 ORGE HEAHL ♦
 RRAY HIPPIN ♦
 TTINA INDIG ♦
 VID KARLAN ♦
 EPHEN KATZ ♦
 RRY KUZNETZ ♦
 BROD LANDSMAN ♦
 AN LERNER ♦
 UL E. LEVY ♦
 VID LEVY RIND ♦
 VID ROSENFELD ♦
 MICHEL J. SCHAPIRA ♦
 BRIAN SCHNITZER ♦
 ME, A SCHWARTZ ♦
 JUDITH DAVID BERKIN-POOLE ♦
 DENA SEVERE ♦
 I. DEBRA SHEIN ♦
 DITH SHOSHANA ♦
 ERIC SHUPACK ♦
 JANE SIBELMAN ♦
 CHAE SILVER ♦
 HARRY SLOTTNICK ♦
 BERT SPITZER ♦
 WALD STARK ♦
 CHARD UH MANN ♦
 TER H. WEISS ♦
 LISSA WILLIAMS-GURIAN ♦
 NIEL YURMAN ♦

Emergency Life Board Members
 EL ROGUICH ♦
 SHLE D. COHEN ♦
 BERT M. FRANCO ♦
 ABBY FRANKLIN ♦
 HENRIE LUDMANN ♦
 EUGENE PUPPIN ♦
 IRA KARLAN ♦
 VID J. LEVITCH ♦
 RRAY MELD ♦
 WARD MICHEL ♦
 EN NIEFER ♦
 ED ROSENBAUM ♦
 HAROLD SAKS ♦
 ITHUR SIEGAL ♦
 JACK SPITZER ♦

Executive National Commissioners
 HENRY J. GOTTSSTEIN ♦

Executive Committee
 National Commission

General Director
 BERT S. JACOBS

Development Director
 VA D. SOLOMON

National States Counsel
 JF STENGEL

Rec. Manager
 JOHN P. AMIEL

General Chair
 MIRKARA B. BALSER

General Director
 TRAHAM H. FOXMAN

Executive National Directors
 ARYL M. STERN ♦
 DNNETH JACOBSON ♦
 ARSHALL S. LEVIN ♦

Executive National Director
 UN TOLPK

January 18, 2005

Senator Don Ryan
 Chairman, Senate Education and Cultural Resources Committee
 Montana State Capital Building
 Helena, MT, 56922

Dear Senator Ryan:

I am writing to you on behalf of the Anti-Defamation League in support of Resolution # SJ8, "The Importance of Separation of Church and State," sponsored by Senator Ken Toole.

As you may know, the Anti-Defamation League, founded in 1913, is a leading human relations and civil rights organization, combating anti-Semitism and all forms of bigotry, as well as safeguarding religious freedom throughout the United States and abroad. ADL believes deeply that government should neither promote nor be hostile to religion. This position is not one of hostility towards religion; rather, it reflects a profound respect for religious freedom and a recognition of the extraordinary diversity of religious views represented by the students in our public schools.

Senator Toole's bill is driven by curriculum changes in Darby schools last year that mandate the discussion of so-called "Intelligent Design Theory" in science classes. Creationism, Creation Science, and Intelligent Design Theory are three religious theories of creation offered to explain the origins of the universe. It is well settled that educators may not teach, either as scientific fact or even as an alternative or competing theory, the theory that humankind was created by a divine being. In science classes, educators must present only scientific explanations for life on earth and scientific critiques of evolution. Therefore, public schools must teach the scientific theory of evolution, and it is legally impermissible to bring Intelligent Design and other similar theories into the classroom. See e.g. Epperson v. Arkansas, 393 U.S. 97; Edwards v. Aguillard, 482 U.S. 578.

In addition, compliance with the separation of church and state must be vigorously enforced in the nation's public schools. This is especially important due to a number of considerations unique to the public schools: the specific sensitivities of school-age children, the fact that public schools are public institutions, and the profound influence of school officials and teachers over students. Moreover, the student body in America's public schools is growing increasingly diverse and, thus, must be hospitable to students from a variety of backgrounds, including students of all faiths or those of no faith. Public schools should inculcate students with understanding and respect for diversity, as well as a spirit of tolerance, acceptance and inclusion.

Anti-Defamation League, 600 Stewart Street, Suite 720 • Seattle, WA 98101-1227

(206) 448-5349 • FAX (206) 448-5355 • Oregon (503) 284-9931 • E-mail: seattle@adl.org Web site: www.adl.org

SJS reaffirms the state's commitment to the separation of church and state, to teaching valid scientific principles and, perhaps, most importantly, to ensuring that every student feels welcome in Montana public schools.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Jacobs". The signature is fluid and cursive, with a large initial "R" and "J".

Rob Jacobs
Regional Director
Pacific Northwest Region