

HOUSE COMMITTEE ON EDUCATION

February 12, 1997 Hearing Room E

08:15 AM Tapes 23-24

MEMBERS PRESENT:

Rep. Dennis Luke, Chair

Rep. Terry Thompson, Vice-Chair

Rep. Roger Beyer

Rep. Ryan Deckert

Rep. Charles Starr

Rep. Bob Jenson

MEMBER EXCUSED: Rep. Ron Sunseri

STAFF PRESENT:

Jan McComb, Administrator

Joan Diaz, Administrative Support

MEASURE/ISSUES HEARD:

HB 2330 Public Hearing and Work Session

LC 2692, LC 2400, LC 2597 Work Session

HB 2354 Work Session

HB 2220 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 23, A		
006	Chair Luke	Calls meeting to order at 8:15 a.m. Opens public hearing on HB 2330.
<u>HB 2330 - PUBLIC</u>		

<u>HEARING</u>		
	Jan McComb	Committee Administrator, reads and clarifies bill in response to Chair's request. Indicates there is a -1 amendments.
028	Connie Seeley	Legislative Assistant to Rep. Peter Courtney testifies in favor of HB 2330 and is in agreement with the -1 amendments.
038	James Beyer	Director, Grants Program, State Scholarship Commission states amendments delete language in bill to comply with IRS regulations. Specifies what voucher could be used for. Also clarifies how administrative allowances would be allocated to participating schools and the Commission.
	Rep. Beyer	Asks if we are replacing the entire Section 4 in HB 2330.
	Chair Luke	Responds only Section 4, subsection 2 is changed. The purpose is to clarify what the money can be used for.
073	Chair Luke	Closes public hearing and opens work session on HB 2330.
<u>HB 2330 - WORK SESSION</u>		
	Chair Luke	Clarifies that this bill has a subsequent referral to Way & Means.
	Rep. Beyer	Asks what is the purpose of Section 6 and why is it added to this bill.
085	James Beyer	Responds that Section 6 adds a reporting requirement for state institutions of higher education participating in the voucher program.
	Rep. Starr	MOTION: Moves to ADOPT HB 2330 -1 amendments dated 02/10/97.

	Chair Luke	Hearing no objection, declares the motion CARRIED .
108	Rep. Starr	MOTION: Moves HB 2330 to the floor with a DO PASS AS AMENDED recommendation and be REFERRED to the committee on Ways and Means by prior reference.
	Chair Luke	Calls for further discussion.
	Rep. Beyer	Comments that interns who are working in the Capitol now are working without salary and could have benefited from this program. States he would like to include students from all community colleges in the future. Also would like to see limits on total dollar amount.
125	Chair Luke	States that in the last session a bill was introduced that would require community service as a graduation requirement. Notes that some of the people who bring this bill forward are some of the same people who opposed last session's bill.
		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Rep. Ron Sunseri
	Chair Luke	The motion CARRIES.
137	Chair Luke	Closes work session on HB 2330. Opens work session on introduction of committee bills.
<u>LC 2692, LC 2400, LC 2597</u> <u>WORK</u> <u>SESSION</u>		

140	Chair Luke	Comments that introduction of committee bills does not imply approval.
142	Rep. Thompson	MOTION: Moves LC 2692 dated 2/6/97 BE INTRODUCED as a committee bill.
	Chair Luke	Hearing no objection, declares the motion CARRIED. (L/C 2692 is introduced as HB 2835)
151	Rep. Thompson	MOTION: Moves LC 2400 dated 2/6/97 BE INTRODUCED as a committee bill.
	Chair Luke	Hearing no objection, declares the motion CARRIED. (LC 2400 is introduced as HB 2834)
152	Rep. Thompson	MOTION: Moves LC 2597 dated 2/3/97 BE INTRODUCED as a committee bill.
	Chair Luke	Hearing no objection, declares the motion CARRIED. (LC 2597 is introduced as HB 2836)
	Chair Luke	Closes work session on introduction of committee bills. Opens work session on HB 2354.
HB 2354 - WORK SESSION		
161	Cindy Hunt	Deputy, Legislative Counsel explains -3 amendments to HB 2354.
220	Rep. Beyer	Asks if a bond district is created and is in effect for 20 years, can additional bonded indebtedness occur within those 20 years.

	Hunt	Responds district would have to take it to voters each time.
	Chair Luke	Asks for additional discussion while committee is in work session.
	Rep. Starr	MOTION: Moves to ADOPT HB 2354-3 amendments dated 02/11/97.
	Rep. Beyer	States he cannot support the way the amendments are drafted.
265		VOTE: 5-1 AYE: 5 - Deckert, Jenson, Starr, Thompson, Luke NAY: 1 - Beyer EXCUSED: 1 - Sunseri
	Chair Luke	The motion CARRIES.
	Chair Luke	Comments that there is already a process in place for ESD's to float bonds and that if this bill comes to the floor for a vote he will likely vote no.
	Rep. Beyer	Comments that he agrees, but would like more discussion when bill moves to floor.
288	Rep. Starr	Gives input on how this bill would affect programs in his area and would like to see this bill move forward.
	McComb	Responds to Chair's inquiry that impact statements on the -3 amendments have yet to be received.

	Rep. Deckert	Comments that this bill would allow Washington County voters to vote on something that Tillamook County and Clatsop County voters can vote on now.
328	Rep. Beyer	Notes that bill applies to the whole state of Oregon. Individual school districts in an area can now vote on bonds.
354	Rep. Jenson	Speaks in favor of the bill. Comments that since it is up to voters in a district to decide what indebtedness they want to incur, the legislature should not obstruct that process.
	Chair Luke	Asks Legislative Counsel for further clarification regarding Washington County.
	Hunt	Responds that it would take all of the school districts in that county to float a bond measure.
TAPE 24, A		
002	Chair Luke	Continues discussion with Legislative Counsel regarding process for school bond measures.
	Rep. Starr	MOTION: Moves HB 2354 to the floor with a DO PASS AS AMENDED recommendation.
	Chair Luke	Discusses and clarifies status of bill and gives him the option of withdrawing his motion.
	Rep. Starr	MOTION: Moves to RECONSIDER and withdraws motion.
	Chair Luke	Closes work session on HB 2354 and opens public hearing on HB

		2220.
HB 2220 - PUBLIC HEARING		
035	Rep. Thompson	Explains he has drafted this bill and expresses his long term interest in seeing that Oregon Coast Community College (OCCC) is located on a permanent site.
	Pat O'Connor	President, Oregon Coast Community College, gives testimony. Shares ten year history of OCCC and describes physical conditions of its operation. OCCC is the only community college in Oregon that rents all its space; not a good return for taxpayers or optimum learning environment for students (EXHIBIT A) .
101	Rep. Thompson	Testifies why rock quarry and surrounding land currently utilized by Oregon Department of Transportation (ODOT) is important to OCCC.
	Rep. Beyer	Questions the size of the current site.
	Rep. Thompson	Responds that the original plan was for 33 acres in two parcels.
142	Joan Plank	Government Relations Representative, Oregon Department of Transportation, testifies in favor of HB 2220 (EXHIBIT B) .
	Chair Luke	Asks if ODOT does not transfer this land to the community college will the department return land to its original condition.
	Plank	Responds there was some discussion that would make reclamation a

		requirement but is not sure of the result of discussion.
161	Chair Luke	Relates past experience on another project of ODOT. Was told that ODOT by statute is required to make money on transfer of property.
172	Plank	Responds that ODOT's attorney stated that if this bill is enacted, ODOT could make the property available to OCCC.
175	Chair Luke	States that the committee first needs an answer on how reclaiming will take place.
179	Rep. Thompson	Comments he has visited the site and that in the reclamation plan, the site is supposed to be forest land. To re-forest it would not be feasible. To flatten it off and build on it would be a better option.
190	Chair Luke	Responds that the committee needs to clarify language in this bill. Bill in its present form would probably not pass. Existing state law specifies ODOT has to make money or break even in any land transfer.
202	Plank	States there is a reclamation plan on file with the Department of Geology and Mineral Industries.
	Chair Luke	Asks how much money will be saved by transferring property.
215	Plank	Continues testimony.
232	Rep. Thompson	Testifies that this is a long range plan and that if bill passes, access roads and utilities can be constructed now.

245	Rep. Beyer	Asks whether HB 2354 previously discussed would affect OCCC with respect to incurring bonds.
276	O'Connor	States that a service district cannot incur bond indebtedness but a service district is the same as a community college in other ways. Forming service districts was a way to establish community colleges in rural areas. Responds the local Education Service District is Linn Benton.
	Rep. Beyer	Asks if community colleges fall under Measure 5.
	Chair Luke	Clarifies that applies only to operating expenses and not for construction.
	Plank	Responds to Chair's question that ODOT right of way figures would be forthcoming with the next few days.
303	O'Connor	Comments there are representatives from Lincoln County here to give testimony and would like to submit letter of support (EXHIBIT C).
344	Phil Hutchinson	Executive Director, Newport Chamber of Commerce, testifies in favor of HB 2220 (EXHIBIT D).
361	Chris Chandler DiTorrice	Executive Director, Economic Development Alliance Lincoln County, testifies in favor of HB 2220.
TAPE 23, B		
002	DiTorrice	Continues testimony in favor of HB 2220.

009	Leslie Linn	Student Body President, OCCC, gives input from student's perspective. Comments on the crowded conditions, student desks in hallways, etc., and urges committee to pass bill. Further comments that student body suffers from lack of centralized educational environment. States that the community college's math center is smaller than Hearing Room E.
	Jabbar Goughnur	Student Body Vice-President, OCCC, gives additional input from a student's perspective.
056	Joe Rohleder	Private citizen and retired geologist, resident of Waldport, testifies in favor of HB 2220.
074	Rep. Thompson	Invites witness to explain terrain.
084	Rohleder	Explains land use from a geologist's view.
098	Bret West	Interim Commissioner, Community College Services, supports transfer of land from ODOT to Oregon Coast Community College.
107	Rep. Jenson	Questions who would be responsible for the land if 10 years from now when rock quarry is ready to transfer to OCCC, the community college changes its plans.
	Rep. Thompson	Responds that further discussion will continue in a work session.
		Oregon Department of Geology & Mineral Industries speaks in favor

124	Gary Lynch	of HB 2220 (EXHIBIT D).
	Chair Luke	Asks for information on the reclamation plan.
148	Lynch	Responds there is a plan but it can be changed providing both parties agree. It is not precedent setting to make changes. Comments mining is a temporary use, and there should be a secondary beneficial use after mining ceases.
	Chair Luke	Asks about earthquake possibilities.
168	Lynch	Comments buildings can be reinforced along the coast and his staff saw no problems with that.
	Chair Luke	Questions how is ODOT's work performance in projects such as this.
188	Lynch	Comments that his organization has an award program and ODOT has won several awards.
204	Plank	Responds to Chair's inquiry if there are any arrangements like this without transfers of money or compensation. Responds she will research and get that information to committee.
220	Rep. Thompson	States he would like to bring bill back for more comments and testimony.
	Chair Luke	Comments this bill will be setting a precedent and it is important to obtain as much information as possible before next hearing.

250	Chair Luke	Closes public hearing on HB 2220. Indicates committee will be holding a public hearing on HB 2464 next Wednesday, February 19 at 8:15 am. HB 2464 deals with random drug testing of teachers. Asks member to invite interested parties. Adjourns meeting at 9:30 a.m.

Submitted By, Reviewed By,

Joan Diaz, Bryan Boehringer,

Administrative Support Administrator

EXHIBIT SUMMARY

A - HB 2220 written materials, Pat O'Connor, 28 pp

B - HB 2220, written testimony, Joan Plank 1 pp

C - HB 2220, written material, Don Distad, 1 pp

D - HB 2220, written materials, Phil Hutchinson 8 pp

E - HB 2220, written testimony, Gary Lynch 1 pp