

**MINUTES OF HOUSE EDUCATION
STANDING COMMITTEE**

Room 445, State Capitol

February 9, 2012

MEMBERS PRESENT: Rep. Francis Gibson, Chair
Rep. Bill Wright, Vice Chair
Rep. Patrice Arent
Rep. LaVar Christensen
Rep. Becky Edwards
Rep. Steven Eliason
Rep. Greg H. Hughes
Rep. Rebecca D. Lockhart
Rep. John G. Mathis
Rep. Kay L. McIff
Rep. Carol Spackman Moss
Rep. Merlynn Newbold
Rep. Marie H. Poulson
Rep. Kraig Powell
Rep. Ken W. Sumsion

STAFF PRESENT: Constance C. Steffen, Policy Analyst
Linda Service, Committee Secretary

Note: List of visitors and copy of handouts are filed with committee minutes.

Chair Gibson called the meeting to order at 4:08 p.m.

MOTION: Rep. Arent moved to approve the minutes of the February 8, 2012 meeting. The motion passed unanimously. Rep. Christensen, Rep. Edwards, Rep. Hughes, Rep. Lockhart, and Rep. Sumsion were absent for the vote.

H.B. 363 Health Education Amendments (*Rep. B. Wright*)

MOTION: Rep. Wright introduced the bill which modifies requirements for health instruction, including human sexuality instruction. Ms. Terri Kerr, Pregnancy Resource Center, assisted in the presentation.

The following spoke in support of the bill:

- Ms. Jackie de Gaston, parent
- Ms. Laura Bunker, United Families
- Ms. Gayle Ruzicka, Utah Eagle Forum
- Ms. Kris Kimball, parent
- Ms. Deborah Henrie, parent
- Mr. Matt Piccolo, Sutherland Institute

The following spoke against the bill:

Ms. Marina Lowe, ACLU
Ms. Heather Bennett, parent
Mr. Cougar Hall, parent and health education teacher
Ms. Liz Zentner, Utah PTA
Ms. Mary Ann Kirk, Utah PTA
Ms. Mackenzie McMillen, student
Ms. Mary Jo McMillen, parent
Mr. Logan Froerer, student
Mr. Kory Holdaway, Utah Education Association
Ms. Diane Robertson, parent
Mr. David Huebner, parent
Ms. Alana Kindness, Utah Coalition Against Sexual Assault
Ms. Rochelle Kaplan, citizen

MOTION: Rep. Christensen moved to amend the bill as follows:

1. *Page 3, Lines 61 through 62:*

61 instructional programs shall be provided in accordance with this section and
~~supporting~~ State Board of
62 Education rules adopted under this section ~~and consistent with this section~~ .

The motion passed with Rep. Arent, Rep. Moss, and Rep. Poulson voting in opposition.

MOTION: Rep. Wright moved to pass the bill out as amended with a favorable recommendation.

SUBSTITUTE MOTION: Rep. Powell moved to amend the bill as follows:

1. *Page 3, Lines 69 through 74:*

69 (c) Human sexuality instruction or instructional programs may not include
instruction
70 in { ~~the advocacy of, or the discussion of~~ } :
71 (i) the intricacies of intercourse, sexual stimulation, or erotic behavior;
72 (ii) ~~the advocacy of~~ homosexuality;
73 (iii) ~~the advocacy or use of~~ contraceptive methods or devices; or
74 (iv) ~~the advocacy of~~ sexual activity outside of marriage.

The motion passed with Rep. Christensen, Rep. Hughes, Rep. Lockhart, Rep. Mathis, Rep. Newbold, Rep. Sumsion and Rep. Wright voting in opposition.

MOTION: Rep. Wright restated his motion to pass the bill as amended out with a favorable recommendation. The motion passed with Rep. Arent, Rep. Edwards, Rep. Eliason, Rep. McIff, Rep. Moss, Rep. Poulson, and Rep. Powell voting in opposition.

MOTION: Rep. Newbold moved to adjourn. The motion passed unanimously. Chair Gibson adjourned the meeting at 5:57 p.m.

Rep. Francis Gibson, Chair