

HOUSE COMMITTEE ON EDUCATION

May 13 2005 Hearing Room E

1:00 P.M. Tapes 109 - 110

MEMBERS PRESENT: Rep. Linda Flores, Chair

Rep. John Dallum, Vice-Chair

Rep. Steve March, Vice-Chair

Rep. Debi Farr

Rep. John Lim

Rep. Chip Shields

MEMBER EXCUSED: Rep. Arnie Roblan

STAFF PRESENT: Jim Keller, Committee Administrator

Kellie Whiting, Committee Assistant

MEASURES/ISSUES HEARD:

HB 2435 – Public Hearing and Work Session

HB 3179 – Public Hearing and Work Session

HB 2733 – Public Hearing and Work Session

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

TAPE 109, A

002 Chair Flores Calls the meeting to order at 1:01 p.m. and opens the public hearing on HB 2435.

HB 2435 - PUBLIC HEARING

005 Jim Keller Explains HB 2435 and introduces the -1 amendment (**EXHIBIT A**).

014 Rep. Donna Nelson House District 24. Testifies in support of HB 2435 with the -1 amendment.

029 Rep. March Inquires about the -1 amendments being a clarification piece and to direct the money to the Oregon Pre-Kindergarten Program.

031 Rep. Nelson Concurr.

046 Rep. Dallum Asks for the amount of children served out of the eligible students.

050 Rep. Nelson Responds by 2004 we were to be serving 100% of students and we are currently serving less than 50% of eligible children.

069 Rep. Dallum Inquires if the study included the success ratio of identified and served and the identified and not served.

072 Rep. Nelson Responds there are case studies to prove the data.

078 Rep. Lim Inquires how there are funds for Head Start if the funding is not available to K-12.

084 Rep. Nelson Responds about the prevention paying for itself.

093 Rep. Farr Comments on the value of prevention and early intervention. Inquires about the cited statistics.

- 101 Rep. Nelson Responds about families served and the volunteers participating.
- 132 Chair Flores Closes the public hearing on HB 2435 and opens a work session on HB 2435.

HB 2435 – WORK SESSION

- 135 Rep. Dallum **MOTION: Moves to ADOPT HB 2435-1 amendments dated 5/10/05.**
- 140 **VOTE: 6-0-1**
EXCUSED: 1 - Roblan
- Chair Flores **Hearing no objection, declares the motion CARRIED.**
- 142 Rep. Dallum **MOTION: Moves HB 2435 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED and BE REFERRED to the committee on Budget.**
- 155 **VOTE: 6-0-1**
AYE: In a roll call vote, all members present vote Aye.
EXCUSED: 1 - Roblan
- Chair Flores **The motion CARRIES.**
- 166 Chair Flores Closes the work session on HB 2435 and opens a public hearing on HB 3179.

HB 3179 – PUBLIC HEARING

- 170 Jim Keller Committee Administrator. Refers to the informational packet in regards to the Uniform Athlete Agents Act (**EXHIBIT B**), including the Athletes Agent's Act, newspaper articles and memorandums.
- 186 Carl Pierre Oregon Uniform Laws Commission. Comments on the components of the bill relating to current law. States there are provisions in which need to be addressed with the Oregon Department of Education and notes the bill will integrate the system with other states. Comments

current law is vague in terms of out-of-state crimes and regulations. Refers to **(EXHIBIT B)**.

- 295 Rep. March Inquires about the elimination of background checks for agent applicants. Inquires about the registering agents.
- 311 Pierre Responds about the authority of backgrounds checks is one area to be addressed with the Oregon Department of Education.
- 329 Rep. Dallum Inquires about uniform law in other states.
- 333 Pierre Responds there are uniformity and a balancing act.
- 337 Rep. Dallum Inquires about the eighteen states not involved.
- 342 Pierre Responds he has not heard reports on the other states. Comments on policy choices in terms of contracts.
- 361 Rep. Lim Inquires about the language in regards to subpoena of materials, on page three, line 18 and 19 of HB 3179.
- 380 Pierre Responds.
- 400 Chair Flores Addresses the question of a subpoena of materials.
- 418 Rep. March Inquires about the registration with the states for an agent and the validity of the contract.
- 427 Pierre Responds.
- 432 Deborah Lincoln Oregon Department of Education. Comments on the concerns of the intent of the bill and states the department will work with Mr. Pierre on the concerns if it is the intent of the committee.

TAPE 110, A

- 005 Rep. Dallum Inquires about the fundamental flaws.
- 006 Lincoln

Responds about the removal of the authority for the Department to continue to conduct background checks and notes the department is willing to address the issue.

- 016 Rep. Lim Comments on the authority for background checks.
- 023 Chair Flores Suggests that the issues be addressed through amendments.
- 028 Rep. March Inquires how registered agents are currently handled.
- 034 Lincoln Responds about the background checks, registration and renewal process.
- 043 Cindy Hunt Senior Deputy, Legislative Council. Provides clarification for the material subpoena language on page three, line 18-19 of HB 3179.
- 056 Rep. Lim Inquires what the outcome is if the agents do not provide the materials.
- 060 Hunt Responds there are various consequences for contempt.
- 066 Chair Flores Closes the public hearing on HB 3179 and opens a work session on HB 3179.

HB 3179 – WORK SESSION

- 075 Rep. Dallum **MOTION: Moves HB 3179 to the floor with a DO PASS recommendation.**
- 081 Rep. March States his vote is a courtesy vote.
- 085 Chair Flores Comments that the work needed will be addressed.
- 090 Rep. Lim Comments on the athletes that are not positive examples. Comments the agents need to be good examples as well.
- 104 Chair Flores Concurr.
- 110 **VOTE: 6-0-1**

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 1 - Roblan

Chair Flores The motion CARRIES.

REP. FARR will lead discussion on the floor.

116 Chair Flores Closes the work session on HB 3179 and opens a public hearing on HB 2733.

HB 2733 – PUBLIC HEARING

120 Jim Keller Explains HB 3179.

126 Amy Grant Home Education Network. Submits and refers to prepared testimony in support of HB 3179 (**EXHIBIT C**). Provides clarification for substantive oversight and compulsory attendance.

145 Brain Ray Submit and refers to prepared testimony in support of HB 3179 (**EXHIBIT D**).

160 Rodger Williams OCEAN Home School Network. Submits and explains the informational handout on graduation rates from the Department of Education in support of HB 3179 (**EXHIBIT E**). Explains the factors for drop-out rates.

280 Chair Flores Closes the public hearing on HB 2733 and opens a work session on HB 2733.

HB 2733 – WORK SESSION

298 Rep. Dallum MOTION: Moves HB 2733 to the floor with a DO PASS recommendation.

303 Rep. March Expresses concern over the elimination of the testing requirements for home schoolers and notes he cannot support the bill as is.

314 Rep. Farr Comments on the proposed amendments in which will be addressed in Senate.

326	Rep. Shields	Comments he will vote in opposition and provides reasons thereof.
343	Rep. Dallum	Comments on his experience as an educational instructor and states he will support the bill.
361	Rep. Lim	Asks for clarification on the monitoring of minimum standards.
371	Chair Flores	Clarifies the minimum standards will be monitored by the School District Board.
381	Rep. Lim	Inquires how the board monitors progress.
385	Rep. Farr	Clarifies the monitoring standards.
396	Grant	Responds about the participation of interscholastic activities and the requirements to participate.

TAPE 109, B

010	Rep. Lim	Inquires how the home-schoolers, not participating in interscholastic activities are monitored.
018	Grant	Responds about the intent of the bill.
023	Rep. Lim	Comments he cannot support the bill due to concerns over progress and monitoring. Comments he will provide a courtesy vote.

035

VOTE: 4-2-1

AYE: 4 - Dallum, Farr, Lim, Flores

NAY: 2 - March, Shields

EXCUSED: 1 - Roblan

Chair Flores

The motion CARRIES.

REP. DALLUM will lead discussion on the floor.

The following prepared testimony is submitted for the record without public testimony:

Marilee Warkentin Springfield, OR. Submits prepared testimony in opposition of HB
2733 (**EXHIBIT F**).

044 Chair Flores Notes the possibility for reconsideration of HB 2733 and closes the
work session on HB 2733. Adjourns the meeting at 2:06 p.m.

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EXHIBIT SUMMARY

- A. **HB 2435, -1 amendments, staff, 2 pp**
- B. **HB 3179, informational packet, staff, 53 pp**
- C. **HB 2733, prepared testimony, Amy Grant, 3 pp**
- D. **HB 2733, prepared testimony, Brain Ray, 6 pp**
- E. **HB 2733, informational packet, Rodger Williams, 3 pp**
- F. **HB 2733, prepared testimony, Marilee Warkentin, 1 p**