

Tapes 182-185, (A\B)
Work Session: HB 2550A SB 814
SENATE COMMITTEE ON REVENUE AND SCHOOL FINANCE

June 5, 1991 1:00 PM Hearing Room A State Capitol Building

Members Present: Senator Jane Cease, Chair

Senator Joan Dukes, Vice Chair

Senator John Brenneman

Senator Shirley Gold

Senator Ron Grensky

Senator Bill McCoy

Senator Tricia Smith

Staff Present: Jim Scherzinger, Legislative Revenue Office

Steve Bender, Legislative Revenue Office

Terry Drake, Legislative Revenue Office

Mary Ann Zimmermann, Committee Assistant

Witnesses Present: Rick Burke, Department of Education (DOE)

Ozzie Rose, Confederation of Oregon School Administrators (COSA)

Frank McNamara, Portland Public Schools Paul Warner, Executive Department

TAPE 182 SIDE

A

005 CHAIR CEASE called the meeting to order at 1:25 and conducted administrative business regarding HB 2550A. It was announced that HB 2550A will not be addressed until June 7, 1991.

WORK SESSION - HB

255 0A

042 JIM SCHERZINGER presented a listing of major changes made by the Senate Revenue Committee in HB 2550A. EXHIBIT 1

045 JIM SCHERZINGER presented the working draft of HB 2550-A83 which contain all of the amendments adopted by the committee. EXHIBIT 2

046 JIM SCHERZINGER referred to Page 107, Section 109a, EXHIBIT 2 which deals with a penalty for not filing the personal property return. In the original bill this penalty was increased and the House Revenue decided to remove that from the bill. The technical changes were never restored to HB 255 0A and that is what Section 109A does. This amendment has not been seen by the committee.

075 SEN SMITH asked what kind of notice will go to the taxpayers telling what the extra charge is on the tax statement and what the options are.

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081 JIM SCHERZINGER explained there are further minor technical changes that will be addressed by the committee on June 7, 1991.

WORK SESSION - SB

814

117 STEVE BENDER presented SB 814-7 amendments which incorporate the technical changes and other decisions already made by the committee. EXHIBIT 3

188 CHAIR CEASE explained why additional language was added in Subsection 2, Page 10 regarding transportation of secondary students in urban districts.

195 SEN. SMITH asked if the district will reimburse for students that are not being transported.

200 JIM SCHERZINGER responded that if there is no cost involved in transporting students than the district will not be reimbursed unless the

students are receiving free tickets for the mass transit.

215 Discussion follows regarding the need for language in the cost provision to include the secondary students in urban areas.

220 RICK BURKE explained that if a supplemental plan were submitted it would be fundable such as the public transit tickets. If the service is not provided there are no costs to be reimbursed.

242 STEVE BENDER referred to Page 26, Lines 26-27, EXHIBIT 3 and explained the amended statute regarding transportation services to handicapped preschool children.

294 JIM SCHERZINGER referred to SB 814-8 (EXHIBIT 5) amendments which specifically includes transportation services to handicapped preschool children be included in the "approved transportation costs" definition in EXHIBIT 2, Page 2.

302 MOTION SEN. GOLD moved to include SB 814-8 (LC 2994) amendments dated 6/5/91 in SB 814-7 (EXHIBIT 3). EXHIBIT 5

305 CONSENSUS CHAIR CEASE noted no objection to the motion.

320 STEVE BENDER explained there is a further amendment in Legislative Counsel dealing with setting up a fund to provide capital costs for transportation. The concept says districts would be required to separately account for a certain portion of the transportation funds received under the State School Fund (SSF). The portion will be based on a ten year depreciation of existing equipment and the money will be set aside to be used only for new buses.

361 CHAIR CEASE asked if the depreciation factor is currently part of the transportation system in the long term formula.

373 Discussion follows regarding the transportation system.

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387 STEVE BENDER explained that the districts will be required to set aside funds for buses.

395 CHAIR CEASE asked about districts levying for buses.

400 STEVE BENDER responded districts could levy but the reimbursement must be set aside for the next generation of transportation equipment.

415 SEN. SMITH discussed the reimbursement and reimbursement issue of busing. The intent of the amendment is to mandate the funds for buses only, and not other educational programs.

TAPE 183 SIDE

A

025 STEVE BENDER explained the next change in SB 814-7 is on page 7, Lines 5-6, which specifies the transportation of reimbursement at 70 percent.

036 STEVE BENDER presented a change on Page 9, Line 5, EXHIBIT 3 which lists the programs that the State is providing for outside of the State Support Fund.

044 STEVE BENDER discussed the change on Page 9, Lines 22-25, EXHIBIT 3 that broadens the language regarding migrant families.

059 SEN. GOLD questioned the information regarding the cost of living factor being available soon enough to apply to the 1992-93 school year.

073 RICK BURKE responded the DOE is not sure how quickly the information will be available for the joint Revenue and School Finance interim Committee.

089 Discussion follows regarding the availability of data regarding the cost of living issue.

123 STEVE BENDER continued explaining the changes in SB 814-7 (EXHIBIT 3) as compared to SB 814-6 (EXHIBIT 4). There are some technical changes for

clarity with reference to Page 13, Lines 7-10, EXHIBIT 3.

190 STEVE BENDER explained the change in SB 814-7 amendments on Page 15, Line 13 which requires an additional payment if the September ADM is at least 5 percent higher than the projected ADM. EXHIBIT 3

207 Discussion follows.

233 STEVE BENDER addressed Page 29, Line 28, EXHIBIT 3 which is the new Section 29 that was not in SB 814-6 amendments. Section 29 amends SB 18 which has already been signed by the Governor correcting an error in a date.

252 STEVE BENDER explained the change in Section 1, Page 30, EXHIBIT 3 which abolishes the SB 815 funds in 1992 and transfers any extra funds to the State School Fund.

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268 STEVE BENDER discussed Page 26, Lines 23-27, Subsection 4, EXHIBIT 3 would read more clearly if language was deleted.

291 CONSENSUS CHAIR CEASE noted no objection to delete "and may include" on Line 24, delete all of line 25, and delete "ORS 327.035]." on Line 26, Page 26. EXHIBIT 3

310 CHAIR CEASE asked for an update on the cost of living discussion. Terry Drake will present information later in the meeting.

321 JIM SCHERZINGER presented the SB 814-9 amendments presented by Ozzie Rose of COSA. EXHIBIT 6

331 STEVE BENDER explained there are several provisions in the SB 8149 amendments which are amending SB 814-7 (EXHIBIT 3) The first provision refers to Page 6, EXHIBIT 3 in which the student weighting is being changed. The first change is in Line 2, Page 6, EXHIBIT 3 which is reducing the additional weighting for the ESL students. (English as a Second Language)

356 OZZIE ROSE testified in support of lowering the ESL student weighting.

368 SEN. MCCOY asked the reasons for lowering the ESL weighting.

376 OZZIE ROSE responded that the school administrators felt the lowering of the ESL weighting was the best judgement.

395 SEN. GRENSKY asked how the assurance of the funds will be distributed within a district to the schools that have the ESL programs, poverty or teacher experience rating.

TAPE 182 SIDE B

008 OZZIE ROSE responded the weighting formula is to address the disproportionate districts.

015 SEN. GRENSKY commented on an internal weighting within a district to assure the designated money is used for the ESL student within a district.

032 Discussion follows regarding the districts using the money for the appropriate programs. Reference is made to districts meeting goals designated for various program therefore the funds must be used appropriately.

086 SEN. GRENSKY asked if the ESL schools are currently getting more money for the ESL students.

098 FRANK MCNAMARA explained more money is distributed to high schools because of the programs in the building. The money is distributed to the schools within the district that have the need and if an ESL program is in the building the school will get additional funds.

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121 Discussion follows regarding the programs in Portland Public Schools.

136 SEN. GRENSKY suggested an internal weighting within a district therefore the overall loss of funds in some districts would not look as severe.

145 SEN. DUKES co rented on previous testimony "give us the money and let us educate our kids." The committee should trust the schools to use the money appropriately.

172 SEN. GOLD referred to HB 3565 and SB 120 which require monitoring accountability for the schools.

198 CHAIR CEASE asked the committee to change the ESL weighting from a 1.0 to a .5.

208 SEN. MCCOY asked to go through the entire SB 814-9 before voting on ESL.

223 STEVE BENDER explained Line 13, Page 1 of SB 814-9 (EXHIBIT 6) with reference to Page 6, Line 12 of SB 814-7 (EXHIBIT 3). The proposed change in Exhibit 6 is to change the "poverty" weighting from .2 to .4.

241 OZZIE ROSE addressed the reasoning for changing the poverty weighting from .2 to .4 with reference to the disproportionate numbers of poverty students around the state.

266 SEN. SMITH asked if there is data available showing the changes that would be created by changing the ESL and poverty weighting around the state. Discussion follows regarding simulation runs being available that depict the comparison of ESL, poverty, and elementary/Union High proposed changes.

350 SEN. SMITH asked how many more schools will be included if the small schools numbers were raised from 100 to 251 ADM.

374 OZZIE ROSE discussed the proposed change in Subsection D, EXHIBIT 6 dealing with reducing the elementary student weighting to .9 in Union High districts.

397 SEN. DUKES voiced concern in having a deduction for elementary schools. EXHIBIT 6, Subsection D

413 OZZIE ROSE explained the minus 0.1 is in addition to the 1.0 weighting therefore each elementary student will have a .9 weighting.

TAPE 183 SIDE B

014 CHAIR CEASE referred to the policy question of using the formula as an incentive for consolidation.

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020 SEN. DUKES voiced concern in the operating cost of the elementary schools being the same as other buildings. Discussion follows. Reference is made to small schools too far away to consolidate.

032 Discussion follows regarding the consolidation of small schools. Reference is made to the issue of how is the best way to distribute funds to a consolidated school district.

070 STEVE BENDER explained the additional small school weighting using a blackboard illustration. A comparison of the SB 814-7 (EXHIBIT 3) and SB 814 -9 (EXHIBIT 6) was explained. EXHIBIT 7

132 SEN. BRENNEMAN asked if SB 814-9 relates only to High School students and SB 814-7 deals with K-12.

136 STEVE BENDER responded with reference to the blackboard illustration. EXHIBIT 7

139 OZZIE ROSE explained that the SB 814-9 amendments are written for high schools only and the intent was for all schools.

149 STEVE BENDER addressed Section 4a, Line 15, Page 1 in EXHIBIT 6 which is in effect for only one year and indicates a district shall not receive less than 95 percent of the amount of funds received in 1991-92 or more than 125 percent of that amount.

168 CHAIR CEASE conducted administrative business and recessed the meeting at 3:03 to reconvene at 5:00 P.M.

180 CHAIR CEASE reconvened the meeting at 5:22.

182 STEVE BENDER explained the presented amendments refer to the SB 8147 amendments (EXHIBIT 3).

200 STEVE BENDER presented SB 814-12 (EXHIBIT 8) which replace the SB 814-9 (EXHIBIT 6) that are amending SB 814-7 (EXHIBIT 3). SB 814-12 increase the size of the small schools from 101 to 251 ADM.

232 SEN. SMITH asked the net effect in terms of dollars on the proposed changes.

236 STEVE BENDER responded that data will not be available.

239 TERRY DRAKE explained in relation to Union High schools and the total money taken from other districts will be diluted having a small impact on the other districts.

254 SEN. SMITH pointed out the number of small schools between 100 and 250 ADM could have a great impact which now is unknown.

267 CHAIR CEASE asked if the committee wants to reconsider the decision to change the ADM weighting from 100 to 251 because the data is unavailable.

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280 SEN. GRENSKY asked why it was changed from 100 to 251 ADM.

284 OZZIE ROSE explained the difficulty in addressing a per student basis in regard to small schools. If a school has 102 students they would not be covered under the small school factor and by raising the ADM to 250 there is a minimal impact on other districts but can be very important to the individual small schools.

300 SEN. GRENSKY asked how many additional small schools would be included in the increased ADM.

307 TERRY DRAKE responded that 18 Union Highs would be included.

313 SEN. SMITH asked if the committee was to adopt each issue in SB 81412 or the whole amendment. EXHIBIT 8

327 Discussion follows regarding the process of the committee. It was decided to adopt the issues individually.

348 STEVE BENDER referred to a blackboard illustration to address the five issues in SB 812-12. The first issue referred to Page 1, Line 910 in SB 814 -12 which increased eligibility for small school weighting up to 250 ADM. EXHIBIT 11

375 MOTION CHAIR CEASE moved to adopt the first issue listed in EXHIBIT 11 which increases the eligibility for small school weighting up to 250 ADM as proposed in SB 814-12 (EXHIBIT 8)

380 VOTE In a roll call vote the motion passed (4-1). AYES:
Senators Grensky, Smith, Brenneman, Gold. NAYS: Senator
Cease. Senators McCoy and Dukes were excused.

386 STEVE BENDER explained the second issue in EXHIBIT 11 which reduces the

ESL weight from 2.0 to 1.5.

TAPE 184 SIDE A

010 TERRY DRAKE presented simulation run #15 (EXHIBIT 9) and simulation run #16 (EXHIBIT 10) which show a comparison of lowering the ESL total student weighting from 2.0 to 1.5 and also compare the increasing of the poverty student weighting from 1.2 to 1.4. EXHIBITS 9 & 10

338 MOTION CHAIR CEASE moved to adopt the second and third issue in EXHIBIT 11 which would reduce the ESL weighting from 2.0 to 1.5 and increase the poverty weighting from 1.2 to 1.4 as presented in SB 814-12 (EXHIBIT 8).

040 VOTE In a roll call vote the motion passed (6-1). AYES:

Senators McCoy, Brenneman, Gold, Grensky, Dukes, Cease.

NAYS: Senator Smith.

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066 STEVE BENDER explained item four on the blackboard illustration which reduces the weighting for students in elementary districts from 1.0 to 0.9. EXHIBIT 11

078 MOTION CHAIR CEASE moved to adopt the fourth issue listed in EXHIBIT 11 which reduces weighting for students in elementary districts from 1.0 to 0.9 as presented in SB 814-12 (EXHIBIT 8)

080 VOTE In a roll call vote the motion passed (6-1). AYES:

Senators Smith, Brenneman, Gold, Grensky, McCoy, Cease.

NAYS: Senator Dukes.

082 STEVE BENDER discussed item 5 in EXHIBIT 11 which limits funding changes a district receives between the 1991-92 year and the 1992-93 year to no more than a 25 percent increase or 5 percent decrease.

100 Discussion follows regarding item 5 in EXHIBIT 11. It was clarified that the limitation on funding changes is only a one year phase in.

145 MOTION CHAIR CEASE moved to adopt the fifth issue listed in EXHIBIT 11 which limits funding changes a district receives between the 1991-92 year and the 1992-93 year to no more than a 25 percent increase or 5 percent decrease as presented in SB 814-12 (EXHIBIT 8).

145 VOTE In a roll call vote the motion passed (6-1). AYES:

Senators Brenneman, Gold, McCoy, Smith, Dukes, Cease.

NAYS: Senator Grensky.

147 CHAIR CEASE noted that all of the SB 814-12 (EXHIBIT 8) amendments have been amended into SB 814-7 (EXHIBIT 3) amendments.

151 STEVE BENDER presented SB 814-13 amendments (EXHIBIT 12) which deal with the issue of transportation costs and defining what is included in the transportation costs. Reference is made to SB 814-7, Page 2, EXHIBIT 3.

171 STEVE BENDER referred to Section 7a, Lines 16-24 dealing with the question of depreciation of transportation equipment. EXHIBIT 12

199 CHAIR CEASE questioned districts that contract out for busing. It was noted there is no depreciation if the district contracts out for transportation.

212 Discussion follows regarding the reimbursement for the 1992-93 school year which goes into a fund for bus acquisition.

223 SEN. DUKES questioned why the formula is dealing with depreciation. It was clarified how the funding for equipment is determined.

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230 Discussion follows regarding a fund to handle bus depreciation.

245 SEN. GRENSKY questioned language in EXHIBIT 12 which deals with acquiring new buses or upscaling equipment.

251 Discussion follows regarding the funding for new transportation equipment. Reference is made to capital costs are included in the transportation formula. It was clarified that the amendment is EXHIBIT 12 is intended to make certain the transportation funds are used for buses and not other programs.

292 SEN. GRENSKY questioned what would happen to the districts that currently do not have buses.

302 CHAIR CEASE suggested separating the issue out of the language in SB 814 -13 (EXHIBIT 12). Lines 1-17 (EXHIBIT 12) are cleanup language from SB 814 -7 (EXHIBIT 3).

324 MOTION CHAIR CEASE moved to adopt Lines 1-17 of SB 814-13 amendments. EXHIBIT 12

333 CONSENSUS CHAIR CEASE noted no objection to adopt the motion.

336 Discussion follows regarding districts ability to obtain buses that currently do not have transportation equipment.

380 MOTION CHAIR CEASE moved to adopt Lines 18-24 of SB 814-13

amendments. EXHIBIT 12

381 VOTE In a roll call vote the motion passed (5-2).

AYES:

Senators Gold, Grensky, McCoy, Smith, Dukes.

NAYS:

Senators Brenneman, Cease.

384 TERRY DRAKE presented SB 814-10 amendments regarding the inclusion of the early childhood education program into the SSF. Reference is made to double funding. EXHIBIT 13

414 RICR BURKE explained SB 814-10 is an attempt to assure districts currently operating an early childhood education program using district money will be folded back into the formula and allowed to operate the programs with state support only to the extent the program is not otherwise funded by a federal or state program.

426 CHAIR CEASE questioned the uniformity on the early childhood education programs.

TAPE 185 SIDE A

014 TERRY DRAKE responded that the way the language is drafted in SB 814-10 if a program is provided in 1992-93 then the funds will be reimbursed according to the SFF. Any district could offer the early childhood education program and receive the additional weighting. Currently Portland Schools are the only district offering the program.

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024 It was clarified that the early childhood program would refer to preschool children.

029 Discussion follows regarding the early childhood program. Reference is made to the additional funding is an encouragement to other districts to

begin an early childhood education program. A description of an early childhood education program is also addressed.

099 SEN. SMITH noted that the issue is a matter of funding and money placed into the early childhood education program is being taken from some other program.

106 Discussion follows. Reference is made to SB 814 is an attempt to fund K-12.

111 SEN. DUKES suggested to include a placeholder in SB 814 to address early childhood education during the 67th Legislative Session. Discussion follows.

122 SEN. SMITH suggested replacing the .05 weighting for preschool children with a 0.0 which would serve as a placeholder for future reference.

132 JIM SCHERZINGER noted a correction in SB 814-10, Line 1 should read "On page 6" instead of "On page 4".

140 Discussion follows regarding another correction in EXHIBIT 13, Line 2 which should read "after line 28" instead of "after line 12".

170 MOTION CHAIR CEASE moved to change line 1 of SB 814-10 to read "On page 6" and to replace "line 12" with "line 28" in Line 2 of SB 814-10 and on Line 3 to replace HO. 5" with "0.0".

EXHIBIT 13

77 VOTE In a roll call vote the motion passed (6-1).

AYES:

Senators Grensky, McCoy, Smith, Brenneman, Gold, Dukes.

NAYS: Senator Cease.

180 TERRY DRAKE presented SB 814-11 dealing with the cost of living factor. EXHIBIT 14

192 TERRY DRAKE explained the intent of SB 814-11 is to establish a cost of living index for education with a range limit, as well as to trigger a conditional appropriation to fund the implementation of the index based on the revenue estimate mid-biennium.

212 TERRY DRAKE discussed Section 33 regarding a cost of living index with a base of 1.0. EXHIBIT 14

217 SEN. GRENSKY questioned the intent of SB 814-11 and where the figures came from for establishing the cost of living index component of the SFF.

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226 TERRY DRAKE responded with reference to the factors that comprise the cost of living index. The attempt in SB 814-11 is to acknowledge and fund cost differentials related to education which would be salary levels. The variation in salary differentials across the state was addressed.

257 TERRY DRAKE explained Lines 6-7, EXHIBIT 14 limits the range in that no area in the state receive an index of more than 5 percent higher than any other area.

260 TERRY DRAKE discussed Line 8, EXHIBIT 14 in which the DOE would adjust the SFF grant for each district based on the regional index.

281 TERRY DRAKE presented a correction in Line 14, Page 1, EXHIBIT 14 should read "If the June 1992" instead of "If the 1992".

295 Discussion follows regarding the \$30 million dollars appropriated for the cost of living index. It was clarified that if the \$30 million dollars is not available than the cost of living factor would be prorated down to zero and there would be no cost of living component in the SFF.

320 Discussion follows regarding the cost of living index being included in

the formula as a placeholder but nothing could be done by the 1992-93 school year because adequate data would not be available.

TAPE 184 SIDE

B

007 SEN. GRENSKY pointed out more data is needed before the cost of living index should be included in the bill.

014 SEN. SMITH questioned the DOE adjusting the share of the cost of living index during the interim based on new information not available to the committee.

025 SEN. DUKES suggested adopting Section 4 of SB 814-7, Page 5, Subsection 5 which includes a placeholder for the cost of living factor. EXHIBIT 3

053 SEN. GOLD discussed the delegation of authority to DOE based on trust but the committee is not willing to also delegate the cost of living factor which is demonstrating inconsistency. Sen. Gold felt the cost of living factor might help urban districts that are impacted by SB 814.

073 PAUL WARNER testified that conceptually the cost of living factor is very important but a great deal of research is necessary to implement the index correctly.

086 PAUL WARNER explained by October 1 the Executive Department will have a report prepared to address the variance of the cost of living factor across the state.

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096 TERRY DRAKE explained a dollar figure must be placed in the blank on Page 5 of SB 814-7 amendments. EXHIBIT 3

109 SEN. GRENSKY questioned what would happen if there was not enough money to cover the figure in the blank. It was clarified that the money would be prorated. Discussion follows.

119 Discussion follows regarding what should go in the blank in EXHIBIT 3, Page 5.

127 MOTION SEN. BRENNEMAN moved to put the figure "\$4500" in the blank on Line 20, Page 5, EXHIBIT 3.

129 DISCUSSION

180 VOTE In a roll call vote the motion passed (7-0). AYES: Senators Grensky, McCoy, Smith, Brenneman, Gold, Dukes, Cease.

182 CONSENSUS CHAIR CEASE noted no objection to adopt SB 814-7 as amended. EXHIBIT 3

193 MOTION SEN. MCCOY moved SB 814 as amended to the floor of the Senate with a do pass recommendation.

198 VOTE In a roll call vote the motion passed (7-0). AYES:

Senators McCoy, Smith, Brenneman, Gold, Grensky, Dukes,

Cease. The committee will carry the bill on the floor.

202 CHAIR CEASE conducted administrative business and adjourned the meeting at 6:50 p.m.

Mary Ann Zimmermann, Committee Assistant

Kimberly Taylor, Office Manager

EXHIBIT SUMMARY

1. Major Senate Changes to HB 2550A, LRO, 6/5/91 - HB 2550A
2. Work Draft HB 2550-A83, 6/5/91 - HB 2550A
3. Proposed Amendments SB 814-7 (LC 2994), 6/5/91 - SB 814
4. Proposed Amendments SB 814-6 (LC 2994), (See Senate Revenue Committee meeting on 6/4/91, EXHIBIT 1) - SB 814

5. Proposed Amendments SB 814-8 (LC 2994), 6/5/91 - SB 814
6. Proposed Amendments SB 814-9 (LC 2994), 6/5/91 - SB 814
7. Blackboard Illustration, LRO, 6/5/91 - SB 814
8. Proposed Amendments SB 814-12 (LC 2994), 6/5/91 - SB 814
9. Simulation Run, Long Term School Finance #15, LRO, 6/5/91 - SB 814
10. Simulation Run, Long Term School Finance #16, LRO, 6/5/91 - SB 814
11. Blackboard Illustration, LRO, 6/5/91 - SB 814
12. Proposed Amendments SB 814-13 (LC 2994), 6/5/91 - SB 814
13. Proposed Amendments SB 814-10 (LC 2994), 6/5/91 - SB 814
14. Proposed Amendments SB 814-11 (LC 2994), 6/5/91 - SB 814

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