

HOUSE COMMITTEE ON EDUCATION

February 21, 2005 Hearing Room E

1:00 P.M. Tapes 38 - 39

MEMBERS PRESENT: Rep. Linda Flores, Chair

Rep. John Dallum, Vice-Chair

Rep. Steve March, Vice-Chair

Rep. Debi Farr

Rep. John Lim

Rep. Rep. Roblan

Rep. Chip Shields

STAFF PRESENT: Jim Keller, Committee Administrator

Kellie Whiting, Committee Assistant

MEASURES/ISSUES HEARD:

HB 2443 - Public Hearing

HB 2402 - Public Hearing

HCR 1 - Public Hearing

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
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TAPE 38, A

002	Chair Flores	Calls the meeting to order at 1:01 p.m. and opens the public hearing on HB 2443.
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HB 2443 - PUBLIC HEARING

010	Rep. Tom Butler	House District 60. Testifies in support of HB 2443.
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037	Rep. March	Inquires if there would be existing provisions in state law that would prohibit such an individual from voting on their own contract.
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043	Rep. Butler	Responds the compensation for school bus drivers are already negotiated in these situations and they are not really taking the full time positions opposed to assisting.
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045	Rep. Dallum	Comments there are provisions that state if a school board member sees or is aware of a conflict of interest, they would simply declare a conflict of interest and not vote on the issue.
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051	Barbara Haywood	District Clerk, Arock School District. Testifies by speaker phone in support of HB 2443. States they have one school board member and has always been the substitute school bus driver. States they want to keep him has the substitute bus driver and still be able to have him as the school board member.
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097	Rep. Dallum	Inquires about the substitute status.
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104	Haywood	Responds the board member had already served as a substitute bus driver and has never been on payroll as a regular employee.
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110	Chair Flores	Clarifies the substitute has to comply with all the training and requirements as a full-time bus driver.
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114	Rep. Roblan	Inquires if there would be a problem if a full-time bus driver could also be a board member.
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117	Haywood	Responds no.
119	Rep. Farr	Inquires about the size of the Arock school district.
122	Haywood	Responds there are 19 students enrolled.
130	Rep. Roblan	Inquires about the length of the bus routes.
133	Haywood	Responds the elementary school student's bus route is approximately 35 miles one way and the high school bus route is approximately 30 miles one way.
141	John Marshall	Oregon School Board Association. Testifies in support of HB 2443. States the HB 2443 creates an exception to assist districts which are isolated and small.
184	Chair Flores	Inquires if he is in support for the 16 other applicable school districts.
195	Marshall	Responds that HB 2443 would fix the issue for the Arock school district. Comments if a conflicting issue comes up in regards to a school board member, the board member would have to declare a potential conflict of interest and would be unable to vote.
223	Rep. Roblan	Inquires if the bus drivers are the only other group besides superintendents in regards to board members.
231	Marshall	Responds the business functions are generally handled by the Education Service Districts. Comments that Arock has a head teacher and a deputy clerk in the office. States there is not a superintendent at Arock.
237	Rep. Lim	Inquires why HB 2443 is limited to schools with 50 students.
243	Marshall	Responds that the number 50 was to account for the smallest of the small. States HB 2443 is an exception to a statute that has worked very well. Explains that the exception is for unique schools.
262	Rep. Lim	Responds that the population will grow and points out that 100 is still a small school.

269	Rep. March	Inquires why the bill does not include the substitute issue.
278	Marshall	Responds the bill is for a particular circumstance.
289	Rep. Dallum	Comments the size of the schools are unique from the schools they are used to serving.
309	Rep. Roblan	Comments the small communities rely on themselves to serve the school districts.
322	Marshall	Comments they have visited a school of four and a half students. Explains the difference between the mentioned school and regular schools.
378	Chair Flores	Closes the public hearing on HB 2443 and opens the public hearing on HB 2402.

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HB – 2402 PUBLIC HEARING

401	Jim Keller	Reads HB 2402.
403	Rep. John Lim	House District 50. Testifies in support of HB 2402. States the importance of martial arts. Comments on the miss conception of martial arts leading to violence.

TAPE 39, A

001	Rep. Lim	Comments on the problems in our society such as the lack of discipline, the obesity issues and children disrespecting elders. States creating a martial art commission will enhance children's self esteem and assist in the fixing the noted problems. Notes that martial arts can assist in providing children with discipline and respect.
022	Hank Prohm	Resident of Salem. Testifies in neutral support of HB 2402. States that unqualified teachers can open a martial arts school. States there needs to be qualified instructors to provide discipline and health through martial arts. Suggests the legislature needs to regulate it through the martial arts commission. Concurs with Rep. Lim on the health benefits for children and adults.

078	Chair Flores	Clarifies that the mentioned store fronts do not have any regulatory framework.
094	Prohm	Concurs.
101	Rep. March	Comments the martial arts commission would produce rules and then evolve into a martial arts regulatory board that will lead to licenses through the state.
111	Prohm	Concurs. States that the vision is to start out small to form a commission who will regulate appropriate behavior and instruction.
133	Rep. Roblan	Inquires if the competitions are sanctioned.
136	Prohm	Responds there are many organizations and have the potential to have competing interests.
160	Rep. Farr	Inquires about the lack of jurisdiction around the martial art schools and asks about any known abuse charges.
169	Prohm	Responds he knows of one accusation case.
176	Rep. Farr	Clarifies they do not have to disclose if they have been convicted or accused of criminal behavior or charges against children.
184	Prohm	Concurs. Responds they need to have regulations and credentials.
192	Chair Flores	Inquires if he is required by the city of Salem to obtain any type of license to teach martial arts.
203	Prohm	Responds he has to register his business. States that the bill will force the martial arts community to have framework.
211	Rep. Farr	Comments that there is potential risk unless someone is taking the responsibility and forcing accountability.
232	Prohm	Concurs.
236	Rep. Roblan	Inquires about the cost projections.

240	Rep. Lim	Responds that there is no money involved.
248	Chair Flores	Refers to page two, section three of HB 2402 and points out there is an amount set aside from the general fund for the purpose of creating the martial arts commission.
254	Rep. Lim	Responds that the donations have to go to a separate account.
258	Rep. March	Interjects that section ten of HB 2402 states the commission may employ an executive officer and or staff as needed and notes it is the reason it is referred to the Ways and Means Committee.
262	Chair Flores	Comments there would be revenue.
269	Rep. Farr	Requests Jim Keller to provide information or an example of a similar commission including costs.
278	Chair Flores	Requests information on an organization that is set up to take contributions.
284	Rep. March	Responds that most of the advocacy commissions are set up to receive contributions. Inquires if there is any other state that has a licensing body for martial arts.
292	Rep. Lim	Responds that there is none and Oregon needs to be the leader.
333	Rep. Roblan	Comments Judo is taught in the community colleges and HB 2402 could be helpful to them in regards to selecting the instructors.
343	Prohm	Responds he does not know how they select the instructors.
360	Chair Flores	Closes the Public Hearing on HB 2402 and opens the public hearing on HCR 1.

HCR 1 – PUBLIC HEARING

376	Rep. John Lim	House district 50. Testifies in support of HCR 1. Clarifies that HCR 1 is for Oregon teachers.
424	Bill Rogers	Chief of Staff, Rep. John Lim's office. Testifies in support of HCR 1.

TAPE 38, B

004	Chair Flores	Inquires if it teacher's appreciation would be in April or May.
006	Rep. Lim	Clarifies that it would be in May.
011	Chair Flores	Clarifies that HRC 1 will be amended to state teacher's appreciation will be an annual holiday on the first Tuesday, in the first full week in May.
015	Rep. Lim	Concurs.
019	Chair Flores	Closes the public hearing on HCR 1 and adjourns the meeting at 2:05 p.m.

EXHIBIT SUMMARY

A. None submitted