

HOUSE COMMITTEE ON EDUCATION

April 26, 1999 Hearing Room E

1:00 PM Tapes 113 - 114

MEMBERS PRESENT: Rep. Ron Sunseri, Chair

Rep. William Morrisette, Vice-Chair

Rep. Chris Beck

Rep. Betsy Close

Rep. Elaine Hopson

Rep. Bob Jenson

Rep. Tim Knopp

Rep. Bruce Starr

Rep. Carl Wilson

Rep. Jackie Winters

MEMBER EXCUSED:

STAFF PRESENT: Norm Fox, Administrator

Joan Diaz, Administrative Support

MEASURE/ISSUES HEARD: HB 2688 Work Session

HB 2992 Work Session

HB 2370 Work Session

HB 2371 Work Session

HB 2683 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.

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TAPE/#	Speaker	Comments
TAPE 113, A		
005	Chair Sunseri	Calls meeting to order at 1:07 p.m. Opens work session on HB 2688.
<u>HB 2688 WORK SESSION</u>		
028	Rodman Peil	Retired Teacher, Keizer. Supports HB 2688 which directs the Department of Education to transfer funds from the State School Fund to an institution of higher learning or a community college for use by qualified students. (EXHIBIT A)
060	Rep. Vic Backlund	District 33. Supports HB 2688. Comments he is open to any amendments.
067	Rep. Knopp	MOTION: Moves HB 2688 to the floor with a DO PASS recommendation.
072	Rep. Close	Expresses regret that home school students are not eligible for this benefit.
075	Chair Sunseri	Comments that a change could be made when the bill reaches the Senate Education Committee.
080	Rep. Hopson	Comments she disagrees with taking funds from the local school districts for this purpose.
087	Rep. Morrisette	Comments he would like to see a K-12 budget before he could support this bill.
090	Rep. Jenson	Comments he will not be voting for the bill; asks why is kindergarten required.
097	Peil	Responds that kindergarten is usually included as part of K-12.
109	Rep. Winters	Asks if the school districts are opposed to this bill.
111	Norm Fox	Committee Administrator. Comments he is not aware of any opposition.
122		VOTE: 6-3 AYE: 6 - Close, Knopp, Starr, Wilson, Winters, Sunseri NAY: 3 - Hopson, Jenson, Morrisette EXCUSED: 1 - Beck

125	Chair Sunseri	<p>The motion CARRIES.</p> <p>REP. BACKLUND will lead discussion on the floor.</p>
129	Chair Sunseri	Closes work session on HB 2688. Opens work session on HB 2992.
<u>HB 2992 WORK SESSION</u>		
135	Fox	Describes provisions of the bill; allows the State Scholarship Commission to award grants to students attending profit or nonprofit institutions of higher education.
141	Rep. Morrisette	Asks if there is a referral, since there is a fiscal impact; expresses concerns.
145	Chair Sunseri	Comments it should be referred.
159	Stephen Kafoury	Legislative Representative, Oregon Coalition of Career Colleges. Comments bill does not need to go to the Ways & Means Committee as it is only a policy issue. Explains the bill does not address the money source; it increases eligibility.
182	Grattan Kerans	Legislative Representative, University of Oregon System. Reports that he is neutral on the bill.
185	Chair Sunseri	Asks if witness is "comfortable" with the bill going to Ways & Means.
186	Kerans	Responds affirmatively.
195	Kafoury	Comments that funds go to the students, not the educational institutions.
225	Gary Andeen	Executive Director, Oregon Independent Colleges Association. Testifies in favor of HB 2992.
239	Chair Sunseri	Asks if witness is "comfortable" with the bill going to Ways & Means.
242	Andeen	Responds affirmatively.
249	Woody Farber	Executive Director, Oregon State Scholarship Commission. Corrects the record; the scholarship commission has not taken an official position on this bill.

264	Tamara Dykeman	Legislative Representative, Oregon Community Colleges Association (OCCA). Supports sending the bill to the Ways & Means Committee. (EXHIBIT B, C)
266	Cathy Campbell	Financial Director, Chemeketa Community College. Explains that the Need Grant program is not fully funded; 3500 of the 4500 eligible students are community college students. Supports the bill going to the Ways & Means Committee.
305	Steve Goldman	President, Art Institute of Portland. Supports HB 2992.
322	Rep. Winters	MOTION: Moves HB 2993 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways & Means.
		VOTE: 9-0 AYE: 9 - Close, Hopson, Jenson, Knopp, Morrisette, Starr, Wilson, Winters, Sunseri EXCUSED: 1 ñ Beck
325	Chair Sunseri	The motion CARRIES.
333	Chair Sunseri	Closes work session on HB 2992. Opens work session on HB 2370.
<u>HB 2370 WORK SESSION</u>		
336	Fox	Describes provisions of the bill
340	Rep. Morrisette	Asks how is "vacancy" defined.
345	Cindy Hunt	Legislative Counsel. Explains if space is available, then it is an unrestricted transfer, as long as it is for academic reasons.
356	Rep. Morrisette	Comments he has a problem with the term "space available."
380	Hunt	Explains consequence of low student-teacher ratio, and how a student might appeal if he is denied a transfer.
385	Rep. Morrisette	Explains reciprocity which determines transfers.
411	Rep. Hopson	Refers to the proposed ñ2 amendments. (EXHIBIT D)

425	Hunt	Explains deletion: ORS 339.115 is included in the proposed amendments. Explains there is only a re-numbering of paragraphs on page 2.
TAPE 114, A		
004	Rep. Hopson	Expresses opposition to the bill; explains ramifications if bill passes.
035	Chair Sunseri	Asks if there is anything illegal in the bill.
038	Hunt	Responds not that she knows of.
040	Rep. Jenson	Disagrees with athletic/transfer argument.
059	John Marshall	Legislative Representative, Oregon School Boards Association (OSBA). Testifies against HB 2370.
062	Rep. Starr	Explains concerns with the bill; transfers between wealthy versus poor school districts. States he will support moving it to the floor.
074	Rep. Hopson	Clarifies her previously-stated position.
078	Rep. Morrisette	Restates his position.
082	Rep. Roger Beyer	District 28. States he is available for questions.
083	Rep. Close	MOTION: Moves to ADOPT HB 2370-2 amendments dated 03/19/99.
085	Chair Sunseri	Hearing no objection, declares the motion CARRIED.
089	Rep. Close	MOTION: Moves HB 2370 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-3 AYE: 6 - Close, Knopp, Starr, Wilson, Winters, Sunseri NAY: 3 - Hopson, Jenson, Morrisette EXCUSED: 1 - Beck

109	Chair Sunseri	<p>The motion CARRIES.</p> <p>REP. BEYER will lead discussion on the floor.</p>
111	Chair Sunseri	Closes work session HB 2370. Opens work session HB 2371.
<u>HB 2371 WORK SESSION</u>		
119	Rep. Roger Beyer	District 28. Supports HB 2371.
125	Fox	Explains provisions of the bill.
130	Rep. Starr	Asks what is the process for effecting boundary changes.
135	Hunt	Explains the process and the current law in ORS chapter 330.
152	Rep. Beyer	Comments that it would take a majority of the residents in the current district to approve a boundary change.
189	Rep. Hopson	Asks if the bill affects only one school in the state.
201	Rep. Beyer	Responds that he has not been approached by any school, but last session's bill, SB 715, "mirrors" the provisions in this bill.
212	Hunt	Refers to Columbia District 5J who was interested in a boundary change.
215	Rep. Starr	MOTION: Moves SB 2371 to the floor with a DO PASS recommendation.
217	Rep. Beck	States he is uncomfortable with lack of information; going to vote no.
225	Rep. Hopson	Explains she will vote no; pertains to only two districts and de-unifies school districts.
235	Rep. Beyer	Explains this bill does not repeal current statute which requires all districts to be K-12.
240	Rep. Wilson	Comments he is going to vote for the bill; "has curb appeal."
271	Rep. Morrisette	Comments he is changing his mind; will vote for it.

289		<p>VOTE: 7-3</p> <p>AYE: 7 - Close, Knopp, Morrisette, Starr, Wilson, Winters, Sunseri</p> <p>NAY: 3 - Beck, Hopson, Jenson</p>
295	Chair Sunseri	<p>The motion CARRIES.</p> <p>REP. MORRISETTE will lead discussion on the floor.</p>
301	Chair Sunseri	Closes work session on HB 2371. Opens work session on HB 2683.
<u>HB 2683 WORK SESSION</u>		
305	Rep. Jeff Kropf	District 37. Supports HB 2683. Discusses the proposed amendments ñ1 through ñ5. (EXHIBIT E) Comments on the need to clarify the public contracting laws.
349	Chair Sunseri	Asks if this will address the concerns of the Oregon School Board Association (OSBA).
353	Rep. Kropf	Responds affirmatively.
355	Hunt	Explains ORS 332.155, District Property. (EXHIBIT F)
370	Chair Sunseri	Asks if the school buildings are going to become "fixer-uppers for the community" who will perform the work and therefore not be subject to the competitive bidding law.
386	Hunt	Responds affirmatively, if the proposed ñ5 amendments are adopted.
405	Rep. Kropf	Explains the permanent maintenance fund, the timeline for completion and the competitive bidding process. Urges adoption of all five amendments.
419	Hunt	States the individual amendments are not in conflict; committee can adopt any or all of them.
420	Chair Sunseri	Asks for a summary of each amendment.
425	Hunt	Discusses each amendment.

TAPE 113, B

004	Rep. Winters	Asks if current law permits what is stated in the proposed ñ1 amendments.
010	Hunt	Responds current law does not contain a requirement.
015	Rep. Kropf	Explains that the proposed ñ1 amendments afford the school district another opportunity if a bond measure fails.
025	Rep. Starr	MOTION: Moves to ADOPT HB 2683-1 amendments dated 03/16/99.
027	Rep. Hopson	Asks if a school district can enter into such an agreement only if they have had one failed bond measure.
029	Hunt	Responds affirmatively.
031	Rep. Morrisette	Asks why is this provision needed.
035	Rep. Kropf	Responds this option is another avenue to pursue reconstruction; a "fall back position."
039	Rep. Morrisette	Comments that it might not be necessary to have a bond measure before beginning any construction.
045	Hunt	Explains that the bill does not repeal subsection (6) of ORS 332.115.
050	Rep. Morrisette	Asks if there are volunteers performing the labor, would public contracting laws apply.
052	Hunt	Responds she will research that and forward that information to the committee.
058	Rep. Hopson	Explains the option of using schoolsí maintenance workers versus outside contractors.
060	Chair Sunseri	Hearing no objection, declares the motion CARRIED.
064	Rep. Starr	MOTION: Moves to ADOPT HB 2683-2 amendments dated 03/31/99.
068	Chair Sunseri	Hearing no objection, declares the motion CARRIED.

072	Rep. Starr	MOTION: Moves to ADOPT HB 2683-3 amendments dated 04/08/99.
075	Chair Sunseri	Hearing no objection, declares the motion CARRIED.
078	Rep. Starr	MOTION: Moves to ADOPT HB 2683-4 amendments dated 04/26/99.
082	Chair Sunseri	Hearing no objection, declares the motion CARRIED.
084	Rep. Starr	MOTION: Moves to ADOPT HB 2683-5 amendments dated 04/26/99.
086	Rep. Close	Asks for clarification of subsection (3).
088		VOTE: 6-4 AYE: 6 - Close, Knopp, Starr, Wilson, Winters, Sunseri NAY: 4 - Beck, Hopson, Jenson, Morrisette
091	Chair Sunseri	The motion CARRIES.
093	Rep. Starr	MOTION: Moves HB 2683 to the floor with a DO PASS AS AMENDED recommendation.
096	Rep. Beck	Asks the purpose of the bill; presents one scenario. Asks does the nonprofit have to have a financial interest in the building.
099	Hunt	Responds negatively.
134	Rep. Kropf	Explains current statute versus provisions of the bill.
152	Rep. Beck	Asks what will this legislation permit that is not currently permitted.
165	Rep. Kropf	Explains provisions do not apply to repair of roofs, for example, but for massive reconstruction of school buildings; minor repairs do not require a bond measure.
169	Rep. Beck	Asks does the foundation pay the school district for the building.
175	Rep. Kropf	Responds that is allowable.

177	Rep. Beck	Asks does the district receive the property back at no cost.
180	Hunt	Explains conditions upon which the district receives the property back.
185	Rep. Kropf	Clarifies intent of the bill.
192	Rep. Hopson	Presents scenario of current statute.
210	Hunt	Discusses the ñ3 amendments.
218	Rep. Jenson	Discusses the practical applications of the bill.
232	Rep. Kropf	Clarifies the intent of the bill.
289	Rep. Morrisette	Explains his involvement in building a park structure. States community involvement is a positive aspect of this bill.
298	Rep. Kropf	Explains bill is not an attempt to "end run" the public contracting law.
310	Rep. Winters	Expresses concerns with the bill; will give a courtesy "yes" vote.
315	Rep. Jenson	States argument is good but will be voting no.
320	Chair Sunseri	States he will be voting yes; an innovative idea.
		VOTE: 6-4 AYE: 6 - Close, Knopp, Starr, Wilson, Winters, Sunseri NAY: 4 - Beck, Hopson, Jenson, Morrisette
330	Chair Sunseri	The motion CARRIES. REP. KROPF will lead discussion on the floor.
342	Chair Sunseri	Closes work session on HB 2683. Comments that HB 2548 will be heard later. Explains the Department of Education will give input on HB 2549 next Wednesday, which makes Wednesday a full schedule. Adjourns at 2:30 p.m.

Submitted By, Reviewed By,

Joan Diaz, Norm Fox,

Administrative Support Administrator

EXHIBIT SUMMARY

A - HB 2688, written testimony, Rodman Peil, 4 pp

B - HB 2992, written testimony, Tamara Dykeman, 2 pp

C - HB 2992, written testimony, Christine Reed, 2 pp

D - HB 2370, proposed 2 amendments, staff, 4 pp

E - HB 2683, proposed amendments (-1 through 5), staff, 5 pp

F - HB 2683, written material, staff, 1 p