

SENATE COMMITTEE ON EDUCATION AND WORKFORCE

March 07, 2005
3:00 P.M.

Hearing Room D
Tapes 41 - 43

MEMBERS PRESENT: Sen. Vicki Walker, Chair
Sen. Charles Starr, Vice-Chair
Sen. Ryan Deckert
Sen. Jeff Kruse
Sen. Bill Morrisette

STAFF PRESENT: Marjorie Taylor, Committee Administrator
Dawn Tusso, Committee Assistant

MEASURES/ISSUES HEARD:
SB 169 – Public Hearing and Work Session
SB 228 – 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 41, A		
005	Chair Walker	Calls meeting to order at 3:03 p.m. and opens a public hearing on SB 169.
<u>SB 169 - PUBLIC HEARING</u>		
015	Marjorie Taylor	Committee Administrator. Gives overview of SB 169.
020	Chris Minnich	Office of Assessment and Information Services, Department of Education. Testifies in support of SB 169.
035	Bill Stewart	Curriculum and Assessment Director, Gladstone School District. Testifies in support of SB 169.
050	Chair Walker	Says that, because of No Child Left Behind, it is important that the students do well on the tests. Asks if changing the dates of testing would make it easier for students to do well when they are tested.
053	Stewart	Replies yes.
055	Chair Walker	Closes public hearing on SB 169 and opens work session on SB 169.
<u>SB 169 – WORK SESSION</u>		
057	Sen. C. Starr	MOTION: Moves SB 169 to the floor with a DO PASS recommendation.
		VOTE: 4-0-1
		EXCUSED: 1 - Sen. Deckert
	Chair Walker	Hearing no objection, declares the motion CARRIED. SEN. MORRISSETTE will lead discussion on the floor.
069	Chair Walker	Closes work session and opens public hearing on SB 228. Committee stands at ease.
<u>SB 228 – PUBLIC HEARING</u>		
070	Chair Walker	Calls committee back to order.
078	Sen. Peter Courtney	Represents Senate District 11. Testifies in support of SB 228. Submits written testimony (EXHIBIT A).
138	Debi Miller	Member, Washington County Youth Advisory Council. Testifies

175	Chair Walker	in support of SB 228. Submits written testimony (EXHIBIT B).
180	Ariel Cerrud	Thanks Debi Miller for her volunteer work. Co-Chair, Washington County Commission on Children and Families Youth Advisory Council. Testifies in support of SB 228. Submits written testimony (EXHIBIT C).
236	Sen. Courtney	Shows an example of what five pounds of fat looks like. Shows plaque build up on the artery walls. Emphasizes that, for the first time in our history, children are not expected to live as long as their parents.
275	Sen. Kruse	Asks when the physical education requirement changed.
280	Sen. Courtney	States that he is unsure.
297	Sen. Morrisette	Says that physical education is only half of the problem that youth are dealing with today and that diet is the other half of the problem.
306	Chair Walker	Asks Miller and Cerrud to comment on what they think about a provision for credit for students who are involved in extracurricular activities.
318	Miller	Says that being required to take a physical education class is different than participating in sports and activities outside of the required structured classroom setting.
369	Cerrud	Talks about receiving credit for physical education classes and the differences in being required to participate in physical education versus participating in physical activity by choice outside the classroom.
387	Chair Walker	Talks about past physical education requirements in school.
TAPE 42, A		
005	Sen. Courtney	Feels that SB 228 is a good piece of legislation. Regrets that there will be some strong opposition to SB 228.
012	Chair Walker	Says the committee is aware of his concerns. States that it is the intent of the committee to pass SB 228 to Ways and Means.
030	Brian Doherty	Oregon Sports Authority. Testifies in support of SB 228.
062	Sean Sullivan	SCN Inc. Testifies in support of SB 228. Submits a Survey of Physical Education Practices in Oregon's Public Elementary and Middle Schools 2005 (EXHIBIT D). Talks about the survey and results.
116	Chair Walker	Asks if he has a hypothesis as to why the disadvantaged students are the ones who are getting the least amount of physical education.
118	Sullivan	Replies no. Continues testimony.
132	Chair Walker	Asks where Oregon is ranked.
135	Sullivan	Replies that he did not rank the states.
139	Sen. Deckert	Asks about the number of people who responded to the survey.
142	Sullivan	Feels that it is a fairly accurate study.
154	Sen. Deckert	Asks what the recommendations are.
163	Sullivan	Responds that it was a surprise to find that so many school districts meet or exceed the standard that SB 228 asks for. Says that it seems feasible that school districts could meet the standards that SB 228 imposes.
172	Chair Walker	Asks where the schools that meet the standards are located geographically.
175	Sullivan	Replies that they did not cover that in the study but would be happy to provide the information.
178	Chair Walker	Asks for the information to be provided to the committee.
186	Elise Brown	American Diabetes Association. Testifies in support of SB 228.

192	Laura Thelander	American Diabetes Association. Testifies in support of SB 228.
205	Chair Walker	Asks for explanation of type 1 and type 2 diabetes.
208	Thelander	Gives explanation of type 1 and type 2 diabetes.
225	Chair Walker	Asks if type 2 diabetes is reversible.
229	Thelander	Replies yes and explains.
237	Chair Walker	Asks what the estimated medical cost to society is for a person diagnosed with type 2 diabetes.
240	Thelander	Explains costs.
252	Chair Walker	Asks, if we can prevent type 2 diabetes, can we reduce long term health costs and save lives.
256	Thelander	Replies yes.
270	Dr. John Wilkins	Testifies in support of SB 228.
320	Dr. John Evans	Oregon Medical Association. Testifies in support of SB 228.
TAPE 41, B		
002	Chair Walker	Mentions that there are not enough kidneys to go around.
005	Dr. Evans	Says that is correct.
058	Dr. Wilkins	Says that the health conditions are reversible with school age children.
070	Dr. Minot Cleveland	Oregon Coalition for Promoting Physical Activity. Testifies in support of SB 228. Submits written testimony (EXHIBIT E). Mentions testimony submitted on behalf of Alicia Procello, NikeGO Manager (EXHIBIT F).
091	Chair Walker	Asks about conflict in covering health costs.
102	Dr. Cleveland	Replies that we cannot pay for the care we are trying to deliver now.
113	Dr. Wilkins	States that he agrees with Sen. Walker.
128	Chair Walker	Talks about pedometers.
145	Dr. Evans	Mentions other economic losses.
153	Dr. Wilkins	Comments on the evidence based studies and says that it is clear cut.
157	Dr. Cleveland	Applauds Sen. Walker for the use of a pedometer.
170	Sen. Deckert	Asks about other choices that have not been mentioned. Expresses concern that the wrong message might be sent to Oregon that physical education can be mandated. Talks about school board and unfunded mandates.
190	Dr. Wilkins	Mentions school board experience and unfunded mandates.
210	Dr. Beau Weill	Testifies in support of SB 228. Submits written testimony (EXHIBIT G).
247	Chair Walker	Asks if watching television burns fewer calories than reading a book or sleeping.
250	Dr. Weill	Explains. Continues testimony.
315	Dr. James Lace	Testifies in support of SB 228. Submits written testimony (EXHIBIT H). Mentions other bills dealing with food served at schools and measuring body mass index.
367	Sen. Morrisette	Says that the bills mentioned are no longer on the table.
385	Dr. Jane Moore	Testifies on SB 228. Submits written testimony (EXHIBIT I).
TAPE 42, B		
005	Dr. Moore	Continues testimony on SB 228.
030	Don Zehrung	Council for Children's Expanded Physical Education. Testifies in support of SB 228. Submits written testimony (EXHIBIT J).
110	Chair Walker	Comments on testimony.
125	Will Boshuizin	Student, Oregon State University. Testifies in support of SB 228.
182	Raquel Tambio	Student, Oregon State University. Testifies in support of SB 228.

250	David Williams	Submits written testimony (EXHIBIT K). Oregon School Boards Association. Testifies in opposition to SB 228.
351	Laurie Wimmer Whelan	Oregon Education Association. Testifies in opposition to SB 228. Submits written testimony (EXHIBIT L).
408	Chair Walker	Appreciates the comments and sensitivity to the issue of funding. States that the committee plans to move SB 228 to Ways and Means. Thinks that they should be able to find funding for the program.
422	Sen. Kruse	Mentions concern regarding the standard length of time of a middle school class and the requirement in SB 228 regarding the amount of physical education required. Wants to make sure that it is a reasonable amount of time and that middle schools won't have to restructure their system to accommodate SB 228.
TAPE 43, A		
010	John Valley	American Heart Association. Testifies on SB 228. Submits written testimony (EXHIBIT M). Submits written testimony on behalf of Frank Jagodnik (EXHIBIT N) and James Lussier and Gretchen Morley (EXHIBIT O).
025	Chair Walker	Closes public hearing and opens work session on SB 228.
<u>SB 228 – WORK SESSION</u>		
030	Sen. C. Starr	MOTION: Moves SB 228 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means.
032	Sen. Kruse	Wants Ways and Means to look at the time requirement of a middle school class to make sure the standard imposed by SB 228 is reachable. VOTE: 4-0-1 EXCUSED: 1 - Sen. Deckert
041	Chair Walker Chair Walker	Hearing no objection, declares the motion CARRIED. Closes work session and adjourns meeting at 5:00 p.m.

EXHIBIT SUMMARY

- A. **SB 228 written testimony, Sen. Peter Courtney, 2 pp**
- B. **SB 228 written testimony, Debi Miller, 1 p**
- C. **SB 228 written testimony, Ariel Cerrud, 2 pp**
- D. **SB 228, survey, Sean Sullivan, 18 pp**
- E. **SB 228 written testimony, Dr. Minot Cleveland, 3 pp**
- F. **SB 228 written testimony, Dr. Minot Cleveland, 3 pp**
- G. **SB 228 written testimony, Dr. Beau Weill, 3 pp**
- H. **SB 228 written testimony, Dr. James Lace, 2 pp**
- I. **SB 228 written testimony, Dr. Jane Moore, 4 pp**
- J. **SB 228 written testimony, Don Zehung, 3 pp**
- K. **SB 228 written testimony, Raquel Tambio, 2 pp**
- L. **SB 228 written testimony, Laurie Wimmer Whelan, 2 pp**
- M. **SB 228 written testimony, John Valley, 2 pp**
- N. **SB 228 written testimony, John Valley, 1 p**
- O. **SB 228 written testimony, John Valley, 1 p**