

SENATE COMMITTEE ON
EDUCATION

Hearing Room
Tapes - 38

MEMBERS PRESENT:

Sen. Tom Hartung, Chair
Sen. Ken Baker
Sen. Shirley Gold
Sen. Marylin Shannon
Sen. Cliff Trow

STAFF PRESENT:

Fallie Calder, Committee Administrator
Carolynn Gillson, Committee Assistant

MEASURES HEARD:

SB 271 - Higher Ed Administrative Efficiency Act, PAW

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

TAPE A

005 SEN. TOM HARTUNG, Chair: Calls meeting to order at 8:00 a.m.

PUBLIC HEARING ON SB 271

Witnesses: Rep. Liz VanLeeuwen, Dist. 37
Melinda Grier, Oregon State System of Higher Education (OSSHE)\
Marvin McConoughey, Corvallis

010 REP. LIZ VanLEEuwEN: Proposes amendment to change the residency requirement for out-of-state students (EXH. A).

052 SEN. CLIFF TROW: Many people come here to work and take courses in the summer to meet requirements. They become full-time citizens so why shouldn't they benefit from being Oregon citizens?

VanLEEuwEN: Amendment not intended to affect graduate school at all.

SEN. SHIRLEY GOLD: Talks about the ramifications of the proposed amendment.

097 MELINDA GRIER, Director of Legal Services, OSSHE: Looked at and modified rules concerning residency. Received advice from the Attorney General's office that the one-year residency requirement is the strictest allowed under federal constitution standards.

> OSB HE rules say if your primary purpose to be in Oregon is to receive an education, you cannot become a resident. Allows for people who have moved here with the intend to become residents to do so.

> Goes into further detail about federal constitution requirements for citizenship.

> Feels proposed amendment would apply to both graduates and undergraduates.

150 MARVIN McCONOUGHHEY: Speaks in support of the bill. Provides for more efficiency.

> Concerned about little amount of contact between the public and higher education institutions.

WORK SESSION ON SB 271

196 CHAIR HARTUNG: SB 271-3 replaces the printed bill (EXH. B).

COX: Believes all the issues raised at public hearings on the bill have been addressed.

SEN. TROW: Hopes OSSHE is conscience of concerns raised by WOSC.

SEN. GOLD: Were WOSC concerns with autonomy?

COX: They were concerned OSSHE would deal with each campus faculty with a single contract.

> Current practice of negotiating separately with administration and faculty union at each institution will continue.

> Further discussion about local control, decentralization and state control.

340 SEN. TROW: What are the major changes between the -3 amendment and the original bill.

WELDON IHRIG, OSSHE: The -3 amendment maintains the current name of the system and takes the proposed name change out of the original bill.

MOTION: Sen. Baker moves to adopt the -3 amendments.

MOTION ADOPTED: There are no objections.

400 GRIER: Reviews the -2 amendments (EXH. C) which would put OSSHE back under part of the public contracting rules that apply to qualified rehabilitation facilities. Issue addressed in -7 amendment.

TAPE 38A

015 GRIER: The -4 amendment makes it clear OSSHE would not bind the state to the July 1-June 30 fiscal year (EXH. D).

CHAIR HARTUNG: SB 271-5 clarifies that OSSHE can award student aid from any fund but the state's general fund (EXH. E).

IHRIG: Goes into further details concerning OSSHE authority for student aid.

SEN. GOLD: Suggests OSSHE watch for legislation concerning the use of lottery funds and the creation of an endowment fund.

092 MOTION: Sen. Trow moves to adopt the -5 amendment.

MOTION ADOPTED: There are no objections.

112 CINDY HUNT, Legislative Counsel: Talks about the -4 amendment and refers to attached memo of explanation.

IHRIG: The original wording was intended for OSSHE to stay at the current fiscal year if the state decided to change the fiscal year.

HUNT: Not sure amendment accomplishes what OSSHE wants.

CHAIR HARTUNG: Issue better addressed in Ways and Means since bill has subsequent referral.

IHRIG: Talks about the -6 amendment requested by OSSHE (EXH. F).

SEN. GOLD: Isn't that "boiler plate" language?

IHRIG: Yes.

182 MOTION: Sen. Baker moves to adopt the -6 amendments.
MOTION ADOPTED: There are no objections.

IHRIG: Goes through changes proposed in -7 amendments for Sec. 3 (EXH. G).

SEN. TROW: Hopes OSSHE as a semi-independent agency will have respect for governance on individual campuses. Need statement on record that this change does not affect those agreements.

COX: Agrees, and believes it is addressed in other statutes which this amendment does not touch. Not asking for exemption from those statutes.

IHRIG: Talks about Sec. 24a in the amendment.

GRIER: Reviews part of amendment concerning purchasing insurance for their own employees.

290 IHRIG: Reviews Sec. 24b concerning contracts with qualified rehabilitation facilities.

SEN. BAKER: Why the longer language here rather than using the current language on disability contracting?

GRIER: Attempt in bill is to have everything that applies to OSSHE in one ORS chapter.

356 IHRIG: Reviews language on line 7, p. 4 of the -7 amendment.
> Proposes inserting on line 27 of p. 13 after the word wage: "(as determined by the Bureau of Labor and Industries)...."

MOTION: Sen. Trow moves to adopt proposed change to the -7 amendment.
MOTION ADOPTED: There are no objections.

405 IHRIG: Reviews remaining portion of amendment concerning OSB HE adopting policies and procedures for several items.

SEN. GOLD: Interested in knowing any outcome from discussions on collective bargaining.

IHRIG: Successfully reached understandings between OSSHE and bargaining units. They indicated they would support the bill with the proposed amendments.

TAPE 37B

029 RICH PEPPERS, OPEU: Satisfied the bill does not exempt OSSHE from collective bargaining statutes. They would apply fully to the new system.

Support -7 amendments.

039 BOB DUEMING, OFTEHP: Comfortable with language.

MOTION: Sen. Trow moves to adopt the -7 amendments as amended.
MOTION ADOPTED: There are no objections.

SEN. GOLD: Notes the numbers and lines on the amendment are not lined up.

070 GRIER: Reviews changes proposed in -8 amendment (EXH. H) from Sen. Baker clarifying tort coverage for state employees.

MOTION: Sen. Trow moves to adopt the -8 amendment.
MOTION ADOPTED: There are no objections.

CHAIR HARTUNG: Notes the committee will get a new amendment containing all the adopted proposed amendments from Legislative Counsel for the next regularly scheduled meeting.

112 > Fiscal analysis on the -3 amendment was prepared by LFO (EXH. I).
> Adjourns at 9:08 p.m.

Reviewed and submitted by,

Carolynn Gillson
Assistant

EXHIBIT SUMMARY ON SB 271

A	Rep. VanLeeuwen	2 pages	
B	OSSHE		72 pages
C	OSSHE		1 page
D	OSSHE		2 pages
E	OSSHE		1 page
F	OSSHE		1 page
G	OSSHE		4 pages
H	OSSHE		1 page
I	LFO		5 pages