

**MINUTES OF HOUSE EDUCATION
STANDING COMMITTEE**

February 10, 1998 - 8:00 A.M.
Room 303, State Capitol Building

MEMBERS PRESENT: Rep. Lloyd Frandsen, Chairman
Rep. Ron Bigelow, Vice Chairman
Rep. Sheryl L. Allen
Rep. Duane Bourdeaux
Rep. Judy Buffmire
Rep. David L. Hogue
Rep. Keele Johnson
Rep. Susan Koehn
Rep. Patricia Larson
Rep. Tammy J. Rowan
Rep. Richard Siddoway
Rep. Bill Wright

STAFF PRESENT: J. Wayne Lewis, Research Analyst
Jean Holyoak, Committee Secretary

VISITORS LIST: Attached to and made a part of these minutes.

Rep. Ron Bigelow called the meeting to order at 8:00 a.m.

H.B. 300 - EDUCATOR BACKGROUND CHECK AMENDMENTS - Rep. Jeff Alexander

Rep. Alexander presented his bill which allows the Law Enforcement and Technical Services Division of the Department of Safety to release to the State Office of Education all information received in response to requests for criminal background checks on applicants for teacher certification or allegations. It broadens the area whereby an educator's background may be checked for complaints and not just convictions. Speaking in favor of the will were: Douglas Bates, Legal Counsel, USOE; Phyllis Sorensen, UEA; and Steve Peterson, USBA/USSA.

MOTION: Rep. Tammy Rowan made a motion to pass the bill out favorably. The motion passed unanimously. Absent for the vote were Reps. Patricia Larson and Bill Wright.

Upon motion by Rep. David Hogue, the minutes of February 5 were amended as follows:

Page 1, Substitute Motion, the minutes should read: "Voting against the **motion** (rather than 'the bill') was Rep. Larson." The amended minutes for February 5 were approved unanimously. Absent for the vote were Reps. Larson and Wright.

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H.B. 165 - EDUCATIONAL PROFESSIONAL PRACTICES AMENDMENTS -

Rep. Richard Siddoway

Rep. Siddoway presented his bill which provides that where just cause exists, the Professional Practices Commission may initiate criminal background checks on public educator certificate holders. Susan Kuziak, UEA, spoke against the bill expressing concern about infringement on the rights of the individual. She felt the legislation was too broad. Speaking in favor of the bill were: Steve Peterson, USBA/USSA; and Juniel Lyon, Utah PTA.

MOTION: Rep. Hogue made a motion to amend the bill as follows:

Page 2, Line 20: After "check" insert ";" Delete remainder of line.

Page 2, Lines 21 and 22: Delete

Voting against the motion were Reps. Frandsen, Bigelow, Allen, Buffmire, Bourdeaux and Siddoway. The motion failed. Absent for the vote were Reps. Koehn and Wright.

MOTION: Rep. Frandsen made a motion to pass the bill out favorably. The motion passed of 8 - 2 - 2. Voting against the motion were Reps. Bourdeaux and Hogue. Absent for the vote were Reps. Koehn and Wright.

H.B. 341 - HIGHER EDUCATION FACULTY - GRADUATE ENROLLMENT -

Rep. Perry Buckner

Rep. Buckner presented his bill which provides that fulltime faculty at higher education institutions may enroll in graduate classes without paying tuition if space is available without increasing instructional costs. Speaking in favor of the bill were: Paul Henderson, AFT; Phyllis Sorenson and Susan Kuziak, UEA.

MOTION: Rep. Allen made a motion to amend the bill as follows:

Page 1, Line 18: After "tuition" insert ";" and delete "and any other fee associated with those classes"

The motion passed unanimously. Absent for the vote was Rep. Larson.

MOTION: Rep. Rowan made the following motion:

Page 1, Line 16: After "in" delete "graduate"

Page 1, Line 17: Delete "level"

Following discussion of the amendment, Rep. Rowan withdrew her motion.

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Speaking favorably to the bill were: Fred Hunsaker, Board of Regents; Jeff Cold, UVSC; Carol Barrett, Weber State University; Ellen Hall, UVSC; and Paul Henderson, AFT. Speaking against the bill were Ruth Robinson, Eagle Forum and Jon Johnson, State Auditor's Office.

MOTION: Rep. Keele Johnson made a motion to pass the bill out favorably.

SUBSTITUTE

MOTION: Rep. Allen made a substitute motion to hold the bill and recommend this bill to interim study. The motion passed favorably. Voting against the motion was Rep. Judy Buffmire. Absent for the vote were Reps. Bourdeaux and Larson.

S.B. 35 - RECREATION AND TOURISM RESEARCH AND EXTENSION PROGRAM -
Sen. Lyle Hillyard

Sen. Hillyard presented his bill which establishes an extension and research program on outdoor recreation and tourism at Utah State University. It provides for a \$250,000 appropriation. Assisting Sen. Hillyard were Dr. Terry Sharik, USU, and Ray Gardener, USU consultant. Speaking in favor of the bill was Karen Sudmeyer, Tourism Council.

MOTION: Rep. Buffmire made a motion to pass the bill out favorably. The motion passed. Voting against the motion were Reps. Hogue and Wright. Absent for the vote were Reps. Bourdeaux, Koehn and Larson.

Upon motion by Rep. Buffmire, the meeting adjourned at 10 a.m.

Rep. Ron Bigelow, Vice Chair

Rep. Lloyd Frandsen, Chair