

**HOUSE COMMITTEE ON EDUCATION**

**April 21, 1999 Hearing Room E**

**2:00 PM Tape 106-109**

**MEMBERS PRESENT: Rep. Ron Sunseri, Chair**

**Rep. William Morrisette, Vice-Chair**

**Rep. Betsy Close**

**Rep. Elaine Hopson**

**Rep. Bob Jenson**

**Rep. Tim Knopp**

**Rep. Jackie Winters**

**MEMBER EXCUSED: Rep. Chris Beck**

**Rep. Carl Wilson**

**STAFF PRESENT: Norm Fox, Administrator**

**Samantha Demchak, Administrative Support**

**MEASURE/ISSUES HEARD: HJR 83 Public Hearing and Work Session**

**HB 2597 Work Session**

**HB 3585 Public Hearing and Work Session**

**HB 2549 Public Hearing**

**HB 3114 Work Session**

**HB 2908 Public Hearing**

**HB 2550 Public Hearing**

**HB 2551 Public Hearing**

**HB 3365 Public Hearing**

TAPE/#	Speaker	Comments
<b>TAPE 106, A</b>		
003	Chair Sunseri	Opens hearing at 2:00 p.m. Opens public hearing on HJR 83.
<b><u>HJR 83 PUBLIC HEARING</u></b>		
011	Rep. Al King	District 44. Testifies in support of HJR 83. Reads from written testimony <b>(EXHIBIT A)</b> .
<b>Due to audio difficulties a portion of the testimony was not recorded.</b>		
040	Rep. Lynn Lundquist	District 59. Testifies in support of HJR 83.
070	Rep. Winters	Asks if 1.6 has always been the percentage rate.
072	Rep. King	Answers no.
085	John Lilly	Assistant Director, Division of State Lands (DSL). Notes there needs to be time to analyze the implications of HJR 83. States other opportunities are being investigated to shift some of the responsibility of paying for the division.
105	Rep. Winters	Asks about the common school funds.
111	Lilly	Responds to question.
114	Rep. Winters	Asks about the count over the last ten years.
118	Lilly	Indicates he does not have that information.
124	Rep. Winters	Asks about a decision in the future.
130	Lilly	Answers that at the Land Board meeting 30 or 40 million dollars was discussed. Indicates the Land Boards policy has been to fund up to 5 percent of the total school budget from distribution.
146	Rep. Winters	Indicates the interest rate has been at 1.6 for a long time. Indicates there is a need to find other resources for school funding. Suggests the Land Board take that into consideration.

159	Rep. Hopson	Summarizes that HJR 83 is a good idea but there are problems with the bill and that is why DSL will not support the bill at this time.
166	Lilly	Responds that is correct.
170	Chair Sunseri	Asks if DSL is questioning the constitutionality of HJR 83.
172	Lilly	Answers no.
180	Chair Sunseri	Closes public hearing on HJR 83. Opens work session on HJR 83.
<b><u>HJR 83 WORK SESSION</u></b>		
187	Rep. King	Indicates there can be a continuous 5 percent distribution because there have been steady earnings.
194	Mari Anne Gest	State Treasur's Office. Indicates changes she would like to see made in HJR 83.
209	Chair Sunseri	Asks if the changes would satisfy the DSL.
215	Lilly	Indicates that the Land Board had some concerns with the way that the bill was written. Emphasizes that is the reason the board would like more time to work on the bill.
222	Rep. King	Notes when the Land Board meets again they will be dealing with many stewardship issues.
242	Rep. Winters	<b>MOTION: Moves to SUSPEND the rules for the purpose of conceptually amending HJR 83.</b>
		<b>VOTE: 6-0</b> <b>EXCUSED: 3 - Beck, Jenson, Morrisette</b>
	Chair Sunseri	<b>Hearing no objection declares the motion CARRIED.</b>
251	Rep. Winters	<b>MOTION: Moves to AMEND HJR 83 on page 1, in line 6, by deleting "earnings," and on page 1, in line 6, inserting "corpus value".</b>
		<b>VOTE: 6-0</b>

		<b>EXCUSED: 3 - Beck, Jenson, Morrisette</b>
	<b>Chair Sunseri</b>	<b>Hearing no objection declares the motion CARRIED.</b>
<b>269</b>	<b>Rep. Winters</b>	<b>MOTION: Moves HJR 83 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.</b>
<b>272</b>		<b>VOTE: 6-0</b> <b>EXCUSED: 3 - Jenson, Beck, Morrisette</b>
<b>285</b>	<b>Chair Sunseri</b>	<b>Hearing no objection declares the motion CARRIED.</b>  <b>REP. KING will lead discussion on the floor.</b>
290	Chair Sunseri	Closes work session on HJR 83. Opens work session on HB 2597.
<b><u>HB 2597 WORK SESSION</u></b>		
300	Lowell Smith	Oregon School Task Force. Testifies in support of HB 2597-2. Indicates this proposal comprises two separate tax credits. States this would increase funding to Oregon public schools. Reports this tax credit would have a neutral fiscal impact ( <b>EXHIBIT B</b> ).
340	Chair Sunseri	Asks if there is a Senate bill that does the same thing.
356	Smith	Answers the bill in the Senate is for private schools. Notes that there will be concerns raised about the constitutionality of HB 2597. Indicates this bill would support school choice.
<b>TAPE 107, A</b>		
020	Smith	Notes there are 5 U.S. Supreme court rulings allowing school choice. Adds HB 2597 is not a voucher proposal.
034	Rep. Starr	Asks what are the limits of the tax credit.
039	Smith	Responds the limits are \$250.00 individual, \$500.00 joint, and \$1,000.00 corporate.

042	Rep. Starr	Asks what sort of foundations would be necessary.
048	Smith	Notes there are public school foundations that could begin accepting money right away.
063	Rep. Close	Asks why the Senate has a bill for support of private schools.
065	Smith	Indicates it was because of the relating clause.
067	Rep. Knopp	Asks about the kicker check going to foundations. Asks if that would be tax deductible.
076	Smith	Notes it would be a tax credit rather than a deduction.
087	Rep. Winters	Asks for clarification of the system that allows changes from one school to another.
093	Smith	Notes there are foundations that make those allowances. Notes the foundation must support more than one school. Indicates the foundation would offer scholarships.
111	Rep. Winters	Asks if that applies to public and private schools.
119	Smith	Notes it is a tax credit for supporting public schools.
122	Rep. Winters	Asks about mass school change.
127	Smith	States this would be a minor impact on public school enrollment.
137	Rep. Starr	Asks about paying tuition to change public schools.
144	Smith	Indicates the foundation could help pay.
156	Mark Siegel	Oregon Federation of Independent Schools (OFIS). Notes OFIS supports the ñ2 amendments not the bill as written. Adds OFIS is in favor of including the public schools. Notes the child will be in a school that he likes. Adds that will create a positive learning environment.
181	Rep. Close	Asks for the section OFIS objected to in the original bill.
190	Seigel	Points to line 18 of the bill. Indicates it is unworkable.

201	Rob Kremer	Oregon Education Coalition (OEC) Notes the Oregon School Tax Credit (OSTC) will provide a source of financial support to the public schools. Notes OSTC will save Oregon taxpayers money ( <b>EXHIBIT C</b> ).
244	Rep. Winters	Asks about the reduction in revenue caused by this bill.
249	Kremer	Responds that 10 percent requirement is for the tuition scholarship foundation. Indicates that is the best way to get the money to the school.
265	Kremer	Notes there are 1200 or less free and reduced lunch kids in private tuition schools. Notes there will be large savings to fund the tuition to private schools.
300	Bob Costagna	Oregon Catholic Conference (OCC). Testifies in support of the ñ2 amendments and HB 2597. Notes this bill enhances tax deductions for contributions to public or private schools.
350	Costagna	Notes there is a contribution to the state. Welcomes the opportunity to sit with the public schools and discuss what happening.
380	Frank MaNamara	Testifies in opposition to the ñ2 amendments and HB 2597. Stresses that his organization supports the charter school bill. Indicates a concern with the bill is that a contributor, or relative of a contributor, directly benefits from a contribution to the entity.
400	MaNamara	Notes he has not seen a fiscal impact.
410	Chair Sunseri	Closes public hearing on HB 2597. Opens public hearing on HB 3585.
<b><u>HB 3585 PUBLIC HEARING</u></b>		
<b>TAPE 106, B</b>		
		Proposed -1 amendments submitted for the purpose of the record ( <b>EXHIBIT G</b> ).
070	Rep. Tim Knopp	District 54. Testifies in support of HB 3585. States this bill will close a loophole in the disciplinary policy. Notes teacher authority in the classroom should not be undermined. Adds control of the classroom should be returned to teacher. Indicates the amendment is to remove special needs children from the bill.
080	Rep. Hopson	Asks if this means all 198 school districts are to adopt the same rule.
083	Rep. Knopp	Answers that this bill would require school districts to follow their own set of discipline rules.

090	Rep. Close	Asks how he would answer the argument that the legislature is dictating to local school boards.
101	Rep. Knopp	Answers this is not a mandate. Indicates this bill would require all teachers to be fair with all students.
117	Laurie Wimmer	Oregon Education Association (OEA). Testifies in support of HB 3585. State it is important for teachers to be consistent with the students. Notes HB 3585 has no fiscal impact ( <b>EXHIBIT D</b> ).
126	Jim Green	Oregon School Boards Association (OSBA). Notes the only problem with this bill can be redtified with the ñ1 amendments.
130	Rep. Jenson	Asks if there are school administrators not doing their job.
142	Wimmer	Notes they are doing their job but improvements could be made.
163	Chair Sunseri	Closes public hearing on HB 3585. Opens work session on HB 3585
<b><u>HB 3585 WORK SESSION</u></b>		
169	Rep. Wilson	<b>MOTION: Moves to ADOPT HB 3585-1 amendments dated 4/15/99.</b>
		<b>VOTE: 7-0</b> <b>EXCUSED: 2 - Rep. Starr, Rep. Morrisette</b>
	Chair Sunseri	<b>Hearing no objection declares the motion CARRIED.</b>
179	Rep. Wilson	<b>MOTION: Moves HB 3585 to the floor with a DO PASS AS AMENDED recommendation.</b>
189	Rep. Hopson	<b>VOTE: 7-1</b> <b>AYE: 7 - Beck, Close, Jenson, Knopp, Wilson, Winters, Sunseri</b> <b>NAY: 1 - Hopson</b> <b>EXCUSED: 2 - Morrisette, Starr</b>

190	Chair Sunseri	<b>The motion CARRIES.</b>  <b>REP. KNOPP will lead discussion on the floor.</b>
225	Chair Sunseri	Closes work session on HB 3585. Opens public hearing on HB 2549
<b><u>HB 2549 PUBLIC HEARING</u></b>		
273	Mick Ewers	Teacher, Clackamas. Testifies on HB 2549. Notes children can be measured on a universal scale. Adds the children in Oregon do not receive a nation-wide normed test. Indicates for that reason it is difficult to get a clear understanding of where Oregon children are. Notes teachers question the validity of the state test.
322	Ewers	Adds Oregon's test should receive an evaluation. Notes the CIMand CAM are not meant to block graduation.
370	Chair Sunseri	Closes public hearing on HB 2549. Opens public hearing on HB 3114.
<b><u>HB 3114 PUBLIC HEARING</u></b>		
390	Rep. Jackie Winters	District 31. Testifies in support of HB 3114. Indicates there are ñ1 amendments. Indicates this bill was brought forward because of a lack of Oregon history being taught in schools. Notes there will be a fiscal impact, but she has not received a statement. Adds there is a -1 amendment that would delete private schools from the bill.
<b>TAPE 107, B</b>		
013	Jim Green	Oregon School Boards Association (OSBA). Notes HB 3114 requires an Oregon History curriculum.
056	Rep. Jenson	Asks who is going to pay for implementing this program. Notes there will be retraining required for teachers. Asks if there are books available on Oregon history.
061	Rep. Winters	Indicates the Oregon Historical Society has been working to try and bring all sides together on the issue of properly teaching Oregon History.
074	Green	Answers some books are available.
080	Rep. Vic Backlund	District 33. Testifies in support of HB 3114. Notes Oregon History and



		Government was not taught when he was a teacher.
098	Rep. Jenson	Asks what is currently available in Oregon history literature.
111	Rep. Backlund	Indicates there is very little available.
117	Rep. Jenson	States books with Oregon history are limited to Oregon schools.
126	Rep. Backlund	Notes that is an excellent point. Indicates there is a handbook on Oregon Government.
134	Rep. Winters	Indicates it is important to teach things about our state.
135	Chair Sunseri	Closes public hearing on HB 3114. Opens combined public hearing on HB 3114 and HB 2908.
<b><u>HB 3114 and HB 2908 PUBLIC HEARING</u></b>		
160	Rep. Max Williams	District 9. Testifies in support of HB 2908. Notes it is important for Oregon children to have a background in Oregon history. Adds history can unite Oregonians. Indicates he could support some changes in the bill.
234	Chet Orloff	Executive Director, Oregon Historical Society (OHS). Testifies in support of HB 2908. Indicates there are concerns about the mandating of teaching history. Notes he looks forward to working with the Department of Education. Notes that over the next couple of months the OHS is going to be creating a historical textbook. Notes he authored a book that is still in use.
300	John Gervais	Friends of Historic Champoeg. Testifies in support of HB 3114. Notes there is a concern that Oregon history is not being carried forward for future generations. Notes he is involved with a pioneer school at Champoeg.
350	Gervais	Adds Oregon history is suffering due to budget cuts. Stresses Oregonians should make this a priority.
<b>TAPE 108, A</b>		
024	Joanne Flint	Oregon Department of Education (ODE). Testifies in support of HB 3114. Notes instruction regarding state government is required in the civics portion of the social science standards. <b>(EXHIBIT E)</b> .
070	Chair Sunseri	Indicates he would like a work group to combine HB 3114 and HB 2908. Closes public hearing on HB 3114 and HB 2908. Opens public hearing on HB 2549.

**HB 2549 PUBLIC HEARING**

090	Flint	Testifies in support of HB 2549. Notes there has been substantial work done on this bill by the ODE. States there have been reviews done on an annual basis <b>(EXHIBIT F)</b> .
099	Chair Sunseri	Asks what the advantage of an interim work force would be.
102	Flint	Indicate ODE would continue to review the implementation. Adds a review is always good.
104	Chair Sunseri	Asks who should be on the task force.
110	Flint	Notes ODE has no objection to the guidelines listed in the bill.
	Chair Sunseri	Closes public hearing on HB 2549. Opens public hearing on HB 2550.

**HB 2550 PUBLIC HEARING**

112	Chair Sunseri	Closes public hearing on HB 2550. Opens public hearing on HB 2551.
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**HB 2551 PUBLIC HEARING**

114	Chair Sunseri	Closes public hearing on HB 2551. Opens public hearing on 3365.
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**HB 3365 PUBLIC HEARING**

136	Jim Scherzinger	Oregon Public Schools. Discusses provisions of HB 3365. Notes HB 3365 calculates the average cost of educating a child. Indicates local schools will get less when the payments are made out of the county school fund. Notes there is a requirement under the law that requires counties to contribute to the county school fund. Adds that requirement will expire next year.
200	Scherzinger	Notes there will not be enough money in the county fund to pay the bill for children attending private schools. Indicates there is no deduction in revenue. Notes with a change in the law, the costs will be spread statewide among all school districts.
246	Scherzinger.	Notes next year some school districts will be stuck with a large bill that they cannot afford to pay.
280	Chair Sunseri	Asks if there is an impact on the general fund

285	Scherzinger	Notes there is not. Notes the state program will continue to receive revenue.
400	Frank McNamara	Testifies in support of HB 3365. Notes more of the county school funds are going to run out. Indicates the money will come out of the state's school fund.
<b>TAPE 109, A</b>		
010	Rep. Knopp	Asks if this problem affects the equity solutions.
015	McNamara	Answers no.
021	Rep. Knopp	Asks if McNamara supports equity for ESD funding.
030	McNamara	Adds there is a plan that has been developed to address the issue of equity.
035	Scherzinger	Notes it is a nation wide problem.
042	Mcnamara	Closes public hearing HB 3365. Adjourns hearing.

Samantha Demchak, Norm Fox,

Administrative Support Administrator

**EXHIBIT SUMMARY**

**A ñ HJR 83, written testimony, Rep. Al King, 4 pp.**

**B ñ HB 2597, written testimony, Lowell Smith, 3 pp.**

**C ñ HB 2597, written testimony, Rob Kremer, 1 p.**

**D ñ HB 3585, written testimony, Laurie Wimmer, 3 pp.**

**E ñ HB 3114, written testimony, Joanne Flint, 5 pp.**

**F ñ HB 2549, written testimony, Joanne Flint, 1 p.**

**G ñ HB 3585, proposed -1 amendments, staff, 1 p.**