

SENATE COMMITTEE ON EDUCATION

March 22, 1999 Hearing Room B

1:00 p.m. Tapes 58-59

MEMBERS PRESENT: Sen. Tom Hartung, Chair

Sen. Susan Castillo, Vice-Chair

Sen. Peter Courtney

Sen. Verne Duncan

Sen. Gary George

Sen. Avel Gordly

Sen. Marylin Shannon

MEMBER EXCUSED:

STAFF PRESENT: Jan McComb, Administrator

Karen O'Kelley, Administrative Support

MEASURE/ISSUES HEARD: SB 102 Public Hearing and Work Session

SB 771 Public Hearing

SB 733 Work Session

SB 487 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
TAPE 58, A		
003	Chair Hartung	Opens meeting at 1:05 p.m. and opens public hearing on SB 102.

SB 102 PUBLIC HEARING

007	Sen. Courtney	Explains that SB 102 is a committee bill. States that this bill is intended to address the issue of class size. Requests to hear from Stan Bunn.
022	Stan Bunn	Superintendent, Public Instruction. Refers to the ñ3 amendments included in (EXHIBIT A) . States that the amendments would create a situation in which the federal funds that are available for class size reduction for grades K-3 could be doubled. Explains that the amendments would also allow the school districts who already meet the class size criteria to use the funding for professional development.
055	Sen. Courtney	Recommends that the committee adopt the ñ3 amendments and send the bill to the Ways and Means Committee.
062	Bunn	States that he would be willing to work with Sen. Courtney on the bill.
065	Chair Hartung	Closes public hearing on SB 102 and opens work session on SB 102.

SB 102 WORK SESSION

068	Sen. Courtney	MOTION: Moves to ADOPT SB 102 ñ3 amendments dated 01/01/99.
		VOTE: 6-0 EXCUSED: 1 - George
071	Chair Hartung	Hearing no objection, declares the motion CARRIED.
074	Sen. Courtney	MOTION: Moves SB 102 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.
078	Vice-Chair Castillo	States that she is pleased that this "bill comes with funding attached."
		VOTE: 6-0 EXCUSED: 1 - George

085	Chair Hartung	Hearing no objection, declares the motion CARRIED . SEN. COURTNEY will lead discussion on the floor.
087	Chair Hartung	Closes work session on SB 102 and opens public hearing on SB 771.
<u>SB 771 PUBLIC HEARING</u>		
097	Dennis Shine	Retired community college teacher. Testifies in favor of SB 771 and submits (EXHIBIT B) . Discusses the background of the bill. Believes "that there is a parallel between the famine and its impact on Oregon, and what happened when people came across the Oregon trail." Comments that the Irish Famine would be a useful addition to the curriculum for Oregon schools. States that one-eighth of the population starved to death in Ireland during the famine. States that the Irish population experienced discrimination after they immigrated.
187	Sen. Lee Beyer	Senate District 21. Explains that SB 771 does not mandate school districts to do anything. Believes that it is an "awareness bill." States that similar bills have already been adopted in eight other states.
214	Sen. Tony Corcoran	Senate District 22. Comments that there is precedence for this bill in other states. Explains that this bill would not require additional work for the Department of Education (DOE). Refers to a trip he took to Ireland. Discusses the history of the potato famine.
270	Sen. Gordly	Comments that she is pleased to support a bill that helps everyone to understand our collective American history. States that this country struggles with "cultural competence." Wishes that this bill was a mandate.
294	Sen. Duncan	Believes that this bill is the wrong approach. States that nothing will be accomplished. Believes that a better method would be to work with the DOE to get this into the schools. Opposes the legislative assembly getting involved with school curriculums.
341	Sen. Corcoran	Shares Sen. Duncan's concerns. States that this bill is not a mandate. Explains that there are very important history lessons to be learned from the famine. States that he would like the committee to move the bill forward.
366	Chair Hartung	Closes public hearing on SB 771 and opens another work session on SB 102.
<u>SB 102 WORK SESSION</u>		
369	Sen. Courtney	MOTION: Moves to RECONSIDER the vote by which SB 102 moves to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.

376	Sen. Shannon	Asks why Sen. Courtney wants to reconsider.
378	Sen. Courtney	Responds that ñ3 amendments were adopted. States that he wants to have "the single sheet of paper" (EXHIBIT C) sent to Legislative Counsel and amended into SB 102 before it goes to the Ways and Means Committee.
431	Chair Hartung	Asks Sen. Courtney if the ñ3 amendments need to be removed and replaced with EXHIBIT C .
433	Sen. Courtney	Responds that he wants to delete the ñ3 amendments.
441	Sen. Gordly	Asks what EXHIBIT C would do to the ñ3 amendments.
454	Joanne Flint	States that EXHIBIT C clarifies the ñ3 amendments and provide much stronger language for implementation of the class size initiative.
462	Chair Hartung	Asks if the ñ3 amendments need to be withdrawn.
464	Flint	Responds that the ñ3 amendments need to be withdrawn.
468	Sen. Courtney	Requests that Flint explain how EXHIBIT C strengthens the ñ3 amendments.
472	Flint	Explains that EXHIBIT C accomplishes the following: <ul style="list-style-type: none"> • Clarifies language regarding the state grant. • Allows for professional development where class sizes have already been reduced below 20 students. • Ensures that school districts have policies establishing the maximum class size of 20 students.
TAPE 59, A		
033	Chair Hartung	Asks Flint how the ñ3 amendments will be strengthened by EXHIBIT C if they are deleted.
035	Flint	Responds that the ñ3 amendments are included in EXHIBIT C except for the summary statement.
064	Sen. Courtney	Requests that EXHIBIT C be sent to Legislative Counsel before voting on SB 102 again.
073	Vice-Chair Castillo	Asks if EXHIBIT C does away with the wavier.

078	Flint	Responds that the wavier would not be required.
085	Sen. Shannon	Asks if this bill is in conflict with Sen. Miller's bill.
087	Chair Hartung	Responds that it is a different approach.
		VOTE: 6-0 EXCUSED: 1 - George
097	Chair Hartung	Hearing no objection, declares the motion CARRIED.
099	Chair Hartung	Closes work session on SB 102 and re-opens public hearing on SB 771.
<u>SB 771 PUBLIC HEARING</u>		
102	Mick Mulcrone	Assistant Professor, Department of Communications, University of Oregon.
111	David O'Longaigh	President Portland Division, Ancient Order of Hibernians. Testifies in support of SB 771 and submits (EXHIBIT D) . Discusses Oregon's rich Irish cultural and historical legacy. Explains that Gov. Kitzhaber declared June 1, 1997 Irish Heritage and Potato Famine Commemoration Day to acknowledge the 150 th anniversary of the famine. Believes that "famine curriculum bill" would give Irish Oregonians a full appreciation of their history.
175	Mulcrone	States that the Irish were the first urban under-class in the U.S. Explains that the Irish suffered a lot of discrimination in Oregon after immigrating. Hopes that the committee will support the bill.
221	Sen. Shannon	Asks Mulcrone if he stated that the Irish were the "first underdogs."
224	Mulcrone	Responds that the Irish were the first urban under-class.
226	Sen. Shannon	States that the Indians were mistreated.
227	Mulcrone	Responds that the Indians were not urban.
		Shares Sen. Duncan's concern about legislating education, however, "history is a living thing that must be restored in every generation."
241	Sen. George	States that he is concerned that, "everybody is now focusing on the negative things instead of rejoicing at the fact that we have ended up in this country with the blessings that are here." Believes that it is a blessing to be an American.

271	Irv Fletcher	Oregon AFL-CIO. Encourages the committee to support SB 771.
289	Wilma Wells	Confederation of School Administrators (COSA). Believes that Oregonians should respect other peoples' heritages. States that she is neutral on SB 771.
324	Roger Martin	Believes that history is a great teacher of peoples' attitudes toward how they treat the future. States that his great-great grandfather died during the famine. States that there is only a scant mention of the Irish famine in history books. States that "the population of Ireland was something around eight million in 1840 and is still less than 50 percent of that today." Hopes that the message gets through to those who teach history that Irish history should be included.
425	Sen. George	Discusses a current tragedy where human beings are being sold as slaves in Africa.
447	Sen. Shannon	Discusses Shannon family history.
TAPE 58, B		
008	Chair Hartung	Closes public hearing on SB 771 and opens work session on SB 733.
<u>SB 733 PUBLIC HEARING</u>		
013	Jan McComb	Committee Administrator. Explains that SB 733 changes part of the school funding formula. States that it has been suggested that the committee move this onto the Revenue Committee without recommendation.
017	Chair Hartung	MOTION: Moves SB 733 to the Revenue Committee WITHOUT RECOMMENDATION as to passage.
		VOTE: 6-0 EXCUSED: 1 - George
024	Chair Hartung	Hearing no objection, declares the motion CARRIED.
026	Chair Hartung	Closes work session on SB 773 and opens public hearing on SB 487.
<u>SB 487 PUBLIC HEARING</u>		
026	McComb	States that Sen. Courtney is the sponsor of SB 487. Explains that this bill requires proof of school attendance before the Department of Transportation

		(DOT) will issue a drivers license. Explains that Sen. Courtney recommends the ñ1 amendments (EXHIBIT E) that would make the program optional at the discretion of a local school board.
040	Wells	Testifies against SB 487. States that COSA does not have the staff to support this bill.
056	Sen. Courtney	States that the ñ1 amendments make the program optional at the discretion of a local school board and allow the student to appeal the decision. Believes that the Oregon School Boards Association (OSBA) supports the ñ1 amendments.
078	Chair Hartung	Asks Wells if she is agreeable to the ñ1 amendments.
080	Wells	Responds that the ñ1 amendments would be acceptable to COSA.
083	John Marshall	OSBA. States that he supports the ñ1 amendments.
091	Kelly Taylor	DOT. States that the ñ1 amendments would reduce the fiscal impact because the appeals process would be done at a school, not at the DOT. States that the ñ1 amendments do address some of the DOT's concerns in regards to a fiscal impact.
115	Chair Hartung	States that there is no impact on state or local revenues.
119	Taylor	Responds that a \$53 reinstatement fee would be collected.
126	Chair Hartung	Asks why the Legislative Revenue Department stated that there is not a revenue impact.
129	Taylor	Responds that she is not sure.
132	Sen. Duncan	Wonders if there will be more students driving without a license because of this program.
142	Taylor	Responds that a certain segment of the population will drive without a driver license.
149	Sen. Shannon	States that she has not seen any statistics from any other states that show that this type of legislation keeps students in school. Believes that this bill is too controlling. States that this bill would be a nightmare to administer. Comments that she does not agree with this bill.
175	Chair Hartung	Closes the public hearing on SB 487.

176	Chair Hartung	Asks if Sen. Courtney would like to have a work session on SB 487 today.
181	Sen. Courtney	Responds that 20 other states have legislation similar to SB 487. Explains that the first state to have such legislation was West Virginia. Comments that the first year the law went into effect, in West Virginia, the dropout rate went down by almost one-third. States that "this is an imperfect world and we want to keep kids in school any way we can." States that he previously distributed the dropout rates for every school district in the state. States that this bill is not without merit.
214	Chair Hartung	Opens work session on SB 487.
<u>SB 487 WORK SESSION</u>		
225	Sen. Courtney	MOTION: Moves to ADOPT SB 487-1 amendments dated 03/05/99.
		VOTE: 6-0 EXCUSED: 1 - George
227	Chair Hartung	Hearing no objection, declares the motion CARRIED.
232	Sen. Gordly	Asks Sen. Courtney if he has data showing how many of the drop-outs have drivers licenses.
239	Sen. Courtney	Responds that he does not. States that the bill would also deny dropouts from obtaining a driver license as well.
244	Vice-Chair Castillo	Asks if the appeal process would make an exception for kids who need to miss school for legitimate reasons.
249	Sen. Courtney	Responds that it would. States that there could be a variety of reasons.
270	Sen. Shannon	Comments that she does not think the bill could be administered fairly.
301	Sen. Courtney	MOTION: Moves SB 487 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 5-1 AYE: 5 - Castillo, Courtney, Duncan, Gordly, Hartung NAY: 1 - Shannon

		EXCUSED: 1 - George
307	Chair Hartung	The motion CARRIES. SEN. COURTNEY will lead discussion on the floor.
309	Chair Hartung	Closes the work session on SB 487 and adjourns the meeting at 2:24p.m.

Submitted By, Reviewed By,

Karen O'Kelley Jan McComb

Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SB 102, -1, -2, and ñ3 amendments, staff, 9 pp

B ñ SB 771, written testimony, Dennis Shine, 3 pp

C ñ SB 102, proposed amendments, Stan Bunn, 1 p

D ñ SB 771, written testimony, David OíLongaigh, 4 pp

E ñ SB 487, -1 amendments, Sen. Peter Courtney, 1 p