

SENATE COMMITTEE ON RULES

July 26, 2005
1:00 P.M.

Hearing Room B
Tapes 177 - 178

MEMBERS PRESENT: Sen. Kate Brown, Chair
Sen. Ted Ferrioli, Vice-Chair
Sen. Jason Atkinson
Sen. Charlie Ringo
Sen. Frank Shields

STAFF PRESENT: Tiffany Harris, Committee Administrator
Katie Lowry, Committee Assistant

MEASURE/ISSUES HEARD:
SB 1097 - Public Hearing and Work Session
HB 3159A - Work Session
HB 3184A - Public Hearing
HB 3037 - 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 177, A		
005	Chair Brown	Calls the meeting to order at 1:09 p.m. and opens a public hearing on SB 1097. Notes the committee is meeting as a subcommittee.
<u>SB 1097 - PUBLIC HEARING</u>		
007	Tiffany Harris	Committee Administrator. Provides an overview of SB 1097. Notes there are no amendments. (Note: The committee is now meeting as a full committee.)
013	President Peter Courtney	Senate District 11. Submits and reads written testimony in support of SB 1097 (EXHIBIT A).
046	President Courtney	Discusses federal privacy laws.
054	Jim Willis	Director, Oregon Department of Veterans' Affairs. Explains belief that the remains of honorably discharged veterans may be at the Oregon State Hospital. Explains the process the department would take for the interment of the remains of honorably discharged veterans.
092	Maynard Hammer	Oregon State Hospital. Testifies in support of SB 1097. Mentions federal privacy laws.
103	Chair Brown	Closes the public hearing on SB 1097 and opens a work session on SB 1097.
<u>SB 1097 - WORK SESSION</u>		
106	Sen. Shields	MOTION: Moves SB 1097 to the floor with a DO PASS recommendation.
107	Chair Brown	VOTE: 5-0-0 Hearing no objection, declares the motion CARRIED. PRESIDENT COURTNEY will lead discussion on the floor.
111	Chair Brown	Closes the work session on SB 1097 and opens a work session on HB 3159A.

HB 3159A - WORK SESSION

115	Tiffany Harris	Committee Administrator. Provides an overview of HB 3159A. Submits the -A7 amendments (EXHIBIT B) .
118	Sen. Betsy Johnson	Senate District 16. Testifies in support of HB 3159A.
128	Jessica Harris Adamson	Associated General Contractors. Expresses support for HB 3159A.
132	Sen. Ringo	Verifies there is agreement on the -A7 amendments.
133	Sen. Johnson	Replies yes and explains language.
136	Sen. Atkinson	MOTION: Moves to ADOPT HB 3159-A7 amendments dated 7/22/05.
140		VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
141	Sen. Atkinson	MOTION: Moves HB 3159A to the floor with a DO PASS AS AMENDED recommendation.
145		VOTE: 5-0-0
	Chair Brown	Hearing no objection, declares the motion CARRIED. SEN. JOHNSON will lead discussion on the floor.
149	Chair Brown	Closes the work session on HB 3159A and opens a public hearing on HB 3184.

HB 3184 - PUBLIC HEARING

154	Marjorie Taylor	Committee Administrator. Provides an overview of HB 3184A. Submits and explains the -A3 amendments (EXHIBIT C) . Explains relation to SB 765 (2005).
172	Sen. Vicki Walker	Senate District 7. Expresses support for HB 3184A with the -A3 amendments.
178	Chair Brown	Verifies that Sen. Walker was Chair of the Senate Education Committee.
179	Sen. Walker	Replies correct.
180	Chair Brown	Verifies that Sen. Walker worked on SB 765 and also appointed a workgroup which was led by Sen. Kruse regarding SB 765.
185	Sen. Walker	Replies correct.
187	Chair Brown	Asks about the goal of SB 765.
188	Sen. Walker	Replies to get more money into the classrooms. Discusses the workgroup that took place in the Senate Education Committee. Explains HB 3184A with the -A3 amendments.
238	Sen. Ringo	Expresses appreciation in working with Sen. Walker. Believes SB 765 is a good start. Disagrees that Educational Service Districts (ESDs) are necessary. Explains in detail.
252	Sen. Walker	Believes that ESDs provide valuable services.
258	Sen. Ringo	Opines that it may not be the most efficient way to have those services provided for the larger districts.
265	Sen. Walker	Discusses regional ESDs.
273	Sen. Shields	Refers to page 2, line 36 of the -A3 amendments. Wonders why community colleges are there and if they need to be there.
282	Sen. Walker	Believes the community colleges representatives have some concerns. Explains why it is necessary. Discusses the goal of a seamless education system.
305	Julie Suchanek	Oregon Community College Association. Asks that the bill be amended to remove the words "and community colleges" on page 3, lines 11-12 of the -A3 amendments. Explains concerns with mentioned language. Expresses willingness to work towards a seamless education system. Submits written testimony (EXHIBIT D) .

330	Rob Myers	Five Frontier Rural ESDs. Testifies regarding HB 3184A.
TAPE 178, A		
001	Myers	Continues testimony regarding HB 3184A.
013	Rep. John Dallum	House District 59. Testifies regarding HB 3184A. Discusses the -A3 amendments. Expresses support for HB 3184A as drafted. States opposition to the -A3 amendments.
062	Tricia Smith	Oregon School Employees Association. Submits and discusses written testimony in opposition to the -A3 amendments (EXHIBIT E).
150	Smith	Concludes testimony.
185	Sen. Ringo	Remarks on the ESD in his district. Believes that ESDs need a defined purpose. Remarks on accountability with regards to ESDs. Wants a bill that would focus on larger school districts.
225	Rep. Dallum	Responds to Sen. Ringo's comments. Looks forward to the opportunity to craft legislation which would be a solution to the geographical and population differences in the state.
269	Sen. Ferrioli	Wonders if there are any small ESDs that can meet the requirements for a regional ESD.
275	Myers	Suggests the bar to meet the requirements is a subjective analysis because capacity is not clearly defined. Opines that it probably does not need to be done.
293	Sen. Ferrioli	Indicates support for not disempowering smaller ESDs. Comments on testimony. Comments on discussion with Sen. Ringo regarding getting resources into the classroom. Suggests the issue is that there are too many ESDs to manage.
361	Chair Brown	Discusses the workgroup led by Sen. Kruse. Responds to Sen. Ferrioli's entrepreneurial concerns. Suggests Sen. Ferrioli look at section 12 of the -A3 amendments. Explains they will not move HB 3184A forward today.
391	Ozzie Rose	Association of Education Service Districts. Discusses opposition to the -A3 amendments.
TAPE 177, B		
001	Rose	Continues testimony in opposition to HB 3184A with the -A3 amendments.
044	Chair Brown	States she is struggling with how to go forward on this issue because it has been discussed many times.
047	Rose	Comments on changing boundaries. Comments on legislation passed which requires students to take four years of English and three years of Math to graduate high school (HB 3129A).
056	Chair Brown	States the House passed that bill.
058	Rose	Remarks on mentioned legislation. Comments on the legislature imposing new requirements with regards to performance, but not expanding resources. Expresses opposition to HB 3184A. Recognizes there is a need for better regional services.
073	Chair Brown	Acknowledges that Vicki Fleming was a part of the workgroup. Asks for input of witness.
075	Vicki Fleming	Deputy Superintendent, Oregon Department of Education (ODE). States she was a member of the mentioned workgroup. Explains that regardless of legislation passed by the legislature, they will continue to work with the other ESD superintendents. Mentions the No Child Left Behind Act and its affect on the ODE. Remarks on attempt to help meet the needs of every student in Oregon better. Discusses the -A3 amendments to HB 3184A. Comments on earlier testimony.

110	Rose	States the first three pages were developed by a committee that represented 8 superintendents and is a nice piece of work.
117	Sen. Ringo	States that he has some disagreements with Mr. Rose. Asks witnesses to meet with him outside of the room after the committee meeting to talk about a different idea.
130	Chair Brown	Closes the public hearing on HB 3184A. Recesses the meeting for five minutes at 2:16 p.m. The committee stands at ease.
131	Chair Brown	Calls the meeting back to order at 2:27 p.m. and opens a work session on HB 3037.
<u>HB 3037 - WORK SESSION</u>		
133	Tiffany Harris	Committee Administrator. Provides an overview of HB 3037. Submits and explains the -3 amendments (EXHIBIT F) and the -4 amendments (EXHIBIT G) to HB 3037.
140	Sen. Atkinson	MOTION: Moves to ADOPT HB 3037-3 amendments dated 6/29/05.
144		VOTE: 4-0-1
	Chair Brown	EXCUSED: 1 - Ringo
		Hearing no objection, declares the motion CARRIED.
145	Sen. Brown	MOTION: Moves to ADOPT HB 3037-4 amendments dated 7/12/05.
147	Sen. Shields	Asks if the -4 amendments address the issue regarding the murder of a pregnant woman.
151	Chair Brown	Replies correct.
152	Sen. Shields	Wonders if there is going to be any testimony on the -4 amendments.
153	Chair Brown	Explains there was a public hearing on both the original bill and the issue.
154	Sen. Shields	Explains he will be voting no on the -4 amendments.
155		VOTE: 3-1-1
		AYE: 3 - Atkinson, Ferrioli, Brown
		NAY: 1 - Shields
	Chair Brown	EXCUSED: 1 - Ringo
		The motion CARRIES.
156	Chair Brown	MOTION: Moves HB 3037 to the floor with a DO PASS AS AMENDED recommendation.
157	Chair Brown	Expresses concerns with regards to expanding the death penalty. Acknowledges that the statutes are now inconsistent.
163	Sen. Atkinson	Concurs with Chair Brown's concerns with regards to expanding the death penalty. Expresses concerns regarding the -4 amendments. Appreciates Chair Brown moving the -3 amendments. Explains he will support the entire bill with reservation.
168	Sen. Shields	Expresses concerns over the potential death of innocent people due to the death penalty.
174	Sen. Ferrioli	Makes comments regarding HB 3037.
193		VOTE: 3-1-1
		AYE: 3 - Atkinson, Ferrioli, Brown
		NAY: 1 - Shields
	Chair Brown	EXCUSED: 1 - Ringo
		The motion CARRIES.
		SEN. BROWN will lead discussion on the floor.
195	Chair Brown	Makes comments.
198	Chair Brown	Closes the work session on HB 3037 and adjourns the meeting at

2:32 p.m.

EXHIBIT SUMMARY

- A. SB 1097, written testimony, Sen. Peter Courtney, 2 pp**
- B. HB 3159A, -A7 amendments, staff, 2 pp**
- C. HB 3184A, -A3 amendments, staff, 35 pp**
- D. HB 3184A, written testimony, Julie Suchanek, 3 pp**
- E. HB 3184A, written testimony, Tricia Smith, 3 pp**
- F. HB 3037, -3 amendments, staff, 1 p**
- G. HB 3037, -4 amendments, staff, 4 pp**