

HOUSE COMMITTEE ON COMMERCE

March 05, 1999 Hearing Room 350

1:00 P.M. Tapes 21 - 22

MEMBERS PRESENT:

Rep. Ryan Deckert, Vice-Chair

Rep. Al King

Rep. Anitra Rasmussen

Rep. Diane Rosenbaum

Rep. Bill Witt

MEMBER EXCUSED:

Rep. Jim Hill, Chair

Rep. Jerry Krummel

Rep. Bob Montgomery

Rep. Mark Simmons

STAFF PRESENT: Jason Cody, Administrator

Annetta Mullins, Administrative Support

MEASURE/ISSUES HEARD:

HB 2818 ñ 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
TAPE 20, A		

004	Vice Chair Deckert	Calls meeting to order at 1:03 p.m. and opens a public hearing on HB 2818.
<u>HB 2818 ñ PUBLIC HEARING</u>		
003	Rep. Vickie Walker	Testifies in support of HB 2818. Explains that the bill was introduced because of activities on a trip her daughter took to Mazatlan, Mexico last year. HB 2818 is an effort to clean up travel agents that solicit students for senior trips. Teenage market is one of the highest markets. Companies take advantage and are not truthful in their advertising.
		Explains activities that occurred during the flight. Submits document detailing the events (EXHIBIT A) .
020	Rep. Walker	Shows video of activities during the flight, a video from an Arizona television station showing activities of a group in Mazatlan and photographs taken by students.
104	Rep. Walker	Explains that six children have died while on tours with this company. There has been no accountability and nothing has been done.
138	Rep. Walker	Comments that Student Tours agency is being investigated by the Oregon Attorney General. Displays brochures directed at students. Comments she wrote to companies listed on the brochures and discovered that student council members shown in the brochures are not part of the travel agency. Adds that the American Society of Travel Agents is also doing an investigation.
170	Rep. Walker	This bill asks districts to formulate a policy governing student travel. Would like school districts to make the policies known on an annual basis. Asks that the school put a notice in the senior registration packet that the school does not endorse or sanction the senior trip.
202	Rep. Walker	Thinks a school puts themselves in situation of liability. The bill is drafted in a way that it does not attack the first amendment. Mr. Marshall will say it is not a difficult task.
232	John Marshall	Oregon School Boards Association. Submits example of policies (EXHIBIT B) . State that policies to school districts are as administrative rules are to state agencies. Reviews sample policies.
271	Rep. Walker	Explains that Section 3 was put in HB 2818 at the direction of Mr. Marshall. He indicated it would be difficult for some of the smaller districts to get the policies in place.
331	Rep. Walker	Submits testimony from Stuart & Barbara Strife (EXHIBIT C) .
331	Rep. Rosenbaum	Asks why we allow use of public facilities by these agencies unless the trips have some educational value.

336	Marshall	Responds he thinks what often happens is that students are approached by friends or they hear something or see an 800 number. Adds that he is not aware of any situation where a school property was solicited.
337	Rep. Rosenbaum	Comments it would seem the school policies would prohibit advertising on school premises or during school time by any private organization.
344	Marshall	Comments one of the sample policies prohibits any kind of advertising. Another version talks about the recognition of business and cultural organizations.
356	Rep. Walker	Reviews how solicitation is done. They try to find students who are more popular and ask them to be an agent. They come with the brochure and if a student solicits 15 or more friends they get a free trip. A meeting is on or off campus.
<u>TAPE 22, A</u>		
004	Rep. Simmons	Asks if they have considered making a higher penalty against these people.
	Rep. Walker	Responds that may be a consideration after the investigation is done.
025	Vice Chair Deckert	Asks if this issue is serious enough to direct the school boards to adopt policies.
028	Marshall	Responds that the most important part of the bill may be on page 1 in lines 21 to 25 of the bill. Explains it is difficult to suggest OSBA endorse any kind of mandate. Thinks some districts will look at it and put it on the shelf. Others will recognize it is a problem and do something about it.
050	Rep. Rasmussen	Asks how many schools and trips, not just senior trips, are involved.
057	Marshall	Responds that he does not know how many schools and trips are involved.
051	Rep. Rasmussen	Asks if Rep. Walker would be willing to accept an amendment to ask that a formal report be developed so there will be some information about how the trips are put together. Suggests a survey might tell what is going on.
066	Rep. Walker	Responds she thinks we do need to take a look at what is going on. Comments that if SB 218 passes it would set up a state association that sellers of travel make application to for membership.
106	Marshall	Comments that surveys require time. Adds that the Confederation of School Administrators (COSA) has a statewide organization of student councils and suggests that organization may be able to provide information.

114	Rasmussen	Comments she is concerned that we do not know what is going on out there. Requests that COSA provide information.
129	Vice Chair Deckert	Asks what the responsibilities of the parents are before they send the child off.
137	Rep. Walker	Agrees that the parents have responsibilities. Adds that it would be helpful to get one more piece of information.
172	Judy Tichenor	Educational Travel Services, Inc. (ETS). Submits a prepared statement (EXHIBIT D) . Highlights points in statement:
208	Judy Tichenor	Number of students traveling is enormous. Has chosen not to do graduating trips. Would support legislation to provide security and protect students. Feels HB 2818 does not give full security and will create more problems than it will solve. Feels it is one more burden on the schools. Comments that:
253	Judy Tichenor	<ul style="list-style-type: none"> Utah has stopped all student travel simply because they have made it impossible for companies to contact students for any purpose.
263	Judy Tichenor	<ul style="list-style-type: none"> ETS provides information that the trips are not sponsored or endorsed by the school on the registration materials. The materials also contain a statement that the use of school buildings is only a courtesy and does not imply school sponsorship.
295	Judy Tichenor	<ul style="list-style-type: none"> Doesn't know that the school sending information home is useful. It is not clear how much more information the schools could provide.
331	Judy Tichenor	<ul style="list-style-type: none"> Schools have not typically been involved with travel companies.
348	Judy Tichenor	<ul style="list-style-type: none"> Would like to see regulations that protect students.
350	Judy Tichenor	<ul style="list-style-type: none"> Aware of SB 218. Would like to see responsibility of establishing rules come through consumer education. SB 218 will make that even stronger.
		<ul style="list-style-type: none"> Student Youth Travel Association (SYTA) is new and growing very rapidly and has very stringent regulations for student tour operators.
405	Rep. Witt	Asks if SB 218 was introduced in response to incidence that involved Rep. Walker's daughter.
413	Judi Tichenor	Responds that SB 218 predated the incident. Adds that she believes SB 218 was a reaction to a bad incident some time back that involved a travel company that went out of business and defaulted on the students' trip money.

TAPE 21, B		
014	Rep. Witt	Asks if Ms. Tichenor would support an amendment to HB 2818 to require school districts to notify parents about travel firms that are offering trips and to indicate that the firms are members of an association that is certified by the Department of Consumer and Business Services (DCBS).
032	Judi Tichenor	Responds she would support a school district putting out information saying they would recommend that the parents only look at an agency that was in compliance with Oregon Sellers of Travel certification.
041	Rep. Witt	Comments that SB 218 has been assigned to our Commerce Committee and will be heard in a few weeks in the Subcommittee on Regulations. Adds that a possibility is to deal with some of the issues that have been raised.
053	Dennis Tichenor	ETS. Comments they have been involved in student travel for years in Oregon. As an educator, he has traveled all over the world with kids. ETS does the leadership national conference for the Oregon Association of Student Councils. Most companies that ETS is associated with throughout the country are extremely reputable. SYTA is legislating themselves. Adds that the majority of companies that deal with schools go through the teachers. The teachers go to the principals and school boards and ask if they can be involved.
091	Dennis Tichenor	Comments they would love to see SB 218 passed. It says to the people that the travel industry is clean and will get cleaner.
133	Vice Chair Deckert	Closes public hearing on HB 2828 and adjourns meeting at 2:12 p. m

Submitted By, Reviewed By,

Annetta Mullins, Jason Cody,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñ HB 2818, statement relating to student tour, Rep. Walker, 8 pp

B ñ HB 2828, sample policies, John Marshall, 7 pp

C ñ HB 2818, letter regarding student tour, Rep. Walker, 2 pp

D ñ HB 2818, prepared statement, Judi and Dennis Tichenor, 4 pp