

SENATE COMMITTEE ON RULES

February 15, 2007 Hearing Room B

10:30 A.M. Tapes 11 - 12

(Corrected 5/5/07)

MEMBERS PRESENT: Sen. Kate Brown, Chair
Sen. Betsy Johnson
Sen. Laurie Monnes Anderson
Sen. David Nelson

MEMBER EXCUSED: **Sen. Ted Ferrioli, Vice-Chair**

STAFF PRESENT: Marjorie Taylor, Committee Administrator
Krista Schuchard, Committee Assistant

MEASURES/ISSUES HEARD:

Executive Appointments – Public Hearing
Land Use Board of Appeals
Tod Bassham
Superintendent of State Police
Timothy McLain
Oregon Student Assistance Commission
Bart Howard
Brian Lemos
Appraiser Certification and Licensure Board
Richard Herman
Board of Boiler Rules
Anthony Barsotti
Trust for Cultural Development Board
Nicholas Fish
State Board of Higher Education
James Francesconi
State Workforce Investment Board
Jill Eiland
Mark Lewis
Electrical and Elevator Board
Dennis Perkins
Board of Commissioners of the Port of Portland
Bruce Holte
Teacher Standards and Practices Commission
Bill Beck
Board of Examiners of Nursing Home Administrators
Arlene Gardner
Executive Appointments – Work Session
Superintendent of State Police
Timothy McLain
Land Use Board of Appeals
Tod Bassham
Appraiser Certification and Licensure Board
Richard Herman
Board of Boiler Rules
Anthony Barsotti

Trust for Cultural Development Board
 Nicholas Fish
Electrical and Elevator Board
 Dennis Perkins
State Board of Higher Education
 James Francesconi
Board of Examiners of Nursing Home Administrators
 Arlene Gardner
Board of Commissioners of the Port of Portland
 Bruce Holte
Oregon Student Assistance Commission
 Bart Howard
 Brian Lemos
Teacher Standards and Practices Commission
 Bill Beck
State Workforce Investment Board
 Jill Eiland
 Mark Lewis
Consideration of Re-Appointments – Work Session
Board of Commissioners of the Port of Portland
 Mary Olson
Board of Directors of State Accident Insurance Fund Corporation
 John Anhorn
 John Endicott
State Board of Tax Practitioners
 Marilyn Johnston
Introduction of Committee Measures – Work Session

This tape log is in compliance with Senate and House Rules. For complete contents, please refer to the cassette tapes.

TAPE #	COUNTER	BRIEF DESCRIPTION OF SUBJECT MATTER
AND SIDE	NUMBER	OR CHANGE IN SPEAKER
11A	004	Chair Brown opens the meeting at 10:32 a.m. (EXHIBIT A)
<u>EXECUTIVE APPOINTMENTS – PUBLIC HEARING</u>		
<u>LAND USE BOARD OF APPEALS – APPOINTMENT OF TOD BASSHAM</u>		
	005	Chair Brown
	011	Tod Bassham, Chair, Land Use Board of Appeals
	018	Chair Brown
	020	Bassham
	025	Chair Brown
<u>SUPERINTENDENT OF STATE POLICE – APPOINTMENT OF TIMOTHY MCLAIN</u>		
	030	Chair Brown (EXHIBIT B)
11A	035	Timothy McLain, Superintendent, Oregon State Police
	079	Chair Brown
	080	Sen. Johnson
	090	Sen. Nelson
	114	McLain
	121	Sen. Nelson
	137	Chair Brown
	138	Sen. Monnes Anderson
	144	Chair Brown

149	McLain
157	Chair Brown
160	Jerry Atlansky, Chair. Oregon State Police Independent Citizens Review Board (EXHIBIT C)
243	Chair Brown
250	Sen. Johnson
255	Atlansky
257	Sen. Johnson
260	Atlansky
268	Sen. Johnson
275	Atlansky
285	Chair Brown
304	Atlansky
309	Chair Brown
314	Chair Brown
315	McLain
321	Chair Brown

OREGON STUDENT ASSISTANCE COMMISSION – APPOINTMENTS OF BART HOWARD & BRIAN LEMOS

	322	Chair Brown (EXHIBIT D)
	339	Bart Howard, Consultant, Howard & Associates
	418	Chair Brown
	420	Brian Lemos, Principal, Crook County School District
12A	007	Chair Brown
	014	Howard
	015	Chair Brown

APPRAISER CERTIFICATION AND LICENSURE BOARD – APPOINTMENT OF RICHARD HERMAN

	017	Chair Brown (EXHIBIT E)
	020	Richard Herman, Vice President, Appraisal Institute
12A	029	Chair Brown

BOARD OF BOILER RULES – APPOINTMENT OF ANTHONY BARSOTTI

	031	Chair Brown (EXHIBIT F)
	040	Anthony Barsotti, Safety Professional , Temperature Control Mechanical Group
	063	Chair Brown
	065	Sen. Nelson
	068	Chair Brown

TRUST FOR CULTURAL DEVELOPMENT BOARD – APPOINTMENT OF NICHOLAS FISH

	070	Chair Brown (EXHIBIT G)
	075	Nicholas Fish, Attorney, Meyer & Wyse LLP
	100	Chair Brown
	101	Sen. Johnson
	106	Fish
	110	Sen. Johnson
	111	Chair Brown
	112	Sen. Monnes Anderson
	125	Fish
	142	Chair Brown
	143	Sen. Johnson

159 Fish
162 Chair Brown

STATE BOARD OF HIGHER EDUCATION – APPOINTMENT OF JAMES FRANCESCONI

164 Chair Brown (**EXHIBIT H**)
175 James Francesconi, Attoney, Haglund, Kelley Horngran Jones &
Wilder LLP
212 Chair Brown
213 Sen. Monnes Anderson
223 Sen. Johnson
243 Francesconi
261 Sen. Johnson
287 Sen. Johnson
293 Chair Brown

STATE WORKFORCE INVESTMENT BOARD – APPOINTMENTS OF JILL EILAND & MARK LEWIS

295 Chair Brown (**EXHIBIT I**)
301 Jill Eiland, Manager, Intel Corporate Affairs
319 Mark Lewis, President, Woodford Manufacturing
328 Chair Brown
12A 332 Sen. Johnson
360 Lewis
373 Chair Brown
374 Lewis
384 Chair Brown
385 Lewis
398 Chair Brown
400 Lewis
406 Chair Brown
408 Lewis
412 Sen. Nelson
11B 001 Sen. Nelson
021 Lewis
033 Chair Brown

ELECTRICAL AND ELEVATOR BOARD – APPOINTMENT OF DENNIS PERKINS

035 Chair Brown (**EXHIBIT J**)
040 Dennis “Craig” Perkins, Electrical Inspector, City of Corvallis
060 Chair Brown
062 Perkins
063 Chair Brown

BOARD OF COMMISSION OF THE PORT OF PORTLAND – APPOINTMENT OF BRUCE HOLTE

065 Chair Brown (**EXHIBIT K**)
068 Bruce Holte, Longshoreman, International Longshore &
Warehouse Union, Local 8
080 Chair Brown
083 Holte
110 Chair Brown

TEACHER STANDARDS AND PRACTICES COMMISSION – APPOINTMENT OF JOHN BECK

112 Chair Brown (**EXHIBIT L**)
118 John “Bill” Beck, Retired Administrator, Portland Public Schools

132 Chair Brown

136 Beck

BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS – APPOINTMENT OF ARLENE GARDNER

156 Chair Brown (EXHIBIT M)

164 Arlene Gardner, Nurse, Wilsonville

180 Sen. Monnes Anderson

188 Gardner

11B

189 Chair Brown

193 Gardner

194 Chair Brown

EXECUTIVE APPOINTMENTS – WORK SESSION

SUPERINTENDENT STATE POLICE – APPOINTMENT OF TIMOTHY MCLAIN

200 MOTION: Sen. Brown moves the APPOINTMENT of Timothy McLain to the Superintendent of Oregon State Police to the floor with the recommendation that the appointments BE CONFIRMED.

201 VOTE: 4-0-1

EXCUSED: 1 - Ferrioli

Chair Brown, hearing no objection, declares the motion CARRIED.

SEN. JOHNSON will lead discussion on the floor.

203 Chair Brown

LAND USE BOARD OF APPEALS – APPOINTMENT OF TOD BASSHAM

205 MOTION: Sen. Brown moves the APPOINTMENT of Tod Basham to the Land Use Board of Appeals to the floor with the recommendation that the appointments BE CONFIRMED.

207 VOTE: 4-0-1

EXCUSED: 1 - Ferrioli

Chair Brown, hearing no objection, declares the motion CARRIED.

SEN. NELSON will lead discussion on the floor.

208 Chair Brown

APPRAISER CERTIFICATION AND LICENSURE BOARD – APPOINTMENT OF RICHARD HERMAN

214 MOTION: Sen. Brown moves the APPOINTMENT and RE-APPOINTMENT of Richard Herman to the Appraiser Certification and Licensure Board to the floor with the recommendation that the appointments BE CONFIRMED.

215 VOTE: 4-0-1

EXCUSED: 1 – Ferrioli

Chair Brown, hearing no objection, declares the motion CARRIED.

SEN. MONNES ANDERSON will lead discussion on the floor.

218 Chair Brown

BOARD OF BOILER RULES – APPOINTMENT OF ANTHONY BARSOTTI

219 MOTION: Sen. Brown moves the APPOINTMENT of Anthony Barsotti to the Board of Boiler Rules to

the floor with the recommendation that the appointments BE
CONFIRMED.

220

VOTE: 4-0-1

EXCUSED: 1 - Ferrioli

Chair Brown, hearing no objection, declares the motion
CARRIED.

SEN. MONNES ANDERSON will lead discussion on the
floor.

11B

222

Chair Brown

TRUST FOR CULTURAL DEVELOPMENT BOARD – APPOINTMENT OF NICHOLAS FISH

226

MOTION: Sen. Brown moves the APPOINTMENT of
Nicholas Fish to the Trust for Cultural
Development Board to the floor with the
recommendation that the appointments BE
CONFIRMED.

227

VOTE: 4-0-1

EXCUSED: 1 – Ferrioli

Chair Brown, hearing no objection, declares the motion
CARRIED.

SEN. MONNES ANDERSON will lead discussion on the
floor.

229

Chair Brown

ELECTRICAL AND ELEVATOR BOARD – APPOINTMENT OF DENNIS PERKINS

230

MOTION: Sen. Brown moves the APPOINTMENT of
Dennis Perkins to the Electrical and Elevator
Board to the floor with the recommendation that
the appointments BE CONFIRMED.

231

VOTE: 4-0-1

EXCUSED: 1 – Ferrioli

Chair Brown, hearing no objection, declares the motion
CARRIED.

SEN. MONNES ANDERSON will lead discussion on the
floor.

233

Chair Brown

STATE BOARD OF HIGHER EDUCATION – APPOINTMENT OF JAMES FRANCESCONI

235

MOTION: Sen. Brown moves the APPOINTMENT of James
Francesconi to the State Board of Higher
Education to the floor with the recommendation
that the appointments BE CONFIRMED .

236

VOTE: 4-0-1

EXCUSED: 1 – Ferrioli

237

Chair Brown, hearing no objection, declares the motion
CARRIED.

SEN. MONNES ANDERSON will lead discussion on the
floor.

238

Chair Brown

**BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS – APPOINTMENT OF
ARLENE GARDNER**

238

MOTION: Sen. Brown moves the APPOINTMENT of
Arlene Gardner to the Board of Examiners of
Nursing Home Administrators to the floor with
the recommendation that the appointments BE
CONFIRMED.

239 VOTE: 4-0-1
EXCUSED: 1 – Ferrioli
Chair Brown, hearing no objection, declares the motion
CARRIED.
SEN. MONNES ANDERSON will lead discussion on the
floor.

242 Chair Brown

BOARD OF COMMISSIONERS OF THE PORT OF PORTLAND – APPOINTMENT OF BRUCE HOLTE

11B 243 MOTION: Sen. Brown moves the APPOINTMENT and RE-
APPOINTMENT of Bruce Holte to the Board of
Commissioners of the Port of Portland to the
floor with the recommendation that the
appointments BE CONFIRMED.

245 VOTE: 4-0-1
EXCUSED: 1 – Ferrioli
Chair Brown, hearing no objection, declares the motion
CARRIED.
SEN. MONNES ANDERSON will lead discussion on the
floor.

250 Chair Brown

OREGON STUDENT ASSISTANCE COMMISSION – APPOINTMENTS OF BART HOWARD & BRIAN LEMOS

251 MOTION: Sen. Brown moves the APPOINTMENTS of Bart
Howard and Brian Lemos to the Oregon Student
Assistance Commission to the floor with the
recommendation that the appointments BE
CONFIRMED EN BLOC.

252 VOTE: 4-0-1
EXCUSED: 1 - Ferrioli
Chair Brown, hearing no objection, declares the motion
CARRIED.
SEN. MONNES ANDERSON will lead discussion on the
floor.

253 Chair Brown

TEACHER STANDARDS AND PRACTICES COMMISSION – APPOINTMENT OF JOHN BECK

254 MOTION: Sen. Brown moves the APPOINTMENT of Bill
Beck to the Teacher Standards and Practices
Commission to the floor with the
recommendation that the appointments BE
CONFIRMED.

255 VOTE: 4-0-1

EXCUSED: 1 – Ferrioli
Chair Brown, hearing no objection, declares the motion
CARRIED.
SEN. MONNES ANDERSON will lead discussion on the
floor.

256 Chair Brown

STATE WORKFORCE INVESTMENT BOARD – APPOINTMENTS OF JILL EILAND & MARK LEWIS

257 MOTION: Sen. Brown moves the APPOINTMENTS of Jill
Eiland and Mark Lewis to the Oregon Workforce
Investment Board to the floor with the

recommendation that the appointments BE CONFIRMED
EN BLOC.

258

VOTE: 4-0-1

EXCUSED: 1 - Ferrioli

260

Chair Brown, hearing no objection, declares the motion
CARRIED.

SEN. MONNES ANDERSON will lead discussion on the
floor.

261

Chair Brown

CONSIDERATION OF RE-APPOINTMENTS – WORK SESSION

**BOARD OF COMMISSIONERS OF THE PORT OF PORTLAND – RE-APPOINTMENT OF
MARY OLSON**

**BOARD OF DIRECTORS OF STATE ACCIDENT INSURANCE FUND CORPORATION - RE-
APPOINTMENTS OF JOHN ANHORN & JOHN ENDICOTT**

STATE BOARD OF TAX PRACTITIONERS – RE-APPOINTMENT OF MARILYN JOHNSTON

11B

262

Chair Brown (EXHIBIT N, O)

271

MOTION: Sen. Brown moves the RE-APPOINTMENTS of
Mary Olson, John Anhorn, John Endicott and
Marilyn Johnston to the Board Commissioners of
the Port of Portland, Board of Directors of the
State Accident Insurance Fund, State Board of
Tax Practitioners to the floor with the
recommendation that the appointments BE
CONFIRMED.

272

VOTE: 4-0-1

EXCUSED: 1 - Ferrioli

Chair Brown, hearing no objection, declares the motion
CARRIED.

SEN. MONNES ANDERSON will lead discussion on the
floor.

276

Chair Brown

INTRODUCTION OF COMMITTEE MEASURE – WORK SESSION

277

Chair Brown (EXHIBIT P)

278

MOTION: Sen. Brown Moves LC 2515 BE INTRODUCED
as a committee bill.

280

VOTE: 4-0-1

EXCUSED: 1 – Ferrioli

281

Chair Brown, hearing no objection, declares the motion
CARRIED.

283

Chair Brown closes the meeting at 11:52 a.m.

EXHIBIT SUMMARY

- A. Land Use Board of Appeals, informational packet, staff and Governor's office, 4 pp
- B. Superintendent of Oregon State Police, informational packet, staff and Governor's office, 17
- C. Superintendent of Oregon State Police, informational packet, Jerry Atlansky, 28 pp
- D. Oregon Student Assistance Commission, informational packet, Staff and Governor's Office, 1
- E. Appraiser Certification and Licensure Board, informational packet, staff and Governor's off
pp
- F. Board of Boiler Rules, informational packet, staff and Governor's office, 9 pp
- G. Trust for Cultural Development Board, informational packet, staff and Governor's office, 10

- H. State Board of Higher Education, informational packet, staff and Governor's office, 9 pp**
- I. Workforce Investment Board, informational packet, staff and Governor's office, 12 pp**
- J. Electrical and Elevator Board, informational packet, staff and Governor's office, 6 pp**
- K. Board of Commissioners of the Port of Portland, informational packet, staff and Governor's office, 8 pp**
- L. Teacher Standards and Practices Commission, Informational Packet, Staff and Governor's (7 pp**
- M. Board of Examiners of Nursing Home Administrators, informational packet, staff and Governor's office, 6 pp**
- N. Board of Directors of State Accident Insurance Fund, informational packet, staff and Governor's office, 5 pp**
- O. State Board of Tax Practitioners, informational packet, staff and Governor's office, 5 pp**
- P. Introductions, LC 2515, Staff, 7 pp**