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SENATE COMMITTEE ON EDUCATION

May 14, 1997 Hearing Room 343

3:00 P.M. Tapes 107 - 110

MEMBERS PRESENT:

Sen. Tom Hartung, Chair

Sen. Marilyn Shannon, Vice-Chair

Sen. Ken Baker

Sen. Susan Castillo

Sen. Gary George

Sen. Cliff Trow

MEMBER EXCUSED:

None

STAFF PRESENT:

Jan McComb, Administrator

Shirley Spendal, Administrative Support

MEASURE/ISSUES HEARD:

SB 2 - Public Hearing and Work Session

HJM 9 - Public Hearing and Work Session

HJM 2 - Public Hearing and Work Session

HB 2387 - Public Hearing and Work Session

SB 3 - Public Hearing and Work Session

SB 956 - Work Session

SB 836 - Work Session

SB 1073 - Work Session

SB 1198 - Work Session

HB 2805 - Public Hearing

SB 918 - Work Session

SB 1139 - Work Session

SB 919 - Work Session

SB 338 - 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 107, A		
003	Chair Hartung	Opens hearing, 3:07 P.M. Opens public hearing, SB 2.
<u>SB 2 -PUBLIC HEARING</u>		
005	Norma Paulus	Superintendent of Public Instruction.
		(discusses drafting bill
		(attorney general opinion states constitutional
		(discusses history of legislation regarding position
		(bill removes sections of law pertaining to election process, removes portion of statute about salary of superintendent
055	Paulus	(discusses not being new issue
		(discusses Board of Education being policy making board
		(discusses Governor, legislature having balance of power
100	Paulus	(continues discussing balance of power in government

		(discusses weakening of gubernatorial power in state
		(discusses melding departments together, being more efficient
118	Sen. Baker	Question about consultation with State Board of Education. Asks about being called deputy superintendent.
142	Chair Hartung	Asks if change would strengthen or weaken working with federal government.
158	Sen. Trow	Discusses being good idea.
166	Chair Hartung	Closes public hearing, SB 2; opens public hearing, SB 3.
<u>SB 3 - PUBLIC HEARING</u>		
171	Norma Paulus	Superintendent of Public Instruction. Supports idea of pilot projects.
		(discusses special education children
		(sees need for pilot projects to be monitored
		(discusses using volunteers, business sponsorship
		(discusses staff researching process
198	Sen. Trow	Asks about expert opinion.
237	Chair Hartung	Closes public hearing, SB 3; opens work session, SB 338.
<u>SB 338 - WORK SESSION</u>		
240	Sen. Avel Gordley	District 10. Discusses, outlines -3 amendments (EXHIBIT A).
276	Sen. Shannon	Asks if have knowledge of diversity class for teachers.
280	Sen. Gordley	Discusses looking for more coordinated effort. Discusses looking for cultural competence in students.
<u>TAPE 108, A</u>		
002	Sen. Gordley	Discusses concern about education of all children.
006	Sen. Trow	Discusses fiscal analysis, asks if intention to go to Ways and Means.
016	Sen. Gordley	Discusses urgency about issues. Discusses using resources already in place.
041	Sen. Baker	MOTION: Moves to ADOPT SB 338-3 amendments dated 5/2/97 (EXHIBIT A).
046	Sen. Trow	Asks to send with do pass recommendation, and send letter requesting urgent need.
050	Chair Hartung	VOTE: Hearing no objection, declares the motion CARRIED.
051	Sen. Baker	MOTION: Moves to send SB 338 to the floor with a DO PASS AS AMENDED recommendation and REFER to the committee on Ways and Means.

059	Sen. Shannon	Discusses voting no.
061		VOTE: 4-0
		AYE: 4-Baker, Castillo, Trow, Hartung
		NAY: 1-Shannon
		EXCUSED: 1-George
064	Chair Hartung	The motion CARRIES. Closes work session, SB 338; opens public hearing, HJM 9.
<u>HJM 9 - PUBLIC HEARING</u>		
067	Sen. Ginny Burdick	District 6. Discusses Judith Ramaley, her contributions, what Portland State University has accomplished with her leadership.
111	Sen. Shannon	Supports bill.
117	Sen. Shannon	MOTION: Moves to send HJM 9 to the floor with a DO PASS recommendation.
119		VOTE: 5-0
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 1-George
122	Chair Hartung	The motion CARRIES.
		Sen. Shannon will lead discussion on the floor. Closes work session, HJM 3; opens public hearing, HJM 2.
<u>HJM 2 - PUBLIC HEARING</u>		
124	Sen. Bill Fisher	District 23. Supports bill. Discusses history, effect of bill.
145	Sen. Trow	Asks if used in public schools at this time.
147	Sen. Fisher	Discusses use. Submits (EXHIBIT B), "Eddie Eagle" literature.
158	Sen. Trow	Asks if anything in law prohibits use of this program by schools. Asks if Department of Education knowledgeable about program.
173	Sen. Shannon	Supports bill.
177	Greg McMurdo	Department of Education. Supports bill. Familiar with program, feel excellent. Discusses history of legislation.
188	Rep. Carolyn Oakley	District 36. Supports bill. Discusses effect of bill.
		Testimony of Rod Harder entered into record (EXHIBIT C).
204	Chair Hartung	Closes public hearing, HJM 2; opens work session, HJM 2.
<u>HJM 2 - WORK SESSION</u>		
205	Sen. Baker	MOTION: Moves to send HJM 2 to the floor with a DO PASS

		recommendation.
207	Sen. Trow	Discusses voting for bill. Asks if they will do something more than already doing.
210		VOTE: 5-0
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 1-George
213	Chair Hartung	The motion CARRIES.
		Sen. Shannon will lead discussion on the floor. Closes work session, HJM 2; opens work session, SB 919.
<u>SB 919 - WORK SESSION</u>		
217	Grattan Kerans	Oregon State System of Higher Education. SB 919 represents combining of SB 293 and 919. Discusses history of bill in committee, problem with mandated expenditures. Discusses work on bill.
		-2 Amendments submitted to committee (EXHIBIT D).
237	Sen. Trow	Discusses goals looking "worthy." States hopes commitment there.
242	Sen. Shannon	Asks if any place has done what is proposed here. Discusses studies being collaborative.
279	Sen. Trow	Discusses word "accountability."
285	Sen. Baker	Asks to convey to Board his appreciation for what is done.
290	Sen. Baker	MOTION: Moves to ADOPT SB 919-2 amendments dated 5/14/97 (EXHIBIT D).
294	Chair Hartung	VOTE: Hearing no objection, declares the motion CARRIED.
295	Sen. Baker	MOTION: Moves to send SB 919 to the floor with a DO PASS AS AMENDED recommendation.
297		VOTE: 5-0
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 1-George
300	Chair Hartung	The motion CARRIES.
		Chair Hartung will lead discussion on the floor. Closes work session, SB 919; opens public hearing, SB 2.
<u>TAPE 107, B</u>		
<u>SB 2 - PUBLIC HEARING</u>		
003	Ozzie Rose	Confederation of Oregon School Administrators. Supports bill. Discusses history of COSA's support of this legislation. Discusses effect of bill.

019	Sen. Shannon	Asks if people have voted on this. Discusses concern with devaluing education.
037	Chair Hartung	Closes public hearing, SB 2; opens work session, SB 2.
<u>SB 2 - WORK SESSION</u>		
037	Sen. Trow	MOTION: Moves SB 2 to the floor with a DO PASS recommendation.
039		VOTE: 4-2
		AYE: 4-Baker, Castillo, Trow, Hartung
		NAY: 2-George, Shannon
041	Chair Hartung	The motion CARRIES.
		Sen. Trow will lead discussion on the floor. Closes work session, SB 2; opens public hearing, SB 3.
<u>SB 3 - PUBLIC HEARING</u>		
045	Judge Ann Aikin	Circuit Court Judge, Lane County. Supports bill both professionally, personally. Discusses history of program in juvenile department. Discusses having sons evaluated, testing her fourth son, learning he could not see, working with SOI. Discusses what would happen to students without SOI.
100	Judge Aikin	Discusses 17-year old girl's and others' history in juvenile department, with SOI program. Kids are proof program makes sense.
152	Judge Aikin	Discusses creating small pilot program in county. Discusses being terrific tool.
178	Superintendent Jamon Kent	Testifies in support of program. Discusses students in pilot program returning to high school.
196	Diane Hockstein	President, Structure of Intellect (SOI) Service Company. Submits (EXHIBIT E) . Discusses history with SOI.
		Discusses concerns with program. Model school new configuration of old existing program. Discusses model school being based on every concern, roadblock. Discusses how program works.
248	Hockstein	Discusses statistics. Discusses having one-year contract.
258	Chair Hartung	Closes public hearing, SB 3; opens work session, SB 836.
<u>SB 836 - WORK SESSION</u>		
264	Brian DeLashmutt	Oregon Council of Police Association. Supports bill and amendments. Discusses -2 amendments (EXHIBIT F) addressing definition of public service officer and issue of private versus public institutions.

275	Sen. Shannon	MOTION: Moves to ADOPT SB 836-2 amendments dated 5/14/97 (EXHIBIT F).
278	Chair Hartung	VOTE: Hearing no objection, declares the motion CARRIED.
279	Sen. Shannon	MOTION: Moves SB 836 to the floor with a DO PASS AS AMENDED recommendation.
281		VOTE: 6-0
		AYE: In a roll call vote, all members present vote Aye.
284	Chair Hartung	The motion CARRIES.
		Sen. Castillo will lead discussion on the floor. Closes work session, SB 836; opens work session, HB 2387.
<u>HB 2387 - PUBLIC HEARING</u>		
291	Chair Hartung	No one signed up to testify; closes public hearing, HB 2387; opens work session, HB 2387.
<u>HB 2387 - WORK SESSION</u>		
294	Jan McComb	Committee Administrator. Discusses what bill does.
<u>TAPE 108, B</u>		
002	Sen. Trow	Asks where came from.
003	Sen. Baker	Asks if gives one state-wide schedule of classes.
007	Chair Hartung	Discusses House amendments.
016	Sen. Trow	Asks if need bill.
017	Star Stone	Previous Employee with Umpqua Community College. Discusses transfer programs being spelled out.
024	Sen. Baker	Asks to bring back with Roger Bassett from Governor's office and someone from State System of Higher Education.
026	Sen. Shannon	Discusses standardizing courses.
033	Chair Hartung	Discusses closing to obtain more testimony. Closes work session, HB 2387; opens public hearing, SB 3.
<u>SB 3 - PUBLIC HEARING</u>		
035	Chair Hartung	Asks if anyone else wants to testify. Closes public hearing, SB 3; opens work session, SB 3.
<u>SB 3 - WORK SESSION</u>		
040	Sen. Trow	Discusses, asks about expert testimony. Discusses not knowing enough about program.
		Comments on letters in file. Discusses not letting what appear to be

061	Chair Hartung	opportunities pass us by.
080	Sen. Shannon	Discusses passing bill.
085	Sen. Castillo	Discusses receiving correspondence from University of Oregon.
104	Sen. Baker	Discusses pilot with more limited scope.
120	Sen. George	Discusses experience with own children.
128	Sen. Trow	Discusses obtaining more thorough study of what is available. Discusses doing pilot on limited basis.
148	Sen. Shannon	Supports bill.
150	Sen. George	MOTION: Moves to ADOPT SB 3-1 amendments dated 5/9/97 (EXHIBIT G).
151	Sen. Castillo	Asks how much requesting for pilot program.
163	Sen. Baker	Discusses being limited program, worked in Ways and Means.
169	Sen. Castillo	Concurs with Sen. Baker.
170		VOTE: 5-1
		AYE: 5-Baker, Castillo, George, Shannon, Hartung
		NAY: 1-Trow
170	Chair Hartung	The motion CARRIES.
174	Sen. Baker	MOTION: Moves SB 3 to the floor with a DO PASS AS AMENDED recommendation with subsequent referral to the Committee on Ways and Means.
176		VOTE: 5-1
		AYE: 5-Baker, Castillo, George, Shannon, Hartung
		NAY: 1-Trow
179	Chair Hartung	The motion CARRIES. Closes work session, SB 3; opens work session, SB 956.
<u>SB 956 - WORK SESSION</u>		
188	Sen. Shannon	Discusses -2 amendments (EXHIBIT H). Discusses what bill does.
198	Greg McMurdo	Department of Education. Bill makes available to registered private schools same criminal background checks required of, available to public schools. States revenue neutral. Supports bill with -2 amendments.
206	Chair Hartung	Asks if -2 replace -1 amendments.
209	Sen. Baker	Discusses not excluding religious schools. Asks if available to religious schools.
213	McMurdo	Designed to be revenue neutral. Discusses statute regarding public information.
229	Sen. Baker	ORS 181.540.
		Questions regarding registered schools in Oregon. Asks if affects

232	Chair Hartung	home schoolers.
248	Sen. Trow	Asks if know of all schools that exist in state.
251	Chair Hartung	Asks if typical in other states.
256	Mark Segal	Volunteer Executive Director, Oregon Federation of Independent Schools. Supports bill. Pleased to have option not able to get without statute.
264	Sen. Shannon	MOTION: Moves to ADOPT SB 956-2 amendments dated 5/13/97 (EXHIBIT H).
265	Chair Hartung	VOTE: Hearing no objection, declares the motion CARRIED.
266	Sen. Shannon	MOTION: Moves SB 956 to the floor with a DO PASS AS AMENDED recommendation.
268		VOTE:
		AYE: In a roll call vote, all members present vote Aye.
270	Chair Hartung	The motion CARRIES.
		Sen. Shannon will lead discussion on the floor. Closes work session, SB 956; opens work session, SB 1073.
<u>SB 1073 - WORK SESSION</u>		
278	Jan McComb	Committee Administrator. Discusses -1 amendments (EXHIBIT I). Amendments phase in requirement over time.
284	Greg Zerzan	Oregon Association of Children, Adults with Learning Disabilities. Submits (EXHIBIT J). Discusses requirement being difficult, discusses effect of amendments.
301	Chair Hartung	Discusses fiscal impact in Beaverton.
<u>TAPE 109, A</u>		
003	Chair Hartung	Continues discussing fiscal impact.
012	Zerzan	Discusses funding learning disabled at two times regular amount. Also discusses federal government contribution.
037	Chair Hartung	Submits (EXHIBIT K). Discusses article. Asks if monies not getting to classroom.
050	Zerzan	Discusses other states' case loads.
059	Sen. Trow	Asks about way getting around case load.
075	Dr. Bonnie Young	Discusses special education teachers case loads.
083	Sen. Castillo	Discusses supporting concept. Discusses hearing from school in her district. Supportive if find money.
111	Sen. Shannon	Discusses money following special education children.
131	Sen. Trow	Discusses being problem, recommendation of more years to reach goal. Discusses having legal liability for program not funded well.

156	Sen. Shannon	Discusses getting double funding for these children.
		Testimony of Laurie Wimmer submitted into record (EXHIBIT L); testimony of Gary Conkling submitted into record (EXHIBIT M).
169	Chair Hartung	Rescheduled to Monday for amendments. Closes work session, SB 1073; opens work session, SB 1198.
<u>SB 1198 - WORK SESSION</u>		
193	Sen. Trow	Discusses need for program, to compete with other things.
196	Sen. Trow	MOTION: Moves SB 1198 to the floor with a DO PASS recommendation, with subsequent REFERRAL to the Committee on Ways and Means.
		VOTE: 6-0
		AYE: In a roll call vote, all members present vote Aye.
203	Chair Hartung	The motion CARRIES. Closes work session, SB 1198; opens public hearing, HB 2805.
		Testimony of Mary McClintock, Patty Sorensen submitted into record (EXHIBIT N).
<u>HB 2805 - PUBLIC HEARING</u>		
210	Judy Miller	Assistant Superintendent for Student Services, Department of Education.
220	Sen. Trow	Asks if she feels it is a good bill.
222	Miller	Discusses not being aware significant problem.
238	Sen. Castillo	Asks about patterns forming early.
243	Miller	Discusses early years being very important.
270	Sen. George	Comments on being good idea.
278	Sen. Trow	Asks if case of once enrolled, always enrolled.
295	Chair Hartung	Discusses rescheduling to Monday. Closes public hearing, HB 2805; opens work session, SB 918.
		Letter from Tom Partridge submitted into record (EXHIBIT O).
<u>SB 918- WORK SESSION</u>		
<u>TAPE 110, A</u>		
		-1 Amendments (EXHIBIT P) and -2 Amendments (EXHIBIT Q) distributed to committee.
002	Sen. George	Discusses needing to discuss amendments with Sen. Yih.
003	Chair Hartung	Will be rescheduled to Monday. Closes public hearing, SB 918; opens work session, SB 1139.

<u>SB 1139 - WORK SESSION</u>		
010	Sen. George	Discusses -1 amendments (EXHIBIT R).
020	John Holleman	Discusses -1 amendments. Added definition of terrorism, line 15, changed penalty clause.
035	Sen. George	MOTION: Moves to ADOPT -1 amendments dated 5/13/97 (EXHIBIT R).
038	Sen. Baker	Discusses language being restrictive. Discusses open forum. Discusses those convicted of crime in their past.
052	Sen. Trow	Discusses bill having constitutional problems.
070	Sen. Shannon	Discusses sending message.
082	Sen. Castillo	Discusses bill having constitutional problems.
088	Sen. George	Discusses free speech.
103	Sen. Baker	Discusses laws that deal with advocating violence.
127		VOTE: 2-4
		AYE: 2-George, Shannon
		NAY: 4-Baker, Castillo, Trow, Hartung
132	Chair Hartung	The motion FAILS.
		Closes work session, SB 1139; opens work session, HB 2085.
		Testimony of Kirk Bailey submitted into record (EXHIBIT S).
<u>HB 2805 - PUBLIC HEARING</u>		
140	Rep. Dennis Luke	District 54. Discusses history of legislation.
160	Chair Hartung	Discusses concern of whether parent can get first grader to school. Discusses testimony.
164	Rep. Luke	Discusses parents making choice, parents withdrawing children before age seven. Discusses Oregon law that parents have responsibility to have children attend school.
184	Chair Hartung	Will be rescheduled to Monday. Closes public hearing, HB 2085; opens public hearing, HB 2387.
<u>HB 2387 - PUBLIC HEARING</u>		
188	Rep. Dennis Luke	Discusses students not knowing whether credits transfer. Discusses testimony in House Education committee. Discusses bill being incentive to let students know up front whether course will transfer. Discusses courses transferring to one institution, but not to another.
224	Sen. Trow	Discusses courses transferring.

233	Rep. Luke	Discusses not talking about upper division courses; talking about lower division courses. Discusses bill saying those that will transfer without a problem you should know.
251	Chair Hartung	Closes public hearing, HB 2387; opens work session, HB 2387.
<u>HB 2387 - WORK SESSION</u>		
252	Chair Hartung	MOTION: Moves HB 2387 to the floor with a DO PASS recommendation.
253		VOTE: 6-0
		AYE: In a roll call vote, all members present vote Aye.
255	Chair Hartung	The motion CARRIES.
		Sen. George will lead discussion on the floor. Closes work session, HB 2387. Adjourns, 5:55 p.m.

Submitted By, Reviewed By,

Shirley Spendal, Jan McComb,

Administrative Support Administrator

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EXHIBIT SUMMARY

A - SB 338, -3 Amendments, Sen. Gordley, 2 pg.

B - HJM 2, Handout, Sen. Fisher, 26 pg.

C - HJM 2, Testimony, Rod Harder, 1 pg.

D - SB 919, -2 Amendments, Oregon Business Council, 3 pg.

E - SB 3, Handout, Diane Hockstein, 1 pg.

F - SB 836, -3 Amendments, Police Assn., 2 pg.

G - SB 3, -1 Amendments, OSBA, COSA, 1 pg.

H - SB 956, -2 Amendments, Sen. Shannon, 6 pg.

I - SB 1073, -1 Amendments, Greg Zerzan, 1 pg.

J - SB 1073, Handout, Greg Zerzan, 34 pg.

K - SB 1073, Newspaper Article, Chair Hartung, 1 pg.

L - SB 1073, Testimony, Laurie Wimmer, 1 pg.

M - SB 1073, Testimony, Gary Conkling, 1 pg.

N - SB 1198, Testimony, Mary McClintock, Patty Sorensen, 1 pg.

O - HB 2805, Letter, Tom Partridge, 2 pg.

P - SB 918, -1 Amendments, Sen. Yih, 1 pg.

Q - SB 918, -2 Amendments, Sen. George, 1 pg.

R - SB 1139, -1 Amendments, Sen. George, 3 pg.

S - SB 1139, Testimony, Kirk Bailey, 2 pg.
