

## **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.**

<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
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**TAPE 109, A**

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

005	Jim Keller	Explains HB 2435 and introduces the -1 amendment ( <b>EXHIBIT A</b> ).
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	Concurs.
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	<b>MOTION: Moves to ADOPT HB 2435-1 amendments dated 5/10/05.</b>
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140		<b>VOTE: 6-0-1</b>
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**EXCUSED: 1 - Roblan**

	Chair Flores	<b>Hearing no objection, declares the motion CARRIED.</b>
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142	Rep. Dallum	<b>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.</b>
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155		<b>VOTE: 6-0-1</b>
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**AYE: In a roll call vote, all members present vote Aye.**

**EXCUSED: 1 - Roblan**

	Chair Flores	<b>The motion CARRIES.</b>
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166	Chair Flores	Closes the work session on HB 2435 and opens a public hearing on HB 3179.
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**HB 3179 – PUBLIC HEARING**

170	Jim Keller	Committee Administrator. Refers to the informational packet in regards to the Uniform Athlete Agents Act ( <b>EXHIBIT B</b> ), including the Athletes Agent's Act, newspaper articles and memorandums.
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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
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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**

<b>075</b>	<b>Rep. Dallum</b>	<b>MOTION: Moves HB 3179 to the floor with a DO PASS recommendation.</b>
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	Concurs.
<b>110</b>		<b>VOTE: 6-0-1</b>

**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