

SENATE COMMITTEE ON EDUCATION

April 05, 2001 Hearing Room B
3:00 p.m. Tapes 70 - 73

MEMBERS PRESENT: **Sen. Charles Starr, Chair**
 Sen. Susan Castillo, Vice-Chair
 Sen. Ryan Deckert
 Sen. Ted Ferrioli
 Sen. Bill Fisher
 Sen. Avel Gordly
 Sen. Tom Hartung

MEMBER EXCUSED:

STAFF PRESENT: **Jan McComb, Committee Administrator**
 Jennifer Simmons, Committee Assistant

MEASURE/ISSUES HEARD: **SB 259-Work Session**
 SB 873-Public Hearing
 SB 450-Public Hearing

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 70, A		
004	Chair Starr	Begins meeting at 3:05 p.m. Opens public hearing on SB 873.
<u>PUBLIC HEARING – SB 873</u>		
012	Jan McComb	Administrator. Explains the bill.
021	Sen. Nelson	District 29. Testifies in favor of the bill. Speaks about the –1 amendments.
072	Sen. Hartung	Asks for clarification of the –1 amendments.
082	Sen. Nelson	Answers by explaining that this just specifies which model is to be used.
090	Frank McNamara	Confederation Oregon School Administrators. Clarifies the differences between the amendment and the bill.
148	Sen. Hartung	Asks if there are two reports on the district and individual schools.
152	McNamara	Answers that there is a report card for each school and for each district.
159	Sen. Fisher	Says that he was not impressed with the Quality Education Model and this is based too much on the model.
173	Sen. Nelson	Responds that this is based on the Governor's proposed budget.
187	Sen. Fisher	Speaks about the model appearing to be good but has potential problems.
203	Sen. Nelson	Says that they are just looking to get this conversation started.
207	Sen. Castillo	Asks what McNamara's stand on the amendments is.
219	McNamara	Answers that he does not see the amendments as a problem.
250	Sen. Hartung	Declares potential conflict of interest.
274	Nancy Highligman	Department of Education. Says that the amendments would be very hard to implement.

300	Chair Starr	Closes public hearing on SB 873 and opens work session on SB 259.
<u>WORK SESSION – SB 259</u>		
312	Sen. Deckert	MOTION: Moves to take SB 259 FROM THE TABLE.
315		VOTE: 5-0
	Chair Starr	EXCUSED: 2 - Ferrioli, Gordly
		Hearing no objection, declares the motion CARRIED.
		Explains why we are removing this bill from the table.
360	John Marshall	Oregon School Boards Association. Refers to written material (EXHIBIT A) .
TAPE 71, A		
006	Sen. Dukes	District 1. Speaks about her amendments.
036	Chair Starr	Says that we are having problems making sure that everyone is represented equally.
040	Sen. Dukes	Responds that they have been working on an appropriate way to handle this problem.
051	Marshall	Addresses some issues he has with Sen. Dukes' amendments.
101	Sen. Hartung	Says that he does not understand how to have elections by zone and at large.
111	Sen. Dukes	Says that she has no problem in giving each county a zone.
139	Sen. Deckert	Says that he thinks that the language is clear.
148	Marshall	Says that they have reached an agreement on the amendments.
156	McComb	Responds that Legislative Counsel has said that it would be okay to conceptually change the amendments.
187	Sen. Fisher	MOTION: Moves to ADOPT SB 259-2 amendments dated 03/21/01.
190		VOTE: 6-0
		EXCUSED: 1 - Ferrioli
	Chair Starr	Hearing no objection, declares the motion CARRIED.
194	Sen. Fisher	MOTION: Moves SB 259 to the floor with a DO PASS AS AMENDED recommendation.
197		VOTE: 6-0
		EXCUSED: 1 - Ferrioli
	Chair Starr	Hearing no objection, declares the motion CARRIED.
		FERRIOLI will lead discussion on the floor. Closes work session on SB 259 and opens public hearing on SB 450.
<u>PUBLIC HEARING – SB 450</u>		
211	McComb	Explains that the bill expands immunization exemption to philosophical.
237	Michael Framson	National Vaccine Information Center. Reads from written testimony (EXHIBIT B) .
313	Sen. Fisher	Asks if Hepatitis B is the vaccine that has had objections from army soldiers.
318	Framson	Answers that he is not familiar with the specific case.
335	Sen. Deckert	Asks how we ensure that non vaccinated children are not contaminating immunized children.
345	Framson	Answers that these vaccinations are not as effective as believed.
358	Sen. Deckert	Says that for years vaccinations have seemed to be highly effective.
369	Framson	Speaks about the effects of the mercury in the immunizations.
398	Sen. Fisher	Points out that the statistics are misleading.
440	Ann Durrant	Oregon Doctors of Chiropractic. Says that we may be hurting our children by not allowing them to get some of these non fatal

diseases.

TAPE 70, B

015 Sen. Fisher Speaks about when he grew up and these vaccinations were not available.

043 John Schmidt Oregon Doctors of Chiropractic. Says that he was not ever immunized. Says that currently there is no choice but to use a religious exemption to exempt children from immunizations. Says that he should have a choice on what shots he would like his children to have.

098 Sen. Fisher Says that he does not see in the bill the ability to pick and choose shots.

104 Schmidt Says that if it is not, it should be.

123 Durrant Says that too many people are unaware of the current exemption.

138 Framson Comments that state officials have chastised parents for using the religious exemption.

156 Sen. Fisher Says that just because they add a philosophical exemption, does not mean that more people will be aware of it.

205 Sen. Gordly Asks Framson about the concerns of his organization.

225 Framson Answers that reactions of immunizations can be based on people's genetic differences and everyone should not be forced to receive immunizations that they do not agree with.

258 Sen. Deckert Asks if Framson believes that there is a vaccine that has been very effective.

264 Framson Answers that there are too many factors that have not been fully researched to answer this question.

303 Sen. Deckert Asks what responsibility the state has to protect children that cannot make the decisions for their own care.

324 Framson Answers that it is the parents' responsibility to protect their child.

350 Sen. Ferrioli Says that they must look at this as a public health issue. Points out that parents should make decisions for their children, but this affects the entire public.

TAPE 71, B

015 Durrant Responds that the vaccines that are mandated are not necessary.

040 Ferrioli Asks if immunizations cause autism.

052 Schmidt Answers that there have been many reports of a link between autism and vaccinations.

158 Durrant Reads from written testimony **(EXHIBIT C)**.

260 Schmidt Testifies in favor of the bill. Reads from written testimony **(EXHIBIT D)**.

406 Sen. Fisher Says that he needs to be convinced that the parent has the right to make a decision that affects public health.

TAPE 72, A

060 Dr. James Lace Pediatrician. Reads from written testimony **(EXHIBIT E)**. Reads written testimony from Robin Van Winkle **(EXHIBIT F)**. Explains that parents are very informed before vaccinations and a philosophical exemption is not necessary. Says that he allows parents to pick which immunizations to give their children. States that he has no vaccines in his office that contain mercury. Says that the Hepatitis B vaccine prevents cancer later on in life.

176 Dr. Tom Wilson Pediatrician. Reads from written testimony **(EXHIBIT G)**.

250 Susan King Registered Nurse. Reads from written testimony **(EXHIBIT H)**.

300 Sen. Fisher Asks if Dr. Lace carries all of the vaccines that are required.

312	Dr. Lace	Answers that he does. Says that the mercury has been phased out of all vaccines.
325	Sen. Fisher	Asks how effective the vaccines really are.
355	Dr. Lace	Answers that vaccinations have successfully eradicated several life threatening diseases. Says that they have a current system for parents to turn down vaccines.
446	Sen. Fisher	Says that even if he does not require the shots, the school does require the immunizations.
TAPE 73, A		
020	Lorraine Duncan	Oregon Health Division. Reads from written testimony (EXHIBIT I) .
070	Paul Cieslak	Oregon Health Division. Adds that we have sufficient exemptions already. Says that it is not good for the number of non immunized children to go up.
103	Robert Snee	Parent. Testifies in favor of the bill. Says that he does not feel that under current law he felt as if he did not have any other options. Speaks about the potential dangers of immunizations.
342	Pat Mason	Infection Control Nurse. Testifies in opposition of the bill. Submits written testimony (EXHIBIT J) .
382	Darren Quillen	Parent. Testifies in favor of the bill. Submits written testimony (EXHIBIT K) .
TAPE 72, B		
052	Chair Starr	Closes public hearing on SB 450 and adjourns the meeting at 6:10 p.m.

Submitted By,

Reviewed By,

Jennifer Simmons,
Committee Assistant

Jan McComb,
Committee Administrator

EXHIBIT SUMMARY

- A – written material, SB 259, John Marshall, 1 pp**
- B – written testimony, SB 450, Michael Framson, 9 pp**
- C – written testimony, SB 450, Ann Durrant, 1 pp**
- D – written testimony, SB 450, John Schmidt, 14 pp**
- E – written testimony, SB 450, Dr. James Lace, 1 pp**
- F – written testimony, SB 450, Robin Van Winkle, 1 pp**
- G – written testimony, SB 450, Dr. Tom Wilson, 3 pp**
- H – written testimony, SB 450, Susan King, 2 pp**
- I – written testimony, SB 450, Lorraine Duncan, 1 pp**
- J – written testimony, SB 450, Pat Mason, 2 pp**
- K – written testimony, SB 450, Darrin Quillen, 3 pp**