

**HOUSE COMMITTEE ON STUDENT ACHIEVEMENT AND SCHOOL
ACCOUNTABILITY**

April 10, 2001
8:30 A.M.

Hearing Room E
Tapes 76-78

MEMBERS PRESENT: **Rep. Vic Backlund, Chair**
 Rep. Elaine Hopson, Vice Chair
Rep. Tootie Smith, Vice Chair
 Rep. Phil Barnhart
 Rep. Bill Morrisette
 Rep. Donna Nelson
 Rep. Mary Nolan
 Rep. Cliff Zauner

MEMBERS EXCUSED: **Rep. Bruce Starr**

STAFF PRESENT: **Janet Adkins, Committee Administrator**
 Paula Merritt, Committee Assistant

MEASURE/ISSUES HEARD: **HB 2822-Work Session**
 HB 3619-Work Session
 HB 2781-Work Session
 SB 160A-Public Hearing 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
Tape76, A 003	Chair Backlund	Calls committee to order at 8:30 a.m. and opens a work session on HB 2822.
HB 2822-WORK SESSION 005	Janet Adkins	Committee Administrator. Explains HB 2822 and the -3 amendments. (EXHIBIT A).
007	Rep. T. Smith	MOTION: Moves to ADOPT HB 2822-3 amendments dated 03/29/01.
032	Rep. Smith	Explains the -3 amendments.
079	Rep. Hopson	Explains her opposition to this bill and explains TESA, a computerized testing program and the irrelevancy of timelines.
090	Rep. Barnhart	Compliments Rep. Hopson's view of this bill and explains the issues of test results.
147	Rep. Smith	Reminds the committee of the testimony heard on this bill and the fact that test results are not determined until spring break.
164	Wayne Neuberger	Oregon Department of Education. Reviews the current testing schedule.
189	Chair Backlund	Comments on the TESA program.
197	Neuberger	States that testing will begin next week and they will determine issues at that time.
224	Rep. Nelson	Questions adequate time for preparing students for testing.
246	Neuberger	Explains the adjustments done for testing.
261	Rep. Nelson	Asks if this bill is regarding 3rd, 5 th and 8 th graders?
268	Neuberger	Responds yes.

270	Chair Backlund	Recesses work session on HB 2822 and opens a public hearing on SB 160A.
SB 160 A – PUBLIC HEARING		
276	Staff	Submits SB 160A -6 (EXHIBIT B), -7 (EXHIBIT C), and -8 (EXHIBIT D) amendments and written testimony from Thad Stanford (EXHIBIT E).
277	Dr. Michael Freeman	Faculty OHSU. Explains that there is a turf battle between medical and chiropractic doctors.
344	Senator Peter Courtney	District 17. Submits and presents written testimony in support of SB 160 A (EXHIBIT F).
TAPE 77, A		
003	Sen. Courtney	Continues with testimony.
050	Tom Welter	Oregon School Activities Association (OSAA). Assistant Executive Director. Submits and presents written testimony (EXHIBIT G).
056	Sen. Courtney	Explains the examination form in Exhibit G.
061	Rep. Nelson	Asks why the amendments were allowed
065	Sen. Courtney	Explains that the Senate amendments dealt with the addition of chiropractors and the performance of an exam if major surgery or illness occurs.
095	Rep. Nelson	Comments on middle school involvement.
098	Wes Ediger	OSAA, Executive Director. Responds that they do not have jurisdiction over middle school.
100	Sen. Courtney	Comments on youth sports in this country beginning at age of 14.
125	Chair Backlund	Comments on sixth grade involvement.
130	Welter	Explains the examination requirements in the 70's.
145	Chair Backlund	Comments on an additional exam if begun in sixth grade.
149	Rep. Nelson	Comments on the importance of the examination in the sixth grade and the value of doing so.
167	Rep. Smith	Comments on exams performed by chiropractors.
174	Dr. David Sahn	Professor of Pediatrics, Oregon Health Sciences University (OHSU). Explains the criteria of the American Heart Association (AHA) and other states guidelines for examinations. Explains that SB 160 A is important to delineate potential risk. States his respect for chiropractors.
230	Rep. Smith	Refers to Exhibit G.
250	Sahn	Explains the experience of chiropractors vs. doctors.
260	Welter	Comments on various student deaths occurring in the past and the need for examinations. Mentions that there are schools that give no examinations.
374	Rep. Hopson	Voices her surprise that there are schools who do not belong to OSAA.
TAPE 78, A		
003	Welter	Refers to page 26 of Exhibit C. Comments on who needs to perform what type of examination.
050	John Sattenspiel, M. D.	Family Physician. Explains orthopedic and medical examinations. States that he believes exams performed by chiropractors "short change" students.
091	Sattenspiel.	Explains the differences in a physician's assistant and a nurse practitioner.
099	Rep. Hopson	Asks Sattenspiel if a nurse practitioner is more qualified to do examinations from chiropractors.
100	Sattenspiel	Responds yes.
104	Chair Backlund	Closes public hearing and opens work session.

SB 160 A-WORK SESSION

110 **Rep. Barnhart** **MOTION: Moves to ADOPT SB 160A-8 amendments dated 04/02/01.**

110 Rep. Nelson Voices her conflict and concern with inclusion of middle schools.

170 Chair Backlund Announces his inclination to move this bill and states that this bill focuses on specific issues that the committee must consider.

191 Rep. Hopson States her support of the –8 amendments with reserves.

204 Rep. Zauner Mentions his struggle with this bill but does support examinations.

VOTE: 4-3

AYE: 4 - Barnhart, Hopson, Smith T, Backlund

NAY: 3 - Nelson, Nolan, Zauner

EXCUSED: 2 - Morrisette, Starr

206 Chair Backlund

207 Rep. Nolan

The motion FAILS.

MOTION: Moves to ADOPT SB 160A-7 amendments dated 03/15/01.

Hearing no objection declares the motion CARRIES.

208 Rep Nolan

MOTION: Moves SB 160A to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 8-0

EXCUSED: 1 - Starr

210 Chair Backlund

The motion CARRIES.

BACKLUND will lead discussion on the floor.

324 Rep. Nelson

338 Chair Backlund

Comments on the cost and fiscal impact.

Explains that we are setting a public policy for all athletes to grade 12 and closes work session on SB 160A. Reopens a work session on HB 2822.

HB 2822-WORK SESSION

399 Rep. T. Smith

MOTION: Moves HB 2822 to the floor with a DO PASS AS AMENDED recommendation.

400

VOTE: 7-1

AYE: 7 - Barnhart, Morrisette, Nelson, Nolan, Smith T, Zauner, Backlund

NAY: 1 - Hopson

EXCUSED: 1 - Starr

401 Chair Backlund

The motion CARRIES.

T. SMITH will lead discussion on the floor.

Chair Backlund

Closes work session on HB 2822 opens a work session on HB 2781.

HB 2781-WORK SESSION

030 Adkins

Explains HB 2781 submits and explains the -3 (**EXHIBIT H**) and -4 (**EXHIBIT I**) amendments.

056 Rep. Barnhart

067 Sen. Courtney

States that he would like to move the –3 amendments.

Explains SB 2781 and the amendments. Explains that there will no longer be a mandate and full background checks will be allowed. Explains the nationwide background check he had performed on himself and says that fingerprints are not done with background checks now.

068 Rep. Barnhart

MOTION: Moves to ADOPT HB 2781-3 amendments dated 04/09/01.

VOTE: 8-0

<p>069</p> <p>070</p>	<p>Chair Backlund Rep. Barnhart</p>	<p>EXCUSED: 1 - Starr Hearing no objection, declares the motion CARRIED. MOTION: Moves HB 2781 to the floor with a DO PASS AS AMENDED recommendation. VOTE: 8-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Starr The motion CARRIES. Rep. Backlund will lead discussion on the floor. Expresses her concern that this not be a mandate. Refers to and reads from the -3 amendments, line 12, page 1. Reads from -3 amendments. Closes work session on HB 2781 and opens work session on HB 3619.</p>
<p>100</p> <p>150</p> <p>160</p> <p>170</p> <p>190</p>	<p>Chair Backlund</p> <p>Rep. Nelson</p> <p>Sen. Courtney</p> <p>Adkins</p> <p>Chair Backlund</p>	<p>The motion CARRIES. Rep. Backlund will lead discussion on the floor. Expresses her concern that this not be a mandate. Refers to and reads from the -3 amendments, line 12, page 1. Reads from -3 amendments. Closes work session on HB 2781 and opens work session on HB 3619.</p>
HB 3619-WORK SESSION		
<p>208</p> <p>240</p> <p>260</p> <p>270</p> <p>275</p>	<p>Adkins</p> <p>Jim Green</p> <p>Rep. Nelson</p> <p>Green</p> <p>Rep. Zauner</p>	<p>Explains HB 3619 and the -6 amendments (EXHIBIT L). Oregon School Boards Association. States that there are title 1 federal monies that are available. Asks Green if this is year round. Responds that if this is not mandated it will be year round. MOTION: Moves to ADOPT HB 3619-6 amendments dated 04/09/01. VOTE: 8-0 EXCUSED: 1 - Starr The motion CARRIES. MOTION: Moves HB 3619 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on School Funding and Tax Fairness/Revenue. VOTE: 8-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Starr The motion CARRIES. Closes work session on HB 3619 and adjourns committee at 10:40 a.m.</p>
<p>277</p> <p>278</p>	<p>Chair Backlund Rep. Zauner</p>	<p>The motion CARRIES. MOTION: Moves HB 3619 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on School Funding and Tax Fairness/Revenue. VOTE: 8-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Starr The motion CARRIES. Closes work session on HB 3619 and adjourns committee at 10:40 a.m.</p>
<p>300</p> <p>328</p>	<p>Chair Backlund Chair Backlund</p>	<p>The motion CARRIES. Closes work session on HB 3619 and adjourns committee at 10:40 a.m.</p>

Submitted By,

Reviewed By,

Paula Merritt,
Committee Assistant

Janet Adkins,
Committee Administrator

EXHIBIT SUMMARY

- A - HB 2822, -3 amendments, staff, 3 pp.**
- B - SB 160A, -6 amendments, staff, 1 page**
- C - SB 160A, -7 amendments, staff, 1 page**
- D - SB 160A, -8 amendments, staff, 1 page**

- E - SB 160A, written testimony from Thad Stanford, staff, 12 pp.**
- F - SB 160A, written testimony, Senator Peter Courtney, 2 pp.**
- G - SB 160A, written testimony, Tom Welter, 9 pp.**
- H - HB 2781, -3 amendments, staff, 2 pp.**
- I - HB 2781, -4 amendments, staff, 3 pp.**
- L - HB 3619, -6 amendments, staff, 5 pp.**