

## **HOUSE COMMITTEE ON EDUCATION**

**May 03, 1999 Hearing Room E**

**1:00 PM Tapes 123 - 124**

**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:**

**SB 162A Public Hearing and Work Session**

**SB 487A Public Hearing**

**SB 711A Public Hearing and Work Session**

**SB 167 Public Hearing and Work Session**

**SB 161 Public Hearing and Work Session**

**SB 367A Public Hearing**

**SB 365 Public Hearing and 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
<b>TAPE 123, A</b>		
005	Chair Sunseri	Calls meeting to order at 1:30 p.m. Opens public hearing on SB 162A.
<b><u>SB 162A PUBLIC HEARING</u></b>		
010	Jack Roberts	Commissioner, Oregon Bureau of Labor and Industries. Testifies in favor of SB 162A.
035	Chair Sunseri	Closes public hearing on 162A. Opens public hearing on SB 487A.
<b><u>SB 487A PUBLIC HEARING</u></b>		
061	Sen. Brady Adams	District 25. Testifies in favor of SB 487A which he views as an incentive for students under age 18 to remain in school, or they would lose their driver's license.
085	Rep. Vic Backlund	District 33. Testifies in favor of SB 487A.
111	Rep. Winters	Asks how this bill would impact a student who is employed.
115	Rep. Backlund	Responds that 15-18 years old should have school as their number one priority. Suggests alternate modes of transportation for the students.
125	Sen. Peter Courtney	District 17. Testifies in favor of SB 487A. <b>(EXHIBIT A)</b> Refers to HB 3156 which addresses the same issue. States the Motor Vehicle Division (DMV) is neutral on the bill; Oregon School Board Association (OSBA) supports the bill.
208	Sen. Courtney	Relates input from various students on this bill. Comments bill can be used as a "carrot or a stick."
229	Rep. Close	Expresses concern that the bill represents a loss of liberty; more government control.
235	Sen. Courtney	Explains there is an appeal process for students who have special needs.

256	Rep. Starr	Discusses limiting the bill to just section 6, paragraph 38, page 10 which would then condense the process.
288	Sen. Courtney	Explains why the rest of the bill is needed.
317	Rep. Wilson	Asks if the school suspends a student, would the student be adjudicated.
333	Sen. Courtney	Responds negatively; no adjudication. Explains the license is suspended for a semester.
339	Rep. Wilson	Asks if there is a penalty of any kind.
340	Sen. Courtney	Responds there is not; only the school district, the high school, and the DMV are involved.
346	Rep. Winters	Comments on another message: driving is a privilege, not a right.
367	Rep. Jenson	Asks which state has had this kind of law the longest.
372	Sen. Courtney	Responds that West Virginia enacted its law in 1987.
375	Rep. Jenson	Asks what has been the effect on attendance in the last 12 years.
377	Sen. Courtney	Responds it has improved approximately 30%.
392	Rep. Beck	Asks how policy would be implemented, and what is optional.
405	Sen. Courtney	Explains how each school district will implement their policy which would be unique to their school; bill does not mandate a specific policy.
<b>TAPE 124, A</b>		
010	Sen. Courtney	Explains the DMV forms and the process to obtain a license.
018	Rep. Beck	Asks if there would be inconsistency among school districts.
029	Sen. Courtney	Responds it is not considered inconsistency. Discusses local control. Explains school districts have different schedules. Comments the bill is constitutionally sound.
041	Rep. Knopp	Asks if there is any fiscal impact.

045	Sen. Courtney	Responds that DMV is present for input.
072	Rep. Winters	Asks about impact on insurance coverage, if a student is suspended.
082	Sen. Courtney	Responds he does not know.
085	Rep. Jenson	Comments the insurance question is an excellent point; wants more information.
099	Sen. Courtney	Refers to high number of drop outs which he considers a serious problem.
112	Sen. Adams	Suggests insurance suspension might be another motivator to ensure parents keep students in school.
126	Chair Sunseri	Asks for other witnesses
127	Steve Crane	Senate Page, Salem. Testifies that the sports group he coaches has expressed dissatisfaction with the bill.
135	Rep. Close	Asks if he has ever considered any school courses irrelevant.
142	Crane	Responds that most school coursework is not irrelevant. Explains time management and "learning how to learn" is also valuable.
148	Rep. Hobson	Asks if bill would help the drop out rate.
150	Crane	Responds affirmatively.
160	Jim Green	Legislative Representative, Oregon School Boards Association. Supports SB 487A.
205	Rep. Winters	Asks how many districts would implement this policy.
207	Green	Comments on feedback from school districts regarding this type of policy; thinks it will be a "good tool."
240	Rep. Close	Asks where is "exemption" addressed in the bill.
242	Green	Indicates page 2. Explains exemption would apply to a variety of circumstances.
248	Rep. Close	Asks for further clarification.

252	Green	Explains each exemption request is carefully reviewed.
267	Kelly Taylor	Legislative Liaison, Oregon Department of Transportation (ODOT). Testifies ODOT is neutral on the bill ( <b>EXHIBIT B</b> ). Explains the consequences of "driving while suspended;" it would have an impact on insurance. States the minimum fiscal impact would be \$64,600.
323	Rep. Winters	Asks would there be an offset in revenue.
326	Taylor	Responds that the revenue would not cover costs in the first biennium. Explains in subsequent biennium there would be more revenue collected than expenditures; reinstatement fee of \$53, etc.
354	Rep. Winters	Asks if the revenue collected would cover any FTE.
356	Taylor	Responds she anticipates it would.
360	Ozzie Rose	Legislative Representative, Confederation of Oregon School Administrators (COSA). Supports the amended bill, SB 487A. Explains it takes 15 days of unexcused absences per semester before a driver's license would be suspended.
384	Chair Sunseri	Closes public hearing on SB 487A. Reopens public hearing on SB 162A.
<b><u>SB 162A PUBLIC HEARING</u></b>		
392	Grattan Kerans	Legislative Representative, Oregon University System (OUS). Supports SB 162A. Explains OUS previously had authority, by rule, to continue to negotiate contracts.
<b>TAPE 123, B</b>		
002	Chair Sunseri	Closes public hearing on SB 162A. Opens work session on SB 162A
<b><u>SB 162A WORK SESSION</u></b>		
004	Rep. Winters	<b>MOTION: Moves SB 162A to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 9-0</b>  <b>AYE: 9 - Beck, Close, Hopson, Jenson, Knopp, Starr, Wilson, Winters, Sunseri</b>  <b>EXCUSED: 1 - Morrisette</b>

010	Chair Sunseri	<p>The motion <b>CARRIES</b>.</p> <p><b>Rep. BECK will lead discussion on the floor.</b></p>
012	Chair Sunseri	Closes work session on SB 162A. Opens public hearing on SB 711A.
<b><u>SB 711A PUBLIC HEARING</u></b>		
017	Phyllis Kirkwood	President, Oregon Substitute Teachers Association. Testifies in favor of SB 711A. <b>(EXHIBIT C)</b> Explains why it is necessary to have substitute teachers' home addresses and telephone numbers available to the association.
080	Chair Sunseri	Asks if the privacy of individuals would be compromised in any way.
086	Kirkwood	Responds that confidential information would not be divulged to anyone unauthorized.
091	Chair Sunseri	Closes public hearing on SB 711A. Opens work session on SB 711A.
<b><u>SB 711A WORK SESSION</u></b>		
092	Rep. Starr	<b>MOTION: Moves SB 711A to the floor with a DO PASS recommendation.</b>
		<p><b>VOTE: 9-0</b></p> <p><b>AYE: 9 - Beck, Close, Hopson, Jenson, Knopp, Morrisette, Starr, Wilson, Sunseri</b></p> <p><b>EXCUSED: 1 - Winters</b></p>
102	Chair Sunseri	<p>The motion <b>CARRIES</b>.</p> <p><b>Rep. HOPSON will lead discussion on the floor.</b></p>
105	Chair Sunseri	Closes work session on SB 711A. Opens public hearing on SB 167.

**SB 167 PUBLIC HEARING**

108	Bret West	Deputy Commissioner, Office of Community College Services. Supports SB 167. <b>(EXHIBIT D)</b>
134	Vickie Totten	Executive Director, Oregon Community Colleges Association. Supports SB 167.
142	Chair Sunseri	Closes public hearing on SB 167. Opens work session on SB 167.

**SB 167 WORK SESSION**

145	Rep. Starr	<b>MOTION: Moves SB 167 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 9-0</b>  <b>AYE: 9 - Beck, Close, Hopson, Jensen, Knopp, Morrisette, Starr, Wilson, Sunseri</b>  <b>EXCUSED: 1 - Winters</b>
158	Chair Sunseri	<b>The motion CARRIES.</b>  <b>Rep. JENSON will lead discussion on the floor.</b>
159	Chair Sunseri	Closes work session on SB 167. Opens public hearing on SB 161.

**SB 161 PUBLIC HEARING**

162	Grattan Kerans	Legislative Representative, Oregon University System. Supports SB 161.
175	Chair Sunseri	Closes public hearing on SB 161. Opens work session on SB 161.

**SB 161 WORK SESSION**

182	Rep. Wilson	<b>MOTION: Moves SB 161 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 10-0</b>

		<b>AYE: 10 - Beck, Close, Hopson, Jenson, Knopp, Morrisette, Starr, Wilson, Winters, Sunseri</b>
195	Chair Sunseri	<p><b>The motion CARRIES.</b></p> <p><b>REP. CLOSE will lead discussion on the floor.</b></p>
199	Chair Sunseri	Closes work session SB 161. Opens public hearing on SB 367A.
<b><u>SB 367A PUBLIC HEARING</u></b>		
215	Greg McMurdo	Deputy Superintendent, Department of Education (DOE). Supports SB 367A.
235	Tricia Smith	Government Relations Specialist, Oregon School Employees Association (OSEA). States she is testifying to the section of the bill which addresses fingerprinting of classified school employees within Education Service Districts (ESDs).
256	Rep. Morrisette	Asks about employees who work with students versus those employees who do not work with students.
260	Smith	Explains employees who do not have contact with students are night shift custodians, for example.
295	McMurdo	Explains what happened with last session's legislation.
301	Rep. Winters	Asks how many employees would this impact, and what would be the cost to the ESDs.
304	McMurdo	Responds he does not know.
307	Smith	Explains it is hard to determine the number of employees, but an individual's cost would be \$40, unless the bill is amended.
310	Chair Sunseri	Explains the committee will bring the bill back at a later date. Asks the committee administrator to determine the number of employees affected and the total cost. Closes public hearing on SB 367A. Opens public hearing on SB 365.
<b><u>SB 365 PUBLIC HEARING</u></b>		



325	Greg McMurdo	Deputy Commissioner, Department of Education (DOE). Testifies in favor of SB 365 which increases license fees from private career schools. Testifies that the program is running a deficit.
364	Rep. Starr	Asks how many of these schools are in the state.
366	McMurdo	Responds there 211.
368	Rep. Winters	Asks how long has this program been running a deficit.
372	McMurdo	Responds it has been for the last biennium. Explains the total is \$132,000 per biennium.
380	Rep. Winters	Asks if there should be a "cushion" or reserve.
392	McMurdo	Responds he does not believe a reserve is necessary.
395	Chair Sunseri	Asks what is the individual increase.
401	McMurdo	Refers to the bill and the statutory fee.
410	Chair Sunseri	Asks if there is industry opposition to the bill.
415	McMurdo	Responds there is not.
<b>TAPE 124, B</b>		
002	Rep. Jenson	Asks why are increases for out-of-state schools so high.
005	McMurdo	Responds those schools are probably chartered out of state but operate as an in-state school; also refers to correspondence schools.
010	Chair Sunseri	Asks why is the bill referred to the Ways & Means Committee.
015	McMurdo	Explains an expenditure fund limitation increase is needed.
025	Chair Sunseri	Closes public hearing on SB 365. Opens work session on SB 365.
<b><u>SB 365 WORK SESSION</u></b>		

028	Rep. Starr	<b>MOTION: Moves SB 365 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Ways and Means.</b>
		<b>VOTE: 9-1</b>  <b>AYE: 9 - Beck, Close, Hopson, Jenson, Morrisette, Starr, Wilson, Winters, Sunseri</b>  <b>NAY: 1 - Knopp</b>
30	Chair Sunseri	<b>The motion CARRIES.</b>
31	Chair Sunseri	Closes work session on SB 365. Adjourns at 3:00 p.m.

Submitted By, Reviewed By,

Joan Diaz, Norm Fox,

Administrative Support Administrator

#### **EXHIBIT SUMMARY**

**A ñ SB 487A, written testimony, Sen. Peter Courtney, 6 pp**

**B ñ SB 487A, written testimony, Kelly Taylor, 1 p**

**C ñ SB 711A, written testimony, Phyllis Kirkwood, 1p**

**D ñ SB 167, written testimony, Bret West, 1 p**