

# SENATE COMMITTEE ON EDUCATION AND WORKFORCE

April 25, 2005  
3:00 P.M.

Hearing Room D  
Tapes 74 - 75

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

**MEMBER EXCUSED:** Sen. Ryan Deckert

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

**MEASURES/ISSUES HEARD:**

SB 765 – Work Session  
HCR 1 A - Public Hearing and Work Session  
SB 1039 - Public Hearing and Work Session  
HB 2443 - Public Hearing and Work Session  
SB 860 – Public Hearing

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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.

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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<b>TAPE 74, A</b> 005	Chair Walker	Calls meeting to order at 3:09 p.m. and opens a work session on SB 765.
<b><u>SB 765 – WORK SESSION</u></b>		
009	Marjorie Taylor	Committee Administrator. Gives overview of SB 765. Mentions - 3 amendments ( <b>EXHIBIT A</b> ). Reports subsequent referral to Revenue.
014	Chair Walker	Comments on SB 765. Says that the committee wants to rescind the subsequent referral to Revenue and request that SB 765 be sent to Ways and Means.
018	Sen. Kruse	Discusses work group and SB 765. Says that some individuals still have concerns with SB 765. Talks about reason why SB 765 needs to go to Ways and Means. Explains why SB 765 does not need to go to Revenue. Talks about addressing concerns through attaching budget notes.
037	Chair Walker	Reads possible budget note language for SB 765.
047	Sen. Kruse	Suggests correction in budget note.
051	Sen. C. Starr	Asks if it would be a change in the designated name for the education service areas instead of districts.
054	Sen. Kruse	Explains that both names must be kept.
<b>060</b>	<b>Sen. C. Starr</b>	<b>MOTION: Moves to ADOPT SB 765-3 amendments dated 4/1/05.</b>
063	Chair Walker	States that an email was sent out to members of the work group, asking them to respond to some of the concerns that were raised. Reports that the responses were reviewed by committee members and staff and that the decision was made not to change the amendments. Feels that the budget note will address the concern mentioned.



333	Sen. Morrisette	Comments that he was looking for loop holes that would allow others to serve but that substitute bus driver is pretty specific.
337	Marshall	Replies that it is specific and that it only applies to the smallest school districts.
344	Sen. Morrisette	Comments on the limitation of the size of the school district.
353	Chair Walker	Closes public hearing and opens work session on HB 2443.
<b><u>HB 2443 – WORK SESSION</u></b>		
356	Sen. C. Starr	<b>MOTION: Moves to ADOPT HB 2443-1 amendments dated 4/21/05.</b>
		<b>VOTE: 3-0-2</b>
		<b>EXCUSED: 2 - Sen. Deckert, Sen. Kruse</b>
		<b>Hearing no objection, declares the motion CARRIED.</b>
361	Chair Walker Sen. C. Starr	<b>MOTION: Moves HB 2443 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 3-0-2</b>
		<b>EXCUSED: 2 - Sen. Deckert, Sen. Kruse</b>
		<b>Hearing no objection, declares the motion CARRIED.</b>
		<b>SEN. WALKER will lead discussion on the floor.</b>
366	Chair Walker	Closes work session and opens public hearing on SB 860.
<b><u>SB 860 – PUBLIC HEARING</u></b>		
377	Chair Walker	Talks about SB 860. Says that SB 860 does not have the support of the committee in its current form but that she has been working to come up with an amendment.
<b>TAPE 75, A</b>		
001	Jenny Sumner	Student, Springfield High School. Introduces herself and submits report for the record ( <b>EXHIBIT E</b> ).
002	Leanne Leighton	Student, Springfield High School. Introduces herself.
003	Ken Johnston	Teacher, Springfield High School. Introduces himself.
006	Leighton	Talks about Distributive Education Clubs of America (DECA).
010	Sumner	Talks about DECA.
013	Chair Walker	Asks if they have to choose a yearly project to work on each year.
015	Leighton	Explains.
033	Leighton & Sumner	Gives overview of the DECA project.
098	Leighton	Presents conclusions.
100	Sen. Morrisette	Asks if they asked what kinds of soda the students were drinking.
102	Leighton	Replies no.
103	Leighton & Sumner	Continues conclusions.
129	Sen. Morrisette	Comments on the study. Asks if they did any outside consulting.
149	Leighton	Explains that they talked to a pediatrician who said that it would be unhealthy to consume more than one twelve ounce soda per day.
153	Sen. Morrisette	Congratulates the students on their project.
157	Chair Walker	Asks if the pediatrician distinguished between diet and regular soda when they recommended no more than twelve ounces per day.
160	Sumner	Replies that there was not a distinction made.
166	Sen. C. Starr	Says he is intrigued by their work and supports these types of organizations in the public school system.
170	Chair Walker	Asks if they get any financial support from the state or the school or if it is all privately funded.
172	Johnston	Says that it is mostly privately funded but that the student leadership center is funded by the state.

174	Chair Walker	Asks Sumner and Leighton if they have seen the movie Super Size Me.
177	Leighton	Explains that they watched it in their Economics class.
182	Chair Walker	Talks about the movie.
196	Sen. Morrisette	Asks what grade the students are in.
197	Leighton	Replies that they are both Seniors.
198	Sen. Morrisette	Asks how long Johnston has been with Springfield High School.
200	Johnston	Replies 28 years.
212	Kari McFarlan	Community Health Partnerships. Testifies on SB 860. Talks about seven middle schools in Portland. Reports on the types of food and beverages found in the schools. Says that the situation varies depending on the local control issue. Believes that local control works where there is a good policy. Says there is a district policy in Portland that does not allow soda or candy. Says there were four snack machines out of the seven schools. Says there were sixteen beverage machines found. Says the majority of the slots were devoted to water, the second being 100% fruit juice, and a few of the slots were devoted to a fruit cocktail.
251	Molly Haynes	Registered Dietician. Testifies on SB 860. Reports on food items sold at Thurston Middle School. Talks about foods sold at the school store. Says the snack machine and beverage machine are only available after school. Reports on findings at a middle school in Beaverton.
288	Sen. Morrisette	Asks Haynes about the school store at Thurston Middle School.
290	Haynes	Explains that the school store is open during the lunch hour. Reports on items sold at the school store.
294	Sen. Morrisette	Asks if they have Pepsi products. Asks if the school store is open during break times as well.
298	Haynes	Says they have Pepsi products. Says she is unsure whether or not the school store is open during breaks.
306	Cassie Holder	Student, Portland State University. Testifies on SB 860. Reports on findings at a McMinnville middle school.
322	Sen. Morrisette	Asks if the school stores could be an alternative to lunch.
325	Holder	Replies yes.
337	Craig Mosbaek	Upstream Public Health. Commends the DECA students. Testifies on SB 860. Talks about DECA project results.
369	Nancy Becker	Policy Chair for the Oregon Dietetic Association. Testifies in support of SB 860.

**TAPE 74, B**

005	Mary Lou Hennrich	Community Health Partnership. Testifies in support of SB 860. Reports that the Oregon Nutrition Policy Alliance supports the Oregon Department of Education (ODE) Task Force policy recommendations numbers 1, 3 and 4 with a few stipulations. Explains the stipulations. Wants a minimum standard written into law in case some districts do not produce a robust policy.
039	Chair Walker	Asks how a robust policy is defined.
040	Hennrich	Defines robust policy.
046	Chair Walker	Comments on work group discussion regarding requiring that each district have a nutritional policy taskforce. Talks about results found after visiting two elementary schools and one high school on Friday. Says the students want to have a voice in the decisions made regarding the issue of food and beverage consumption at school. Says she wants community buy-in on the issue. Discusses foods of minimal nutritional value.

095	Hennrich	Responds to Sen. Walker's comments.
121	Sen. Morrisette	Asks why Mel Kohn is not testifying before the committee today.
124	Chair Walker	Reports that he testified at the last public hearing the committee had on the issue.
120	Becker	Talks about foods of minimal nutritional value.
155	Chair Walker	Says the children want to be involved in the decision making. Talks about SB 860 and the work group.
191	Hennrich	Responds to comments. Reports that Andi Jordan recommends that a parent and dietician be on the nutritional policy taskforces.
210	Chair Walker	Mentions another issue that is not addressed by the federal law.
215	Hennrich	Supports that districts report to the ODE.
222	Chair Walker	Talks about competitive foods.
238	Chair Walker	Asks how long the taskforce met.
240	Becker	Replies eight months.
244	Chair Walker	Reports that she will have amendments drafted. Talks about the amendments.
258	Hennrich	Clarifies that the wording from the Task Force recommendations will be put in the amendments.
263	Chair Walker	Comments that her understanding from the work group was that people thought it would be too confusing.
265	Hennrich	Feels that is not the case. Says the ODE supports the wording as well.
271	Chair Walker	Asks Pat Burk and Heidi Dupuis to come forward to testify.
275	Pat Burk	Chief Policy Officer, Department of Education. Testifies on SB 860. Comments that the Board of Education has accepted the report and has asked staff to come back with specific implementation plans on the recommendations.
310	Chair Walker	Asks how the school districts would be monitored.
312	Burk	Explains two levels of monitoring.
365	Heidi Dupuis	Department of Education. Testifies on SB 860.
381	Burk	Says that they have already begun meeting with food service staff across the state and that they are aware of the changes coming their way.
397	Sen. Morrisette	Asks about the connection between the food service program and student groups who sell food.
402	Dupuis	Explains.
415	Sen. Morrisette	Asks if it would address the issue of consistency within the school.
<b>TAPE 75, B</b>		
001	Dupuis	Replies yes.