

# HOUSE COMMITTEE ON EDUCATION

April 14, 2003 Hearing Room E  
2:00 PM Tapes 66 - 68

**MEMBERS PRESENT:**        **Rep. Vic Backlund, Chair**  
                                  **Rep. Pat Farr, Vice-Chair**  
                                  **Rep. Elaine Hopson, Vice-Chair**  
                                  **Rep. Brad Avakian**  
                                  **Rep. Billy Dalto**  
                                  **Rep. Wayne Scott**

**MEMBER EXCUSED:**        **Rep. Mary Nolan**

**STAFF PRESENT:**         **Jim Keller, Committee Administrator**  
                                  **Jeana Harrington, Committee Assistant**

**MEASURES HEARD:**         **SB 10-A – Public Hearing**  
                                  **SB 130 – Work Session**  
                                  **SB 287 – Work Session**  
                                  **SB 388-A – Work Session**

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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 66, A</b>		
004	Chair Backlund	Calls meeting to order at 2:04 PM. Welcomes colleagues and audience. Opens public hearing on SB 10-A.
<b><u>SB 10-A – PUBLIC HEARING</u></b>		
007	Jim Keller	Committee Administrator. Reads Staff Measure Summary (SMS) on SB 10-A.
010	John Ingram Senate President	Submits written testimony on SB 10-A ( <b>EXHIBIT A</b> ). District 11. Defers to Rep. Dalto.
018	Peter Courtney Rep. Billy Dalto	House District 21. Testifies in favor of HB 10-A. Explains the bill. Believes the bill solves an education policy issue with regard to access. Recognizes there are flaws with the federal immigration policy. Adds the bill does nothing to change or affect immigration policy. Submits that parents all want the same access and benefits for their children. Comments on the cost and believes any fiscal impact will be absorbed by the Oregon University System (OUS).
125	Sen. Courtney	Testifies in favor of SB 10-A. ( <b>EXHIBITS B and C</b> ). Informs the committee of the work of the Senate on the issues. Speaks on the tuition fees for in and out-of state residents. Believes the vast majority of students in OUS could not afford out-of-state tuition. Notes the educational backgrounds of the committee members. Refers to statute to inform committee of educational requirements for children. Notes the bill was pioneered in California and Texas and that the decision was a bipartisan one. States that SB 10-A does not displace Oregon citizens. Does not

		believe students should be responsible for the choices of their parents.
278	Rep. Dalto	Mentions that the bill passed in Texas and that President George W. Bush signed it into law. Believes the bill should be addressed in Oregon because it is being recognized federally. Speaks on the 'duty' for children to attend school.
315	Rep. Hopson	Clarifies the states that have these bills.
323	Sen. Courtney	Responds that other states are considering the law and believes there are four states with the law currently.
335	Rep. Dalto	Comments.
338	Chair Backlund	Explains the rules for testimony.
355	Grattan Kerans	OUS. Testifies in favor of SB 10-A as amended ( <b>EXHIBIT D</b> ). Explains the policy behind SB 10-A.
<b>TAPE 67, A</b>		
013	David McDonald	Director of Enrollment Services, OUS. Testifies in favor of SB 10-A. Explains the estimated range of student affected by SB 10-A ( <b>EXHIBIT E</b> ).
050	Kerans	Adds that looking at the issue dispassionately, there would not be a great impact fiscally.
058	Rep. Farr	Asks to what extent education in-state is subsidized.
065	Kerans	Responds state support declines by the month, but the number is around 5,000 in full.
068	Rep. Hopson	Requests the foreign student tuition.
070	Kerans	Responds that foreign and out-of-state tuition are the same.
075	Rep. Hopson	Answers that the board has rejected caps and that enrollment management is utilized. Speaks on the range of students the bill could affect. Notes that the application requires students to indicate they will seek citizenship.
114	Rep. Dalto	Requests the rate of students who graduate from Oregon high schools who matriculate to college.
119	McDonald	Notes 70% of the class of 2001 sought postsecondary somewhere if not in Oregon.
127	Rep. Dalto	Asks if he could surmise the percentage of students would attend college given a gap in enrollment.
130	McDonald	Concurs the amount of attendance decreases every three years a student remains out of school.
139	Rep. Dalto	Believes it is not easy to determine the amount of subsidized aid.
150	Kerans	Responds.
169	Rep. Scott	Requests how long after entry do students become citizens.
172	Kerans	Replies there is no administrative rule, believes it should be demonstrated progress as a student is enrolled.
174	Scott	Requests an estimate.
177	Kerans	Acknowledges that students do not always receive citizenship
182	Rep. Scott	Asks if it is reasonable to obtain citizenship status in a four year time period
185	Kerans	Responds that within five years a student could probably obtain that.
195	McDonald	Offers that citizenship rules are influx currently and that any estimate of INS would be difficult.
205	Kerans	Concludes.
210	Abel Carbgjal	LUS. Testifies in favor of SB 10-A.
268	Dr. Trevino	Commission on Hispanic Affairs. Testifies in favor of SB 10-A. Provides personal experience regarding education of immigrants. Believes it is much more expensive to deal with immigrants if

		they are not educated. Speaks on the armed forces involving immigrants.
354	Brenda Sifuentez	Oregon Students of Color Coalition, Oregon Students Association. Testifies in favor of SB 10-A ( <b>EXHIBIT F</b> ). Addresses and rebuts the arguments of the opposition.
424	Rep. Dalto	Comments on students who have not yet matriculated. Asks about his experiences with attaining citizenship.
432	Carbgjal	Responds that youth tend to lose hope over time.
<b>TAPE 66, B</b>		
018	Rep. Dalto	Asks what happens to the students who cannot afford college. Asks if the students are deported.
025	Carbgjal	Comments on the situations of those who do not attend college.
035	Sifuentez	Adds she knows of a situation of deportation.
038	Rep. Dalto	Asks if there is an overflow room.
040	Carbgjal	Notes there is an overflow room full of students in support of SB 10-A.
045	Rep. Farr	Notes he spent six years in the United States before attaining citizenship.
053	Margarita Vazquez	Woodburn High School. Testifies in favor of SB 10-A. Believes some students are in the process of legalization as they apply and attend school.
083	Sen. Gary George	District 12. Notes he was a 'no' vote in the Senate. Testifies in opposition to SB 10-A. Refers the committee to section 2 of the bill and to the Illegal Immigration Act. Believes illegal immigrants will be considered U.S. citizens. Believes the issue will be challenged.
120	Rep. Dalto	Poses question regarding the bill.
130	Sen. George	Responds.
140	Rep. Dalto	Poses question concerning the implications of SB 10-A.
142	Sen. George	Believes the bill sends a bad message and provides an incentive for those to immigrate illegally.
153	Rep. Avakian	Does not see that illegal immigrants are treated as United States citizens in the bill.
158	Sen. George	Responds that treatment is that of a citizen.
168	Jim Ludwig	Oregon for Immigration Reform (OFIR). Testifies in opposition of SB 10-A ( <b>EXHIBIT G</b> ). Believes in the current budget crisis that it is unfair to provide these options. Presents information on a fiscal impact. Believes SB 10-A is a 'sneaky attempt' to outlaw the federal government. States it is a 'slap in the face' to those who have followed immigration law to become citizens.
284	Rep. Dalto	Clarifies he believes there are 10,000 students that would take advantage of this.
290	Ludwig	Answers that if one percent of the illegal immigrants in the system took advantage, it would cost ten million dollars.
299	Rep. Dalto	Requests if Mr. Ludwig is a sociologist.
301	Ludwig	American citizen.
303	Rep. Dalto	Clarifies his testimony. Asks how many of those immigrants are even qualified to attend college.
323	Ludwig	Responds that according to statute that you cannot ask if a person is an illegal immigrant in Oregon.
327	Elizabeth Van Staaveren	Citizen, McMinnville. Testifies in opposition to SB 10-A ( <b>EXHIBIT H</b> ). Believes the bill condones and encourages illegal immigration. Acknowledges that all children deal with the decisions of their parents.

401	Rep. Dalto	Asks if she is a member of OFIR.
403	Van Staaveren	Affirms.
405	Rep. Dalto	Requests how many are in the group.
407	Van Staaveren	Answers 200-300 members.
410	Bob Phillips	OFIR. Testifies in opposition of SB 10-A ( <b>EXHIBIT I</b> ). Provides statistics on immigration. Believes the data on the problem is irrefutable.
<b>TAPE 67, B</b>		
007	Phillips	Clarifies the issues is not one of groups or exclusion. Believes the bill is discriminatory. Voices concern that any legislator would consider the vote for the bill without knowing the financial impact on
040	Rep. Farr	Clarifies he believes that immigrants are degrading Oregon.
045	Phillips	Responds yes.
048	Rep. Farr	Asserts that he and the members of his family are immigrants and are degrading the quality of Oregon.
055	Phillips	Responds that they are talking about each other.
060	Rep. Dalto	Wonders if immigrants go straight to college when they immigrate.
070	Phillips	Believes the bill provides special treatment and an incentive for immigrants to come to Oregon.
074	Rep. Dalto	Mentions that two of the six members present are members of an immigrant family.
080	Phillips	Believes when people cross borders they choose the best, and they would choose Oregon. Believes the more people there are in Oregon, the more the quality of life de
090	Bob Van Ry	OFIR. Testifies in opposition to SB 10-A.
100	Peter Dane	<b>(EXHIBIT J)</b>
199	Doug Smith	Requests a formal fiscal statement be created and issued.
	Bob Pankratz	Submits written testimony on SB 10-A ( <b>EXHIBIT K</b> ).
205	Chair Backlund	Closes public hearing on SB 10-A. Open work session on SB 388.

**SB 388 – WORK SESSION**

225	Sen. Rick Metsger	District 26. Testifies in favor of HB 388-A. Explains the bill with regard to the Oregon School Athletics Association (OSAA). Believes the bill would provide clarity to the issue.
260	Chair Backlund	Refers the senator to the amendment and poses question.
270	Sen. Metsger	Concurs.
275	Chair Backlund	Offers that the OSAA has an important role and believes the essence of the bill should be moved.
283	Sen. Metsger	Comments.
<b>305</b>	<b>Rep. Hopson</b>	<b>MOTION: Moves SB 388A to the floor with a DO PASS recommendation.</b>
<b>309</b>		<b>VOTE: 6-0-1</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
		<b>EXCUSED: 1 - Nolan</b>
	<b>Chair Backlund</b>	<b>The motion CARRIES.</b>
		<b>REP. AVAKIAN will lead discussion on the floor.</b>
315	Chair Backlund	Closes work session on SB 388. Opens work session on SB 130.

**SB 130 – WORK SESSION**

326	Jim Keller	Reads SMS on SB 130.
334	Joyce Dougherty	Oregon Department of Education (ODE). Testifies in favor of SB 130 ( <b>EXHIBIT L</b> ).

375	Rep. Hopson	<b>MOTION: Moves SB 130 to the floor with a DO PASS recommendation.</b>
379		<b>VOTE: 6-0-1</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
	<b>Chair Backlund</b>	<b>EXCUSED: 1 - Nolan</b>
		<b>The motion CARRIES.</b>
		<b>REP. DALTO will lead discussion on the floor.</b>
391	Chair Backlund	Closes work session on SB 130. Opens work session on SB 287.
		<b><u>SB 287 – WORK SESSION</u></b>
393	Jim Keller	Reads SMS on SB 287 ( <b>EXHIBIT M</b> ).
395	Sen. Ryan Deckert	Testifies in favor of SB 287 ( <b>EXHIBIT N</b> ). Notes Oregon is the hungriest state in the nation. Believes SB 287 would help children to eat in the summer months. Requests the committee to adopt the -2 amendments and pass the bill without a sub ref.
460	Chair Backlund	Notes the creation of a task force with the -2 amendment.
465	Sen. Deckert	Responds on the changes. Believes they
471	Rep. Hopson	Understands the -2 will create a volunteer task force and there will be no cost.
		<b>TAPE 68, A</b>
040	Sen. Deckert	Concurs.
049	Karen Roth	FOOD for Lane County. Testifies in favor of SB 287 ( <b>EXHIBIT O</b> ).
102	Jennifer Gibson	Clatsop County. Testifies in favor of SB 287 ( <b>EXHIBIT P</b> ). Shares a personal family experience with hunger to illustrate the need for the summer food service program.
137	Tina Kotek	Children First for Oregon. Testifies in favor of SB 287 ( <b>EXHIBIT Q</b> ). Believes the bill is the most important for hunger in the state. States Children First supports the bill with the amendments. Notes Oregon is one of the few states that do not provide funds. Informs the committee of the vision for the task force. Requests the committee rescind the subsequent referral to Ways and Means.
198	Chair Backlund	Clarifies her feelings on the -2.
204	Kotek	States they had more of a ‘advisory group’ ideal, instead of ‘task force’.
210	Chair Backlund	Requests they work with Jim Keller on the amendments.
219	Patricia O’Sullivan	PPS, Oregon School Boards Association (OSBA), Confederation of School Administrators (COSA). Testifies in favor of SB 287. Notes she opposed the bill in the Senate without amendments as it provided an unfunded mandate. Explains the intentions of summer food programs. Notes her intentions for the money.
332	Rep. Avakian	Asks if they really need a task force.
335	O’Sullivan	Responds.
343	Rep. Avakian	Restates question. Asks if a task force is needed in statute.
347	O’Sullivan	Replies that others believe so and that she does not oppose them.
355	Patti Whitney-Wise	Oregon Hunger Relief Task Force. Testifies in favor of SB 287 ( <b>EXHIBIT R</b> ). States the group is willing to work on the amendments.
376	Chair Backlund	Requests they work on the amendments. Adjourns meeting at 4:30 PM.

**EXHIBIT SUMMARY**

**A – SB 10-A, John Ingram, 2 pp**  
**B – SB 10-A, Sen. Peter Courtney, 2 pp**  
**C – SB 10-A, Sen. Peter Courtney, 2 pp**  
**D – SB 10-A, Grattan Kerans, 2 pp**  
**E – SB 10-A, David McDonald, 2 pp**  
**F – SB 10-A, Brenda Sifuentes, 2 pp**  
**G – SB 10-A, Jim Ludwig, 7 pp**  
**H – SB 10-A, Elizabeth Van Staaveren, 4 pp**  
**I – SB 10-A, Bob Phillips, 1 p**  
**J – SB 10-A, Peter Dane, 1 p**  
**K – SB 10-A, Bob Pankratz, 1 p**  
**L – SB 130, Joyce Dougherty, 15 pp**  
**M – SB 287-2, Staff, 3 pp**  
**N – SB 287, Sen. Ryan Deckert, 1 p**  
**O – SB 287, Karen Roth, 2 pp**  
**P – SB 287, Jennifer Gibson, 1 p**  
**Q – SB 287, Tina Kotek, 1 p**  
**R – SB 287, Patti Whitney-Wise, 2 pp**