

# SENATE COMMITTEE ON EDUCATION & GENERAL GOVERNMENT

## TAPE LOG

April 26, 2007 Hearing Room B  
7:30 A.M. Tapes 83 - 86

**MEMBERS PRESENT:** Sen. Vicki Walker, Chair  
Sen. Jeff Kruse, Vice-Chair  
Sen. Rick Metsger  
Sen. Frank Morse  
Sen. Ben Westlund

**STAFF PRESENT:** Dana Richardson, Committee Administrator  
Heather Gravelle, Committee Assistant

**MEASURES/ISSUES HEARD:**

SB 1029 – Work Session  
SB 724 – Public Hearing & Work Session  
SB 378 – Public Hearing  
SB 462 – Work Session  
SB 779 – Work Session  
SB 822 – Work Session  
SB 928 – Work Session  
SB 614 – Work Session  
SB 365 – Work Session

This tape log is in compliance with Senate and House Rules. For complete contents, please refer to the cassette tapes.

TAPE # AND SIDE	COUNTER NUMBER	BRIEF DESCRIPTION OF SUBJECT MATTER OR CHANGE IN SPEAKER
83A	005	Chair Walker calls the meeting to order at 7:40 a.m.
<u>SB 1029 – WORK SESSION</u>	008	Dana Richardson, Committee Administrator
	010	Chair Walker
<u>SB 724 – PUBLIC HEARING</u>	015	Dana Richardson, Committee Administrator
	025	Sen. Margaret Carter, State Senator, Senate District #22 (EXHIBIT A)
	090	John Christensen, Legislative Assistant
	105	Chair Walker
	115	Sen. Carter
	125	Christensen
83A	135	Sen. Westlund
	142	Christensen
	148	Sen. Carter
	150	Chair Walker
<u>SB 724 – WORK SESSION</u>	152	MOTION: Sen. Kruse moves to ADOPT SB 724-2

		amendments dated 4/25/2007. (EXHIBIT B)
154		<b>VOTE: 5-0-0</b>
		<b>Chair Walker, hearing no objection, declares the motion CARRIED.</b>
161		<b>MOTION: Sen. Kruse moves SB 724 to the floor with a DO PASS AS AMENDED recommendation</b>
163		<b>VOTE: 5-0-0</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
		<b>Chair Walker declares the motion CARRIED.</b>
		<b>SEN. CARTER will lead discussion on the floor.</b>
165		Chair Walker
	<b><u>SB 378 – PUBLIC HEARING</u></b>	
168		Dana Richardson, Committee Administrator
170		Chair Walker
185		David Heynderickx, Special Counsel, Legislative Counsel
250		Chair Walker
254		Heynderickx
265		Vice-Chair Kruse
272		Heynderickx
278		Chair Walker
285		Heynderickx
300		Chair Walker
310		Steve Stadum, Executive Vice-President, Oregon Health & Sciences University
340		Chair Walker
344		Stadum
348		Chair Walker
352		Stadum
366		Chair Walker
	<b><u>SB 462 – WORK SESSION</u></b>	
372		Dana Richardson, Committee Administrator
389		Vice-Chair Kruse
395		Chuck Bennett, Director of Government Relations, Confederation of School Administrators
84A	005	Chair Walker
84A	010	Jim Green, Legislative and Public Affairs Associate Director, Oregon School Boards Association
	032	John Osborn, Attorney, Canyon School District
	040	Vice-Chair Kruse
	065	<b>MOTION: Sen. Kruse moves to ADOPT SB 462-2 amendments dated 4/25/2007. (EXHIBIT C)</b>
	067	<b>VOTE: 5-0-0</b>
		<b>Chair Walker, hearing no objection, declares the motion CARRIED.</b>
	072	<b>MOTION: Sen. Kruse moves SB 462 to the floor with a DO PASS AS AMENDED recommendation</b>
	082	<b>VOTE: 5-0-0</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
		<b>Chair Walker declares the motion CARRIED.</b>
		<b>SEN. KRUSE will lead discussion on the floor.</b>
090		Chair Walker

**SB 779 – WORK SESSION**

105	Dana Richardson, Committee Administrator
115	Chair Walker
118	Sen. Metsger
124	Chuck Bennett, Director of Government Relations, Confederation of School Administrators
142	Chair Walker
155	Emma Hardish, Student, Salem
160	Chair Walker
164	Randy Hardish, Policy Advisor., Oregon Department of Education
175	Chair Walker
178	Hardish
184	Sen. Metsger
192	Chair Walker
198	<b>MOTION: Sen. Kruse moves to ADOPT SB 779-2 amendments dated 4/23/2007. (EXHIBIT D)</b>
202	<b>VOTE: 5-0-0</b> <b>Chair Walker, hearing no objection, declares the motion CARRIED.</b>
215	<b>MOTION: Sen. Kruse moves SB 779 to the floor with a DO PASS AS AMENDED recommendation</b>

84A	218	<p><b>VOTE: 5-0-0</b>  <b>AYE:</b> In a roll call vote, all members present vote Aye.  <b>Chair Walker declares the motion CARRIED.</b>  <b>SEN. METSGER will lead discussion on the floor.</b>  Chair Walker</p>
	225	
	<u><b>SB 822 – WORK SESSION</b></u>	
	228	Dana Richardson, Committee Administrator
	245	Sasha Pollack, Legislative Assistant, Office of Sen. Ryan Deckert
	255	Vice-Chair Kruse
	258	Pollack
	262	Vice-Chair Kruse
	264	Chair Walker
	272	<p><b>MOTION: Sen. Kruse moves to ADOPT SB 822-2</b>  <b>amendments dated 4/18/2007. (EXHIBIT E)</b></p>
	275	<p><b>VOTE: 5-0-0</b>  <b>Chair Walker, hearing no objection, declares the motion CARRIED.</b></p>
	279	<p><b>MOTION: Sen. Kruse moves to ADOPT SB 822-3</b>  <b>amendments dated 4/25/2007. (EXHIBIT F)</b></p>
	282	<p><b>VOTE: 5-0-0</b>  <b>Chair Walker, hearing no objection, declares the motion CARRIED.</b></p>
	285	<p><b>MOTION: Sen. Kruse moves SB 822 to the floor with a DO</b>  <b>PASS AS AMENDED recommendation</b></p>
	287	<p><b>VOTE: 5-0-0</b>  <b>AYE:</b> In a roll call vote, all members present vote Aye.  <b>Chair Walker declares the motion CARRIED.</b>  <b>SEN. DECKERT will lead discussion on the floor.</b>  Chair Walker</p>
	292	
	<u><b>SB 928 – WORK SESSION</b></u>	
	295	Dana Richardson, Committee Administrator
	310	Chair Walker
	312	<p><b>MOTION: Sen. Kruse moves to ADOPT SB 928-1</b>  <b>amendments dated 4/19/2007. (EXHIBIT G)</b></p>
	316	<p><b>VOTE: 5-0-0</b>  <b>Chair Walker, hearing no objection, declares the motion CARRIED.</b></p>
	320	<p><b>MOTION: Sen. Kruse moves SB 928 to the floor with a DO</b>  <b>PASS AS AMENDED recommendation and BE</b>  <b>REFERRED to the committee on Ways and Means</b>  <b>by prior reference.</b></p>
	324	<p><b>VOTE: 5-0-0</b>  <b>AYE:</b> In a roll call vote, all members present vote Aye.  <b>Chair Walker declares the motion CARRIED.</b></p>
	330	Chair Walker
	<u><b>SB 614 – WORK SESSION</b></u>	
84A	345	Dana Richardson, Committee Administrator
	352	Chair Walker
	365	Lynn Marie Crider, Public Policy Specialist, SEIU Local 49
	380	Chair Walker
	385	Sen. Morse

	390	Chair Walker
	392	Kevin Earls, Vice-President of Policy and Advocacy, Oregon Association of Hospitals and Health Systems
	399	Douglas Go, Attorney, Oregon Association of Hospitals and Health Systems
<b>83B</b>	035	Crider
	045	Go
	055	Sen. Morse
	075	Chair Walker
<b>84B</b>	005	Crider
	030	Chair Walker
	034	Crider
	038	Chair Walker
	042	Sen. Metsger
	048	Sen. Westlund
	055	Chair Walker
	060	Vice-Chair Kruse
	062	Sen. Morse
	068	Crider
	077	Sen. Morse
	080	Crider
	085	Sen. Metsger
	090	Go
	118	Crider
	122	Chair Walker
	128	Sen. Metsger
	140	Go
<b>84B</b>	153	Kate Richardson, Chief of Staff, State Treasurer's Office
	171	Chair Walker
	185	Richardson
	188	Sen. Metsger
	191	Richardson
	193	Sen. Metsger
<b>84B</b>	204	Vice-Chair Kruse
	220	Sen. Westlund
	244	Go
	250	Chair Walker
	<b>252</b>	<b>MOTION: Sen. Kruse moves to ADOPT SB 614-2 amendments dated 4/26/2007. (EXHIBIT H)</b>
	<b>255</b>	<b>VOTE: 5-0-0</b> <b>Chair Walker, hearing no objection, declares the motion CARRIED.</b>
	<b>262</b>	<b>MOTION: Sen. Kruse moves SB 614 to the floor with a DO PASS AS AMENDED recommendation</b>
	<b>266</b>	<b>VOTE: 4-1-0</b> <b>AYE: 4 - Metsger, Morse, Westlund, Walker</b> <b>NAY: 1 - Kruse</b> <b>Chair Walker declares the motion CARRIED.</b> <b>SEN. WALKER will lead discussion on the floor.</b>
	275	Sen. Metsger
	280	Sen. Morse

	315	Chair Walker
<b><u>SB 365 – WORK SESSION</u></b>		
	322	Dana Richardson, Committee Administrator
	340	Chair Walker
	348	Jim Gardner, Representative, Association of American Publishers
85A	005	Laura Etherton, Consumer Advocate, Oregon State Public Interest Research Group
	021	Brett Rowlett, Communications Director, Oregon Student Association
	045	Bruce Hildebrandt, Executive Director, Association of American Publishers
	082	Etherton
	102	Vice-Chair Kruse
	108	Rowlett
	132	Chair Walker
	136	Etherton
	145	Chair Walker
	164	Sen. Morse
	190	Etherton
	215	Sen. Morse
	219	Rowlett
	230	Vice-Chair Kruse
	235	Rowlett
	240	Vice-Chair Kruse
85A	245	Rowlett
	255	Chair Walker
	260	Vice-Chair Kruse
	265	Rowlett
	280	Vice-Chair Kruse
	300	Etherton
	330	Sen. Morse
	345	Etherton
	355	Sen. Morse
	362	<b>MOTION: Sen. Metsger moves to ADOPT SB 365-3 amendments dated 4/26/2007. (EXHIBIT I)</b>
	364	<b>VOTE: 3-2-0</b> <b>AYE: 3 - Metsger, Westlund, Walker</b> <b>NAY: 2 – Kruse, Morse</b> <b>Chair Walker declares the motion CARRIED.</b>
	370	<b>MOTION: Sen. Metsger moves SB 365 to the floor with a DO PASS AS AMENDED recommendation</b>
	372	<b>VOTE: 3-2-0</b> <b>AYE: 3 - Metsger, Westlund, Walker</b> <b>NAY: 2 – Kruse, Morse</b> <b>Chair Walker declares the motion CARRIED.</b> <b>SEN. MORRISETTE will lead discussion on the floor.</b>
86A	005	Sen. Metsger
	015	Vice-Chair Kruse
	022	Chair Walker
	030	Hildebrandt
	035	Chair Walker adjourns the meeting at 9:45 a.m.

## **EXHIBIT SUMMARY**

- A. SB 724, written testimony, Sen. Margaret Carter, 6 pp
- B. SB 724, -2 amendments, staff, 1 p
- C. SB 462, -2 amendments, staff, 4 pp
- D. SB 779, -2 amendments, staff, 1 p
- E. SB 822, -2 amendments, staff, 4 pp
- F. SB 822, -3 amendments, staff, 4 pp
- G. SB 928, -1 amendments, staff, 1 p
- H. SB 614, -2 amendments, staff, 7 pp
- I. SB 365, -3 amendments, staff, 2 pp

# SENATE COMMITTEE ON EDUCATION & GENERAL GOVERNMENT

## TAPE LOG

April 26, 2007 Hearing Room C

6:00 PM Tapes 87- 90

**MEMBERS PRESENT:** Sen. Vicki Walker, Chair  
Sen. Jeff Kruse, Vice-Chair  
Sen. Rick Metsger  
Sen. Frank Morse  
Sen. Ben Westlund

**STAFF PRESENT:** Dana Richardson, Committee Administrator  
Heather Gravelle, Committee Assistant

**MEASURES/ISSUES HEARD:** SB 378 – Work Session  
SB 30 – Public Hearing & Work Session

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<b>TAPE # AND SIDE</b>	<b>COUNTER NUMBER</b>	<b>BRIEF DESCRIPTION OF SUBJECT MATTER OR CHANGE IN SPEAKER</b>
<b>87A</b>	005	Chair Walker calls the meeting to order at 6: 04 PM
<b><u>SB 378 – WORK SESSION</u></b>	008	David Heyndricks, Legislative Counsel
	026	<b>MOTION: Sen. Kruse moves to ADOPT SB 378 -4 amendments dated 4/26/2007 (EXHIBIT A)</b>
	030	<b>VOTE: 5-0-0</b>
	035	<b>AYE: In a roll call vote, all members present vote Aye. Chair Walker hearing no objection, declares the motion CARRIED.</b>
	038	<b>MOTION: Sen. Kruse moves SB 378 to the floor with a DO PASS AS AMENDED recommendation</b>
	042	<b>VOTE: 5-0-0</b>
	046	<b>AYE: In a roll call vote, all members present vote Aye. Chair Walker hearing no objection, declares the motion CARRIED.</b>
		<b>SEN. WALKER will lead discussion on the floor.</b>
<b><u>SB 30 – PUBLIC HEARING</u></b>	049	Chair Walker
	052	Dana Richardson, Committee Administrator
<b>87A</b>	090	Vice-Chair Kruse
	100	Sen. Vicki Walker, District 7
	195	Vice-Chair Kruse
	204	Chair Walker
	208	Sen. Ben Westlund, District 27
	240	Chair Walker
	271	Vice-Chair Kruse



	275	Sen. Westlund
	280	Vice-Chair Kruse
	286	Chair Walker
	295	Sen. Morse
	298	Chair Walker
	315	Sen. Morse
	320	Chair Walker
	382	Sen. Westlund
<b>88A</b>	015	Chair Walker
	035	Vice-Chair Kruse
	045	Christina Wood, Resident, Deschutes County <b>(EXHIBIT B)</b>
	151	Sage Wood, Resident, Deschutes County <b>(EXHIBIT C)</b>
	178	Chair Walker
	182	Wood
	195	Sen. Westlund
	200	Wood
	208	Sen. Westlund
	215	Chair Walker
	220	Nunzie Gould, Resident, Deschutes County
	262	Chair Walker
	280	Gould
	287	Don Phillips, Resident, Jefferson County
	312	Chair Walker
	315	Tom Landis, Resident, Jefferson County
	367	Sen. Metsger
<b>87B</b>	010	Landis
	015	Gould
	018	Sen. Metsger
	022	Chair Walker
	028	Doug Hancock, Resident, Jefferson County
	062	Tom Wolf, Trout Unlimited, Jefferson County
<b>87B</b>	100	Michael Graham, Doctor, City of Portland
	118	Chair Walker
	128	Graham
	132	Chair Walker
	136	Graham
	142	Chair Walker
	146	Graham
	148	Chair Walker
	152	Madeleine Landis, Resident, Jefferson County
	200	Chair Walker
	205	Pat Malone, Resident, Benton County <b>(EXHIBIT D)</b>
	235	Laurie Hancock, Resident, Jefferson County <b>(EXHIBIT E)</b>
	280	Chair Walker
	286	Sen. Morse
	290	Hancock
	292	Chair Walker
	304	Jeremiah Baumann, Oregon State Public Interest Research Group
	340	Charles Jody, Secretary-Treasurer, Confederated Tribes, Warm Springs Reservation of Oregon <b>(EXHIBIT F)</b>

**88B**

395 Chair Walker  
005 Mickey Killingworth, Resident, Jefferson County  
028 Chair Walker  
031 Killingworth  
042 Chair Walker  
048 Erik Kangler, Central Oregon Landwatch  
100 Paul Dewey, Attorney, Deschutes County **(EXHIBIT G)**  
140 Chair Walker  
144 Dewey  
152 Chair Walker  
154 Dick Kellogg, Resident, Jefferson County **(EXHIBIT H)**  
200 Chair Walker  
207 Kellogg  
220 Chair Walker  
240 Gregory McClarren, President, Friends of the Metolius  
310 Chair Walker  
325 McClarren  
347 Chair Walker  
352 McClarren  
358 Chair Walker  
367 McClarren  
373 Chair Walker  
380 Jody

**89A**

395 Chair Walker  
010 Jody  
018 Chair Walker  
022 David Allen, Attorney, Jefferson County **(EXHIBIT I)**  
035 Chair Walker  
040 Allen  
061 Chair Walker  
064 Allen  
092 Chair Walker  
100 Vice-Chair Kruse  
104 Chair Walker  
106 Vice-Chair Kruse  
110 Chair Walker  
115 Sen. Betsy Johnson, District 16  
130 Vice-Chair Kruse  
140 Hasina Squires, Government Relations Strategies  
160 Chair Walker  
167 Shane Lundgren, Dutch Pacific  
211 Chair Walker  
225 Allen  
260 Chair Walker  
275 Rick Allen, Ponderosa Land and Cattle Company  
315 Chair Walker  
318 Allen  
333 Linda Swearingen, Ponderosa Land and Cattle Company  
350 Sen. Morse

	355	Chair Walker
	357	Allen
	370	Sen. Westlund
	391	Swearingen
	400	Chair Walker
90A	005	Sen. Westlund
	008	Chair Walker
	010	Sen. Westlund
	015	Chair Walker
90A	022	Sen. Westlund
<b><u>SB 30 – WORK SESSION</u></b>		
	040	<b>MOTION: Sen. Metsger moves to ADOPT SB 30 -6</b>
		<b>amendments dated 4/26/2007 (EXHIBIT J)</b>
	042	<b>VOTE: 3-2-0</b>
		<b>AYE: 3 - Metsger, Morse, Walker</b>
		<b>NAY: 2 – Kruse, Westlund</b>
	045	<b>Chair Walker declares the motion CARRIED.</b>
	060	Chair Walker
	064	Sen. Westlund
	068	Chair Walker
	070	Sen. Westlund
	072	Chair Walker
	075	Sen. Westlund
	086	Chair Walker
	089	Sen. Westlund
	092	Chair Walker
	094	Sen. Westlund
	096	Chair Walker
	100	Sen. Morse
	104	Steve Phifer, Attorney, Dutch Pacific
	151	Chair Walker
	170	Phifer
	192	Chair Walker
	217	Phifer
	240	Chair Walker
	255	Allen
	280	Chair Walker
	282	Sen. Morse
	311	Sen. Westlund
	355	Chair Walker
	360	Sen. Metsger
	398	Chair Walker
89B	005	Vice-Chair Kruse
	020	Chair Walker
	025	Sen. Westlund

**MOTION: Sen. Metsger moves to ADOPT SB 30 -3  
amendments dated 4/4/2007 (EXHIBIT K)**





085 **VOTE: 5-0-0**

090 **AYE: In a roll call vote, all members present vote Aye.**  
**Chair Walker hearing no objection, declares the motion**  
**CARRIED.**

098 **MOTION: Sen. Metsger moves SB 30 to the floor with a DO**  
**PASS AS AMENDED recommendation**

100 **VOTE: 3-2-0**

**AYE: 3 - Metsger, Morse, Walker**

**NAY: 2 – Kruse, Westlund**

110 **Chair Walker declares the motion CARRIED.**

**SEN. WALKER will lead discussion on the floor.**

115 Sen. Westlund

140 Chair Walker

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

Doug Hancock, Resident, Jefferson County (**EXHIBIT L**)

Nancy Siverson, Resident, City of Portland (**EXHIBIT M**)

Russ Eaton, Resident, City of Portland (**EXHIBIT N**)

Ervin Siverson, Resident, City of Portland (**EXHIBIT O**)

Kay Knott, Resident, Resident, Jefferson County (**EXHIBIT P**)

Tom Bergeron, Resident, City of Dallas (**EXHIBIT Q**)

Rachel Beck, Resident, City of Brownsville (**EXHIBIT R**)

Jim Thurber, Resident, City of Reedsport (**EXHIBIT S**)

Alyn Stanton, Resident, City of Cannon Beach (**EXHIBIT T**)

Brian Grubb, Resident, City of Portland (**EXHIBIT U**)

Timothy Knecht, Resident, Jefferson County (**EXHIBIT V**)

Pat Krause, Resident, City of Portland (**EXHIBIT W**)

Tom Davis, Native Fish Society (**EXHIBIT X**)

145 Chair Walker adjourns the meeting at 9:55 PM.

## **EXHIBIT SUMMARY**

- A. SB 378, -4 amendments, staff, 1 p
- B. SB 30, written testimony, Christina Wood, 4 pp
- C. SB 30, written testimony, Sage Wood, 1 p
- D. SB 30, written testimony, Pat Malone, 1 p
- E. SB 30, written testimony, Laurie Hancock, 7 pp
- F. SB 30, written testimony, Charles Jody, 3 pp
- G. SB 30, written testimony, Paul Dewey, 2 pp
- H. SB 30, written testimony, Dick Kellogg, 2 pp
- I. SB 30, written testimony, David Allen, 2 pp
- J. SB 30, -6 amendments, staff, 1 p
- K. SB 30, -3 amendments, staff, 1 p
- L. SB 30, petition, Doug Hancock, 1 p
- M. SB 30, written testimony, Nancy Siverson, 1 p
- N. SB 30, written testimony, Russ Eaton, 1 p
- O. SB 30, written testimony, Ervin Siverson, 1 p
- P. SB 30, written testimony, Kay Knott, 1 p
- Q. SB 30, written testimony, Tom Bergeron, 1 p

- R. SB 30, written testimony, Rachel Beck, 1 p
- S. SB 30, written testimony, Jim Thurber, 1 p
- T. SB 30, written testimony, Alyn Stanton, 1 p
- U. SB 30, written testimony, Brian Grubb, 1 p
- V. SB 30, written testimony, Timothy Knecht, 1 p
- W. SB 30, written testimony, Pat Krause, 3 pp
- X. SB 30, written testimony, Tom Davis, 2 pp