

SENATE COMMITTEE ON EDUCATION AND WORKFORCE

April 27, 2005Hearing Room D
3:00 P.M.Tapes 76 - 77

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 860 –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.

TAPE/#	Speaker	Comments
TAPE 76, A		
005	Chair Walker	Calls meeting to order at 3:11 p.m. Reports that the committee will not be reconsidering SB 342 today.
007	Marjorie Taylor	Committee Administrator. Discusses SB 342.
011	Chair Walker	Re-iterates that SB 342 will not be reconsidered today.
014	Chair Walker	Opens work session on SB 860.
<u>SB 860 – WORK SESSION</u>		
016	Marjorie Taylor	Committee Administrator. Gives overview of SB 860 -2 amendments (EXHIBIT A).
033	Chair Walker	Wants discussion regarding SB 860 -2 amendments. Reports on the -2 amendments. Mentions the Child Nutrition Reauthorization Act (EXHIBIT B) and foods of minimal nutritional value handout (EXHIBIT C). Distinguishes between federal law and additions to the federal law included in the -2 amendments.
106	Chair Walker	Asks Mary Lou Hennrich and David Williams to testify.
109	Mary Lou Hennrich	Oregon Nutrition Policy Alliance. Testifies on the SB 860 -2 amendments. Says that Sen. Walker did capture everything discussed for the -2 amendments. States that they support the amendments but expresses concern that the amendments do not provide a fall back if the districts do not follow through.
117	Chair Walker	Clarifies that everything discussed was captured in the amendments.
119	Hennrich	Replies yes.
121	Sen. Morrisette	Asks if Hennrich saw the -3 amendments.
124	Chair Walker	States that she received them a few moments ago.
128	Chair Walker	Reports that she received the SB 860 -3 amendments five minutes before committee. Asks Ted Keizer to come forward to testify on the -3 amendments.
130	Ted Keizer	Legislative Assistant, Sen. Joanne Verger's office. Talks about

		the SB 860 -3 amendments (EXHIBIT D).
149	Sen. Kruse	Comments that he has heard the testimony before. Wants to know why the chair of the committee did not know about the amendments before the meeting.
153	Keizer	Apologizes and reports that he just received the -3 amendments fifteen minutes ago.
154	Chair Walker	Asks Keizer if he was present at Monday's meeting.
155	Keizer	Replies yes.
157	Chair Walker	Asks if he knew she was planning to draft amendments.
160	Keizer	Replies yes.
161	Chair Walker	Asks if he knew he was going to draft amendments at that time.
166	Keizer	Says that he decided to draft amendments on Tuesday.
167	Chair Walker	Stresses appropriateness of discussing the amendments with her prior to the meeting.
168	Sen. Morrisette	Asks about the substance of the -3 amendments.
171	Sen. Morrisette	Comments on the substance of the -3 amendments. Feels it would be a good companion piece. Says it should be considered.
180	Chair Walker	Says the committee is giving the -3 amendments due consideration.
182	Chair Walker	Asks Keizer why he thinks the -3 amendments are better than the -2 amendments. Comments that it seems that the -2 amendments are doing what he is asking.
193	Keizer	Replies that the -2 amendments are not enough by themselves.
195	Chair Walker	Asks for further clarification.
197	Keizer	Explains that the -2 amendments do not address the consistency of the policies.
205	Sen. C. Starr	Says that the -2 and -3 amendments are not compatible. Points out conflicts between the two amendments. Says the amendments would have to be re-drafted before moving forward with them.
217	Chair Walker	Comments that Sen. Starr is very observant and astute.
218	Sen. C. Starr	Comments that the -2 amendments should be moved and SB 860 should be moved forward as amended.
233	Chair Walker	Comments on the emergency clause.
242	Sen. C. Starr	MOTION: Moves to ADOPT SB 860-2 amendments dated 04/27/05.
245	Chair Walker	Asks if there is any discussion.
247	Sen. Morrisette	Comments on the -3 amendments. Says his support of SB 860 depends upon integrating some of the language from the -3 amendments into the bill.
269	Chair Walker	Says the committee is under deadlines and that SB 860 either moves forward today or dies today. Reports that SB 860 will not be held over. Points out that lines 9 and 10 of SB 860 -2 amendments address all foods sold on campus during the school day.
284	Sen. Morrisette	Says he didn't get the amendments until during session today. Suggests that SB 860 could be held over with the permission of the Senate President.
292	Chair Walker	States that SB 860 will not be held over.
293	David Williams	Oregon School Boards Association. Reports that the SB 860 -2 amendments do address the issues discussed. Supports the -2 amendments. Comments on the SB 860 -3 amendments.
327	Chair Walker	Comments on foods of minimal nutritional value.
360	Sen. Kruse	Thanks Sen. Walker for her work on the bill. Comments that he did not support SB 860 in its original form. Supports the -2

392	Sen. Morrisette	amendments. Expresses frustration because the focus has been put on schools and that is not the source of childhood obesity. Responds to Sen. Kruse's comments.
TAPE 77, A		
011	Chair Walker	Comments that she agrees with both Sen. Kruse and Sen. Morrisette. Recognizes motion on the table and asks for a role-call vote.
027		VOTE: 4-1-0 AYE: 4 - Sen. Deckert, Sen. Kruse, Sen. C. Starr, Sen. Walker NAY: 1 - Sen. Morrisette The motion Carries.
032	Chair Walker Sen. C. Starr	MOTION: Moves SB 860 to the floor with a DO PASS AS AMENDED recommendation. VOTE: 4-1-0 AYE: 4 - Sen. Deckert, Sen. Kruse, Sen. C. Starr, Sen. Walker NAY: 1 - Sen. Morrisette The motion Carries. SEN. WALKER will lead discussion on the floor.
047	Chair Walker	Reports that this is the last day of committee for a while.
060	Chair Walker	Adjourns meeting at 3:44 p.m.

EXHIBIT SUMMARY

- A. **SB 860, -2 amendments, staff, 3 pp**
- B. **SB 860, child nutrition reauthorization act, staff, 1 p**
- C. **SB 860, foods of minimal nutritional value description, staff, 1 p**
- D. **SB 860, -3 amendments, Ted Keizer, 1 p**