

HOUSE COMMITTEE ON EDUCATION

April 23, 1997 Hearing Room E

07:45 A.M. Tapes 112 -115

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 3653 - Public Hearing

HB 3073 - Public Hearing

HB 3216 - Public Hearing

HB 3139 - Public Hearing

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 112, A		
004	Chair Luke	Calls meeting to order at 7:45 a.m. Opens public hearing on HB 3653.

HB 3653 - PUBLIC HEARING		
	Chair Luke	Asks staff to explain bill.
	Bryan Boehringer	Committee Administrator, explains HB 3653 which appropriates funds to establish a Student Block Grant program. Bill has a subsequent referral to Ways & Means.
012	Rep. Kitty Piercy	Represents district 39, testifies in favor of HB 3653 (EXHIBIT A) . ¹ (
038	Mary Beth St. John	ASPSU President, Portland State University, testifies in favor of HB 3653 (EXHIBIT B) . ² (
	Leslie Gray	Student, University of Oregon, testifies in favor of HB 3653 and presents information regarding number of child care facilities on university campuses (EXHIBIT C) . ³ (
107	Melissa Watson	Student Body President, Portland Community College, testifies in favor of HB 3653 (spreadsheet of 17 community college (EXHIBIT D) . ⁴ (Comments that the average age of community college students in Oregon is 35. Comments on the waiting list.
	Watson	Responds to committee's questions that the program is federally funded.
	Tamara Dykeman	Legislative Director, Oregon Student Association, responds that program is funded by a federal block grant, "Child Care Development Block Grant." Comments federal grant is funded at \$1.5M at present but no increases are budgeted.
136	Chair Luke	Comments that low income child care providers have closed in Jackson County due to new state-mandates on minimum wage. Asks if any on the campuses have closed.
	Watson	Responds not at Portland Community College but is not aware of any campus center that closed.
		Student, Portland Community College, testifies in favor of HB 3653

	Sara Wollam	(EXHIBIT E). [5](
	Stefanie Knowlton	Full time student, part time employee, mother, testifies in favor of HB 3653 (EXHIBIT F). ⁶ (
	Jodie Elliot	Student, Clackamas Community College, testifies in favor of HB 3653. (EXHIBIT G). ⁷ (
247	Lola Lawson	Coordinator, Jim Sells Child Care Assistance Program, Portland State University, testifies in favor of HB 3653 (EXHIBIT H). ⁸ (
325	Dennis Reynolds	Coordinator, University of Oregon, testifies in favor of HB 3653. Manages child care program funded through student incidental fees (EXHIBIT I). [9](Comments the program serves 206 at present; approximately 600 need child care.
TAPE 113, A		
	Chair Luke	Closes public hearing on HB 3653. Opens public hearing on HB 3216.
<u>HB 3216 - PUBLIC HEARING</u>		
010	Rep. Anitra Rasmussen	Represents district 11, testifies in favor of HB 3216 which directs Department of Education to establish an international baccalaureate program (EXHIBIT J). [10](Comments on how a school district could afford to initiate program. Refers to -1 amendments (EXHIBIT K). [11](
065	Rep. Rasmussen	Responds to Chair's questions regarding costs, that -1 amendments indicate \$20,000 start up costs across five districts in the state.
082	Rep. Deckert	Asks what would the \$20,000 be used for.
	Rep. Rasmussen	Responds it would be used as a matching grant to seek additional funds in the business community.
	Chair Luke	Comments that there is opposition from the Oregon State System of Higher Education and the University of Oregon.
	Rep.	Comments that the -1 amendments are preferred over section 2 of the

	Rasmussen	original bill.
106	Gary Christensen	Director, Enrollment Services, Oregon State System of Higher Education, testifies against HB 3216, but supports an international degree program. Comments there are 1,200 students enrolled in the international high school program in Eugene. Explains how degree program is administered.
	Martha Pitts	Director of Admissions, University of Oregon, testifies against HB 3216 but supports the International Baccalaureate (IB) Degree Program (EXHIBIT L). [12] (
153	Grattan Kerans	Legislative Representative, Oregon State System of Higher Education, clarifies that there is support of the -1 amendments but OSSHE is against HB 3216 in its original form.
172	Rep. Starr	Asks what is a full load for a student.
	Pitts	Responds that 12-18 credits are considered a full load. Explains student load in order to receive IB diploma.
189	Greg McMurdo	Deputy Superintendent, Department of Education (ODE), comments his department was neutral towards the original bill, but is in favor of the -1 amendments. Fiscal impact is not recognized in the original bill.
212	Rep. Rasmussen	Comments additional work needs to be done on this bill and hopes to return to committee at future date.
	Chair Luke	Asks for further discussion on the bill. Closes public hearing on HB 3216. Recesses committee for 5 minutes. Reopens committee meeting and public hearing on HB 3073.
<u>HB 3073 - PUBLIC HEARING</u>		
232	Rep. Lynn Snodgrass	Represents district 10, testifies in favor of HB 3073 which prohibits discrimination of athletes by athletic coaches or academic instructors who assist students in further developing athletic interests. Comments that it is a battle between club sports and school sports (EXHIBIT M). [13] (
	Rep.	

329	Snodgrass	Continues testimony.
TAPE 112, B		
002	Rep. Snodgrass	Continues testimony and comments on the Oregon Student Athletic Association (OSAA) ruling which is included in submitted testimony. Comments on coaching positions vs. tenure teacher positions. Coaches are only employed on a year-to-year basis.
061	Rep. Beyer	Comments on concerns with section 1 of the bill. Section is interpreted on rights of coaches to do "anything". Language in the bill doesn't match testimony.
	Rep. Snodgrass	Comments she would be open to amendments to the bill.
	Rep. Thompson	Asks if there are specific cases which prompted this bill.
083	Rep. Snodgrass	Responds no but discusses volleyball coaches. School has a priority usually to hire good coaches who also happen to teach rather than teachers who can also coach a sport.
109	Jim Kirby	Volleyball coach, West Linn High School, testifies in favor of HB 3073 and against the OSAA out-of-season committee ruling.
209	Kirby	Continues testifying regarding coaching experiences and the number of students/participants in his district.
	Chair Luke	Comments on rule in OSAA document, "any club sport outside the OSAA defined season" and asks for interpretation.
	Kirby	Responds and gives his interpretation of the ruling.
309	Kirby	Continues testimony.
370	Douglas Flinn	Volleyball Coach, Sam Barlow High School, speaks in favor of HB 3073. Shares how other states have handled the kind of ruling that OSAA has initiated.
TAPE 113, B		

005	Flinn	Continues testimony.
027	Gaye Bell	Parent, testifies in favor of HB 3073.
	Chair Luke	Asks if basketball camps are covered by this ruling.
	Flinn	Explains his interpretation is that coaches are not allowed to gather in the off-season for any purpose. Don't know how basketball camps would be affected by this rule.
	Rep. Thompson	Asks for information regarding costs at high school.
	Flinn	Responds participation fee is \$100 per sport; with a limit on how much an individual student pays and a total limit per family
062	Flinn	Responds he is unsure if there are any options for low income families.
077	Kirby	Comments on fund-raisers in club sports.
	Rep. Thompson	Asks for cost to participate in club sports.
	Kirby	Responds that costs varies from \$150/season, to the "high end club" at \$1900/season. This includes 7 months of competition, traveling out of state, etc. Play costs per month is \$60/mo.
	Rep. Thompson	Asks if there are options for low income families.
	Kirby	Responds there are developmentally disabled individuals on teams that pay less.
	Rep. Deckert	Explains input he has received regarding elite basketball team characterized as too professional for high school level and, in retrospect, maybe casual play would have been better.
112	Kirby	Responds with information on his volleyball experience; had to turn applicants away.

	Chair Luke	Recesses public hearing on HB 3073. Opens public hearing on HB 3139.
<u>HB 3139 - PUBLIC HEARING</u>		
	Chair Luke	Asks for testimony. Observing no witnesses, closes public hearing on HB 3139. Reopens public hearing on HB 3073.
<u>HB 3073 - PUBLIC HEARING</u>		
150	Wes Ediger	Executive Director, Oregon School Activities Association (OSAA), testifies against HB 3073 (EXHIBIT N). [14](Comments OSAA is not inhibiting participation. Trying to relieve pressure that coaches put on students to be athletes. Comments that students and parents should have the right to choose.
275	Rep. Thompson	Comments on his experience as a student athlete.
285	Ediger	Continues testimony.
320	Rep. Thompson	Comments that in high school he received a very good education along with sports experiences.
	Tom Welter	Asst. Executive Director, OSAA, testifies against HB 3073. Rule does not prevent high school athletes from participating in any programs. Comments he has received concerns from parents regarding pressure from coaches when the high school coach is the coach for the out-of-season team.
	Chair Luke	Asks hypothetical question regarding a high school coach who also coaches a club sport team.
	Rep. Deckert	Asks question regarding an athlete who shows promise, adults descend on that child and urge more athletic outlets. Comments that that kind of pressure needs to be addressed.

**TAPE
114, A**

Responds that student/athletes could be displacing other students due mostly to

- 003 Welter their athletic ability. Responds rules in Association attempts to prevent undue influence by coach
- Rep. Thompson Comments on concerns how this would relate to charter schools or specialized schools, moving students around the state in order to participate in specific programs. Has concerns about the future and the outlook for areas other than sports.
- 052 Virginia Yankoskie Asst. Executive Director, OSAA, testifies against HB 3073.
- Ediger Responds to Chair's question that Committee Administrator has a copy of the OSAA's rule book.
- 093 Duane Barstad Principal, Gilchrist High School, testifies against HB 3073. Comments that out-of-season sports ruling was adopted by representatives from all schools.
- 150 George Lanning Superintendent, Amity School District, testifies against HB 3073. Comments there was a two-year process to develop the rule with full participation from school districts and the general public.
- 195 Mike McKeel School Board Member, Gresham-Barlow School District, and parent, testifies against HB 3073. Comments parents and students should have choices and not be pressured by coaches to play on a particular team.
- 241 Russ Joki Superintendent, Tigard-Tualatin School District, testifies against HB 3073; comments that bill is not workable.
- Rick Whelen Parent, testifies against HB 3073. Gives testimony regarding his experience as a former coach and also the pressure being applied to his daughter/athlete to compete; costs approximately \$12,000 for two sports for 4 years.
- 320 Mike Maghan Athletic Director, McNary High School, testifies against HB 3073. Comments coaches in all sports are endeavoring to encourage out-of- season activity and not just volleyball coaches.
- 375 Dan Borresen Coach, McNary High School, testifies against HB 3073. Comments that he coached club sports also, but withdrew from it.

**TAPE
115, A**

- 004 Paul Mannen Athletic Director, Dallas High School, testifies against HB 3073 (**EXHIBIT O**).¹⁵(

- 039 Marv Heater Executive Director, Oregon High School Coaches Association, testifies against HB 3073. Comments on "burn out" of high school coaches and explains OSAA ruling will help that situation.
- Larry Knudsen Athletic Director, Gresham High School, testifies against HB 3073.
- 083 Sheron Farner Coach, Oregon City High School, testifies against HB 3073.
- Chair Luke Explains those who cannot testify in person, submit written testimony to committee. Record will be kept open for 48 hours.
- Closes public hearing on HB 3073. Adjourns meeting at 10:25 a.m.

Submitted By, Reviewed By,

Joan Diaz, Bryan Boehringer,

Administrative Support Administrator

EXHIBIT SUMMARY

¹(A - HB 3653, written testimony, Kitty Piercy, 1 pg

²(B - HB 3653, written materials, Mary Beth St. John, 3 pp

³(C- HB 3653, written materials, Leslie Gray, 7 pp

⁴(D - HB 3653, written materials, Melissa Watson, 8 pp

[\[5\]](#)(E - HB 3653, written testimony, Sara Wollam, 1 pg

⁶(F - HB 3653, written testimony, Stefanie Knowlton, 1 pg

⁷(G - HB 3653, written testimony, Jodie Elliot, 1 pg

⁸(H - HB 3653, written materials, Lola Lawson 15 pp

[\[9\]](#)(I - HB 3653, written materials, Dennis Reynolds 2 pp

[\[10\]](#)(J - HB 3216, written materials, Anitra Rasmussen, 10 pp

[\[11\]](#)(K - HB 3216, proposed amendments, staff, 2 pp

[\[12\]](#)(**L - HB 3216, written materials, Martha Pitts, 1 pg**

[\[13\]](#)(**M - HB 3073, written testimony, Lynn Snodgrass, 9 pp**

[\[14\]](#)(**N - HB 3073, written materials, Wes Ediger, 3 pp**

¹⁵(**O - HB 3073, written testimony, Paul Mannen, 3 pp**

P - HB 3073, submitted testimony, Betsy Biller, 1 pg

Q - HB 3073, submitted testimonies, Lynn Snodgrass, 29 pp

HOUSE COMMITTEE ON EDUCATION

April 23, 1997 Hearing Room 137

04:00 P. M. Tapes 116 - 117

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 3348 - 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 116, A		
004	Chair Luke	Calls meeting to order at 4:00 p.m. Opens public hearing on HB 3348.
<u>HB 3348 - PUBLIC HEARING</u>		
006	Chair Luke	Explains procedures for hearing testimony. Comments the record will

		be kept open for 48 hours to receive additional written testimony.
	Rep. Chuck Carpenter	Represents district 7, testifies in favor of HB 3348. Comments that bill authorizes county to impose school impact fees on new residential development for new school construction rather than have taxpayers absorb the costs. Comments there is a cap on the fees. Refers to SB 901 which is similar (EXHIBIT A) . ¹ (
051	Rep. Kurt Schrader	Represents district 23, testifies in favor of HB 3348 (EXHIBIT B) . ² (
112	Rep. Richard Devlin	Represents district 24, testifies in favor of HB 3348 which is similar to his own bill. Refers to System Development Charges (SDC) which increase costs in housing. Comments if those fees had been in place several years ago, bonds for schools would cost less for residential taxpayers.
190	Chair Luke	Comments that Legislative Counsel has stated that when impact fees have exemptions, they are considered a tax.
	Rep. Schrader	Responds that bill has no bearing under Measure 5 per Legislative Counsel.
	Chair Luke	Asks if Legislative Counsel can put that in writing. SDC only helps growth areas where houses are being built. Asks how would bill address the "have or have not."
219	Rep. Schrader	Responds the only time impact fees are needed is when schools are constructed.
	Chair Luke	Asks if fees can be used for upkeep and maintenance.
229	Rep. Schrader	Responds that it can only be used for capital construction or for desks, chairs, etc., in the classrooms.
	Chair Luke	Comments on how developers negotiated with school districts in the past.
	Rep. Devlin	Comments on personal experience as a home buyer.
		Comments that previously developers were members of the community

213	Rep. Schrader	in which they built. In 16 years, in Canby, there has been no developer willing to contribute to the community.
297	Chair Luke	Comments developers should fund infrastructure, but not all people who have children in school buy a new house. Asks why not propose a real estate transfer tax.
	Rep. Schrader	Responds that as a conservative democrat, he feels fee should be associated with cost of doing business.
318	Chair Luke	Comments that bill doesn't apply to all of the people who are contributing to the new growth. Asks why not include a broader eligibility.
	Rep. Schrader	Responds he is not in favor of new taxes. Cites California developments where builder builds the schools and is paid back by those moving into the developments.
374	Rep. Thompson	Comments on line 8 in the bill with regard to capital improvements.
	Rep. Schrader	Comments he will return with some amendments to clarify issues such as school capital improvements.
	Rep. Devlin	Comments that Legislative Assembly will have to address issue of older school buildings in the future.

TAPE 117, A

- 002 Rep. Devlin Continues testimony.
- Rep. Deckert Asks if there are alternatives besides this kind of a fee and a real estate transfer tax.
- Rep. Schrader Responds there is no other alternative that applies to new growth.
- 024 Sandy Henderson Legislative Chair, Oregon Trail PTA, testifies in favor of HB 3348 **(EXHIBIT C)**.³(
- Chair Luke Comments on costs of building new homes.

073 Rep. Thompson Asks if the numbers represent only Portland area; there is a different situation on the coast.

Henderson Responds bill allows for local control.

Jan Shea Member, Budget Committee, Canby School District, testifies in favor of HB 3348 **(EXHIBIT D)**.⁴(

Dan Maks Parent, testifies in favor of HB 3348 **(EXHIBIT E)**.⁵(Comments that out of a new subdivision of 100 new homes, an average of 71 children live in these homes. Comments children and land use are inseparable issues in a rapidly growing school district.

Chair Luke Comments that this bill has a referral to Ways & Means.

116 Rep. Deckert Comments on school he visited with 39 students in a portable classroom. Asks if this is a common situation in schools.

Maks Responds that it is common in the Beaverton School District.

Bonnie Hobson Representative, Portland Public Schools, testifies in favor of HB 3348 **(EXHIBIT F)**.⁶(

249 Roger Woehl Superintendent, West Linn-Wilsonville School District, testifies in favor of HB 3348 **(EXHIBIT G)**.⁷(

Barry Rotrock Superintendent, Oregon City School District, testifies in favor of HB 3348 **(EXHIBIT H)**. [\[8\]](#)(Comments the SDC's are currently allowed to fund parks, roads, etc., and supports having them support school construction.

John Williams Representative, Oregon City Neighborhood Association, testifies that not all builders are against these fees.

Pat Biggs School Board member, Tigard-Tualatin School District, testifies in favor of HB 3348.

373 Jeff Lamb Citizen, Philomath, testifies in favor of HB 3348. Refers to Statesman-Journal article regarding cost of building a new high school in West Salem.

002	Lamb	Continues testimony.
027	Fred VanNatta	Affordable Housing Advocate, Oregon Building Industry Association, testifies against HB 3348 (EXHIBIT I). ⁹ (Comments the impact fees in the bill are not truly impact fees; they are a tax.
099	VanNatta	Continues testimony. Suggest writing a bill with impact fees that are linked to school enrollment.
	Peter Grundfossen	Representative, Association of Oregon Housing Authorities, testifies against HB 3348 (EXHIBIT J). [10] (Comments his organization would be willing to work with sponsor of the bill to amend language to permit an exemption for construction of low income housing.
	Chair Luke	Asks if children from low income families impact the schools as much as children in middle to high income families.
198	Grundfossen	Responds the impact is the same. Comments that the average income for households residing in housing authority facilities is approximately \$8,000/yr.
	Rep. Deckert	Comments on survey in his district that indicated "overwhelmingly" that the population was comprised of young families with children, who had moved to Oregon from another state. Asks if there are statistics proving this.
	VanNatta	Responds will provide survey from a professional polling firm; a 300-family statewide sample.
	Rep. Deckert	Comments that bill is permissive for high growth area.
244	John Charles	Representative, Cascade Policy Institute, testifies against HB 3348 (EXHIBIT K). ¹¹ (Comments on state trust lands earning 0.5% return on investments. Suggests Legislative Assembly require land be sold off and put proceeds in school fund account with State Land Board.
	Don Miner	Representative, Oregon Manufactured Housing Association, testifies against HB 3348.

TAPE 117, B

001 Miner Continues testimony.

Miner Responds to committee's question that a manufactured home is considered an individual family residence.

019 Stan Ash Member, Manufactured Housing Communities of Oregon, testifies against HB 3348.

052 Jon Chandler Director of Governmental Affairs, Oregon Building Industry Association, testifies against HB 3348 (**EXHIBIT L**). [\[12\]](#)(Comments there is not a nexus between new houses and schools.

125 Brent Curtis Planning Manager, Washington County, comments the commission is neutral on this bill. Comments on language in section 1, (2) of the bill and section 1, (4). Suggests linking fee to occupants of the building and the purchase price.

Chair Luke Comments on letter from Ways & Means which wants to hear this bill rather than Revenue. Closes public hearing on HB 3348. Opens work session on HB 3348.

**HB 3348 -
WORK
SESSION**

140 **Rep. Sunseri MOTION: Moves HB 3348 to the floor WITHOUT RECOMMENDATION as to passage and the SUBSEQUENT REFERRAL to the committee on Revenue BE RESCINDED and BE REFERRED to the committee on Ways & Means.**

Rep. Deckert Asks if there is a precedent to send money bills to Ways & Means rather than Revenue. Asks if there is a fiscal impact statement.

213 Chair Luke Comments Ways & Means Committee will generate their own statement.

VOTE: 5-1

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

NAY: 1 - Deckert

EXCUSED: 1 - Thompson

Chair Luke The motion CARRIES.

231 Chair Luke Closes work session on HB 3348. Adjourns meeting at 5:40 p.m.

Submitted By, Reviewed By,

Joan Diaz, Bryan Boehringer,

Administrative Support Administrator

EXHIBIT SUMMARY

¹(**A - HB 3348, written testimony, Chuck Carpenter, 2 pp**

²(**B - HB 3348, written materials, Kurt Schrader, 19 pp**

³(**C - HB 3348, written testimony, Sandy Henderson, 4 pp**

⁴(**D - HB 3348, written testimony, Jan Shea, 1 pg**

⁵(**E - HB 3348, written testimony, Dan Maks, 2 pp**

⁶(**F - HB 3348, written testimony, Bonnie Hobson, 15 pp**

⁷(**G - HB 3348, written testimony, Roger Woehl, 1 pg**

[\[8\]](#)(**H - HB 3348, written testimony, Barry Rotrock, 1 pg**

⁹(**I - HB 3348, written testimony, Fred VanNatta, 10 pp**

[\[10\]](#)(**J - HB 3348, written testimony, Peter Grundfossen, 1 pg**

¹¹(**K - HB 3348, written testimony, John Charles, 15 pp**

[\[12\]](#)(**L - HB 3348, written testimony, Jon Chandler, 6 pp**

M - HB 3348, submitted testimony, Robert Thomas, 5 pp

N - HB 3348, submitted testimony, Dee Burch, 17 pp

O - HB 3348, submitted testimony, staff, 28 pp