

HOUSE COMMITTEE ON EDUCATION

April 18, 1997 Hearing Room E

07:45 A.M. Tapes 106 - 108

MEMBERS PRESENT:

Rep. Dennis Luke, Chair

Rep. Terry Thompson, Vice-Chair

Rep. Roger Beyer

Rep. Ryan Deckert

Rep. Bob Jenson

Rep. Charles Starr

Rep. Ron Sunseri

MEMBER EXCUSED:

STAFF PRESENT:

Bryan Boehringer, Administrator

Joan Diaz, Administrative Support

MEASURE/ISSUES HEARD:

HB 3442 - Public Hearing

HB 3440 - Public Hearing

HB 3220 - Public Hearing

SB 184A - 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 106, A		
005	Chair Luke	Calls meeting to order at 7:50 a.m. Opens public hearing on HB

		3442.
HB 3442 - PUBLIC HEARING		
	Chair Luke	Asks staff to explain bill.
	Bryan Boehringer	Committee Administrator, explains bill which addresses dispute resolutions regarding student incidental fees.
022	Ed Dennis	Legislative Representative, Oregon Student Association, testifies in favor of HB 3442 (EXHIBIT A) . ¹ (
	Denyse Moore	ASB President, Western Oregon University, makes presentation regarding current process for establishing student fees. HB 3442 will make process smoother (EXHIBIT B) . ² (
150	Rep. Bryan Johnston	Represents district 31, testifies regarding HB 3442. Explains bill requires that State Board of Education hear disputes regarding student incidental fees that include representatives of the recognized student government.
	Rep. Jenson	Comments that as a former undergraduate he experienced similar incidents where there was no student representation.
	Bill Miner	ASB President, University of Oregon (U of O), testifies regarding incidental fee budgeting process at the U of O (EXHIBIT C) . [3] (
252	Libby Mitchell	ASB President, Oregon State University (OSU), testifies regarding incidental fee budgeting process at OSU (EXHIBIT D) . ⁴ (Explains that process for resolution of disputes regarding student fees should include representatives from student government.
316	Dennis	Comments on students' preference to have binding arbitration in the process. Comments that students worked with sponsor of the bill to reword it to allow students' participation.
	Chair Luke	Asks if there has been an example when a university president turned down students' recommendation.
	Dennis	Responds there has not, but it could happen.

	Chair Luke	Asks if student groups can recommend fees that fund long term programs.
368	Dennis	Responds the athletic program funding is committed years in advance and involved student planning.
	Miner	Responds to Chair's question that incidental fees at the University of Oregon are \$135 per term. Fees provide a subsidization to the athletic department, the memorial student union, and the balance goes to fund other programs.
	Rep. Deckert	Asks if fees are debated in a democratic process.
	Miner	Responds that is true and the process is open to the public.
TAPE 107, A		
002	Miner	Continues responding to committee's question regarding current budgeting process.
	Mitchell	Comments OSU fees are comparable to U of O fees.
	Chair Luke	Comments that the Legislature budgets for two years and cannot commit other legislatures to future programs. If students are funding long term projects, they are committing future students to fees.
066	Bob Mellon	Chair, Incidental Fee Committee, Portland State University, testifies regarding incidental fee process (EXHIBIT E) . ⁵ (
092	Kaaryn Keller	Student, Western Oregon University, testifies regarding court cases regarding student fee process (EXHIBIT F) . [6] (Comments their committee debated and decided not to commit students to long term programs.
	Chair Luke	Asks whether student fees are used for construction bonds.
	Dennis	Responds that process is no longer in effect.
143	Grattan Kerans	Legislative Representative, Oregon State System of Higher Education (OSSHE), introduces OSSHE legal counsel.

	Melinda Grier	Legal Counsel, OSSHE, testifies regarding current disputed resolutions (EXHIBIT G) . ⁷ (
	Chair Luke	Asks if there is an appeal process already in place.
170	Grier	Responds and refers to OAR183.502 (EXHIBIT H) . ⁸ (
	Mitchell	Responds to Chair's question regarding Hearings Board participation in a dispute resolution.
	Chair Luke	Asks if any have gone to arbitration in recent memory.
195	Mitchell	Responds there has not been any arbitration; previous disputes were settled in conversations.
	Chair Luke	Closes public hearing on HB 3442. Opens public hearing on HB 3440.
<u>HB 3440 - PUBLIC HEARING</u>		
	Chair Luke	Asks staff to explain bill.
	Bryan Boehringer	Committee Administrator, explains bill and the -1 amendments and the -2 amendments.
	Rep. Bryan Johnston	Represents district 31, explains bill which requires training of campus public safety officers at the Police Academy at the expense of a community college. Bill also clarifies confusing language concerning "certified" and "trained."
	Boehringer	Explains the amendments were requested by Vickie Totten from the Oregon Community Colleges Association.
	Vickie Totten	Executive Director, Oregon Community Colleges Association, explains the -1 amendments are essential so that safety officers can be trained by Board on Public Safety Standards and Training (BPSST).
	Craig Smith	Chief Financial Officer, Chemeketa Community College, testifies regarding bill passed in last session regarding certifying officers.

		Current bill clears up language.
	Chair Luke	Suggests working out the -1 amendments and -2 amendments between the community college association and the private colleges. Committee will re-hear the bill at a future date.
	Chair Luke	Closes public hearing on HB 3440. Opens public hearing on HB 3220.
TAPE 106, B		
HB 3220 - PUBLIC HEARING		
045	Rep. Anitra Rasmussen	Represents district 11, testifies in favor of HB 3220 (EXHIBIT I). [9](Comments that additional amendments will be forthcoming.
	Rep. Jim Welsh	Represents district 43, testifies in favor of HB 3220. Comments that his bill and Rep. Simmons' bill were similar to Rep. Rasmussen's bill. Each of the representatives will be supporting HB 3220 and the -1 amendments (EXHIBIT J). ¹⁰ (
	Rep. Mark Simmons	Represents district 58, testifies in favor of HB 3220. Comments one aspect of the bill allows for a "clearing house" of information on environmental education.
	Rep. Beyer	Expresses concerns with the possible rule making powers of the advisory committee proposed in the bill.
	Cindy Hunt	Legislative Counsel, responds to committee's questions and refers to page 4 of the -2 amendments which indicate adoption of rules would require a simple majority vote.
	Rep. Starr	Comments that his calculations show 30% of the committee would be enacting rules. He is not in favor of that.
289	Rep. Beyer	Comments that the bill is a good idea but it needs work; uncomfortable with a simple majority rule.
	Chair Luke	Asks Rep. Beyer, Rep. Jenson and Rep. Starr to work with sponsors on the bill.

	Rep. Simmons	Comments bill is a work in progress and would be happy to have committee help.
	Rep. Rasmussen	Clarifies other concerns with the bill.
342	Rep. Beyer	Suggests that a consensus rather than a simple majority vote would be preferred for the advisory committee.
365	Rep. Welch	Responds there is a clause that the advisory committee is to be confirmed by the Senate. Answers criteria question.
	Rep. Starr	Comments if the bill is a work in progress, he would be happy to work with sponsors of the bill to resolve concerns.
TAPE 107, B		
002	Rep. Starr	Continues explaining his concerns with the bill.
	Marshall Gilmore	Director, Earth Kids, testifies against HB 3220 which "verges on censorship."
049	Chair Luke	Asks for clarification of censorship.
	Gilmore	Responds about the preambles of the bill which specify "sound and verifiable" science. Suggests adding a criteria to subsection 1 (a) (f) which identifies whether the provider of the curriculum stands to gain financially. Urges open discourse which is not defined by the state.
087	Rebecca Wagner	Teacher, Environmental Middle School, gives testimony that HB 3220 goes beyond what is necessary in schools. Comments that committee should let teachers give students choices; bill is probably not needed. (EXHIBIT K) . ¹¹ (
	Kyle Walker	Chief, Education & Information Division, Oregon Department Fish and Wildlife (ODFW), testifies regarding programs currently in place (EXHIBIT L) . [12] (
	Chair Luke	Comments bill is a work in progress and all written testimony received will be submitted to Rep. Rasmussen who will be working on the bill.

	Rep. Beyer	Invites representatives from ODFW to attend workgroup sessions.
	Amanda Fritz	Parent, testifies in favor of HB 3220.
185	Merrilee Peay	Coordinator, Yellow Ribbon Coalition, expresses concerns with biased education being taught in schools. Testifies in favor of a clearing house which HB 3220 proposes (EXHIBIT M) . [13] (
	Chair Luke	Recommends that representatives of her organization contact workgroup and work with them on the bill.
	Kate Ferschweiler	Parent, supports amendments to HB 3220, and supports forming a workgroup to clarify concerns (EXHIBIT N) . ¹⁴ (
258	Jonathan Snell	Private citizen, testifies in favor of HB 3220 and relates rural vs. urban polarization in the state. Comments that "our common enemy is ignorance."
	Sue Baker	President, Environmental Education Association of Oregon, testifies in favor of HB 3220 (EXHIBIT O) . [15] (
	Kristina McNitt	Associate Director, Government Affairs, Oregon Farm Bureau, testifies in favor of HB 3220 (EXHIBIT P) . ¹⁶ (
	Pete Test	Associate Director, Governmental Affairs, Oregon Farm Bureau Federation, testifies in favor of HB 3220.

TAPE 108, A

Chair Luke Recesses public hearing on HB 3220. Opens work session on SB 184A.

**SB 184A -
WORK
SESSION**

010 Rep. Sunseri MOTION: Moves SB 184A to the floor with a DO PASS recommendation.

Rep. Thompson Comments that he has concerns with the bill and will be voting "no" on it.

Comments that prior to yesterday he would also have voted "no," but

Rep. Sunseri now is assured parental involvement and permission will be a part of any alternative education program.

Rep. Jenson Indicates he will also be a "no" vote on it since bill has no provisions for basis for establishing alternative schools.

VOTE: 5-2

AYE: 5 - Beyer, Deckert, Starr, Sunseri, Luke

NAY: 2 - Jenson, Thompson

Chair Luke The motion CARRIES.

REP. LUKE will lead discussion on the floor.

Chair Luke Closes work session on SB 184A. Reconvenes public hearing on HB 3220.

HB 3220 -
PUBLIC
HEARING

Judith L. Li Chair, Education Committee, American Fisheries Society, testifies regarding HB 3220 (**EXHIBIT Q**) .[\[17\]](#)(Makes suggestions for additional amendments.

070 John LeCavalier Executive Director, Environmental Learning Center, Clackamas Community College, testifies in favor of HB 3220 (**EXHIBIT R**) with additional amendments. [\[18\]](#)(

Joan Grimm Parent, testifies in favor of HB 3220.

Chair Luke Comments that if interested parties give staff their name and address, committee will forward results of workgroup study to them.

112 Rex Ettlin Education Program Coordinator, Metro Washington Park Zoo, testifies in favor of HB 3220 (**EXHIBIT S**).¹⁹(

Larry Beutler Editor/Publisher, "CLEARING" magazine, testifies in favor of HB 3220 (**EXHIBIT T**).²⁰(

138 Chair Luke Comments that bill will be coming back to the committee. Closes public hearing on HB 3220. Adjourns meeting at 9:55 a.m.

Submitted By, Reviewed By,

Joan Diaz, Bryan Boehringer,

Administrative Support Administrator

EXHIBIT SUMMARY

¹ A - HB 3442, written testimony, Ed Dennis, 1 pg

²(B - HB 3442, written materials, Denyse Moore, 5 pp

[\[3\]](#)(C - HB 3442, written materials, Bill Miner, 3 pp

⁴(D - HB 3442, written testimony, Libby Mitchell, 1 pg

⁵(E - HB 3442, written materials, Bob Mellon, 12 pp

[\[6\]](#)(F - HB 3442, written testimony, Kaaryn Keller, 2 pp

⁷(G - HB 3442, written testimony, Melinda Grier, 3 pp

⁸(H - HB 3442, written materials, staff, 2 pp

[\[9\]](#)(I - HB 3220, written testimony, Anitra Rasmussen, 1 pg

¹⁰(J - HB 3220, proposed amendments, staff, 4 pp

¹¹(K - HB 3220, written materials, Rebecca Wagner, 1 pg

[\[12\]](#)(L - HB 3220, written testimony, Kyle Walker 2 pp

[\[13\]](#)(M - HB 3220, written testimony, Merrill Peay, 2 pp

¹⁴(N - HB 3220, written testimony, Kate Ferschweiler, 4 pp

[\[15\]](#)(O - HB 3220, written testimony, Sue Baker, 1 pg

¹⁶(P - HB 3220, written testimony, Kristina McNitt, 2 pp

[\[17\]](#)(Q - HB 3220, written testimony, Judith Li, 1 pg

[\[18\]](#)(R - HB 3220, written materials, John LeCavalier, 10 pp

¹⁹(S - HB 3220, written testimony, Rex Ettlin, 1 pg

²⁰(T - HB 3220, written materials, Larry Beutler, 40 pp