



2020  
OSBA/COSA

# Legislative Report

When Oregon voters approved annual legislative sessions in November 2010, the plan was to focus primarily on fixing problems that arose from bills passed in the regular session and respond to budget issues caused by sudden economic swings or unanticipated emergencies. Since that time, it seems like each short February session has become more ambitious than the one before. The 2018 session looked like a full-fledged session squeezed into 35 days or less. The 2020 session boiled over and partisan disagreements and complaints about the scope of short session effectively ended it before any real business could be finished.

The session convened on Monday, Feb. 3. The Democratic supermajority in both chambers, led by House Speaker Tina Kotek and Senate President Peter Courtney, pledged to make climate change, specifically a cap-and-trade-style carbon reduction law, the signature issue for the short session. Republicans in both chambers, led by House Republican Leader Christine Drazan and Senate Republican Leader Herman Baertschiger, vowed to use every tool to oppose the bill, including walking out to deny a quorum. On Feb. 24, with the cap-and-trade bill (Senate Bill 1530) on the way to the Senate floor for a vote, Senate Republicans made good on their promise. They organized a response and left the Capitol en masse. The next day the House Republicans followed. All Republicans, except Rep. Cheri Helt and Sen. Tim Knopp, remained gone until the session expired by reaching the constitutional end on Sunday, March 8. This walkout effectively killed the remainder of the 2020 session.

By our count, 287 measures were introduced in the 2020 session, approximately 250 of which were bills. Three of those bills were passed by both chambers and signed by Gov. Kate Brown. One is relevant to education, House Bill 4140, which is a policy bill related to “return to learn” for students after suffering a concussion or other brain injury. The bill requires the Oregon Department of Education to develop documentation for school districts to use when a student is returning to school after suffering a brain injury.

All other bills, including COSA and OSBA priorities, died with the end of the session. Three of those bills address immediate concerns for public schools in Oregon:

- HB 4044: Certain statutes provide dedicated funding for small, remote, and dorm schools beyond State School Fund distributions. Those statutes will expire on June 30, 2020. The total value of this extra funding is about \$2.5 million a year for roughly 80 of the smallest school districts in Oregon, and five additional districts that have foreign-exchange students attending school and living in dormitories. We are

working with ODE to address extended ADMw for dorm schools and how to mitigate any short-term loss of small high school payments for the other 80 or so districts if the law is allowed to expire on June 30 as scheduled.

- SB 1522: The bill contains consensus technical law fixes, including crucial technical changes to the statutes created by SB 155 (2019) that address sexual conduct toward students, as well as a technical fix to existing statutes requiring physical education instruction.
- SB 1520: An agency bill requested by the Oregon Department of Education that would make technical changes to nutrition programs authorized in the Student Success Act (SSA). Notably, the bill would move dates in statutes created by the SSA to allow school districts to start nutrition programs this summer, rather than waiting until July 1, as required by current law.

Democratic leaders have mentioned the possibility of asking the governor to convene a special legislative session in the next 30 days to deal with other pressing budget and policy bills that have died. If this occurs, then we will work hard to ensure that K-12 priorities are included, with heavy emphasis on the three bills above. Currently, there is no guarantee of a special session and no timetable for it to occur. With the addition of the COVID-19 public health crisis, the Legislature will likely have more pressing matters to address and future action is uncertain.

The ending of the 2020 session puts Oregon into uncharted territory. Prior to the 2019 Senate Republican walkouts, there had not been an organized quorum denial in Oregon since the House Democrats, then in the minority, walked out in 2001. There have been four walkouts (2019 Senate Republican caucus twice, 2020 House and Senate Republican caucuses once each) in 10 months.

We will continue to provide our members with updates and work to ensure K-12 issues are addressed in any potential special session. Please do not hesitate to contact us if you have any questions or need any additional information.



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