

SENATE COMMITTEE ON RULES

February 08, 2005
8:30 A.M.

Hearing Room 343
Tape 8

Corrected 11/03/05

MEMBERS PRESENT: Sen. Kate Brown, Chair
Sen. Ted Ferrioli, Vice-Chair
Sen. Jason Atkinson
Sen. Charlie Ringo
Sen. Frank Shields

STAFF PRESENT: Tiffany Harris, Committee Administrator
Patricia Nielsen, Committee Assistant

MEASURE/ISSUES HEARD:

Executive Appointment – Public Hearing and Work Session
Executive Director, Oregon Watershed Enhancement Board
Thomas Byler
Executive Appointments – Public Hearing and Work Session
(Appearances waived)
Oregon Board of Accountancy
T. Lynn Klimowicz
State Board of Education
Brenda Frank
Vanessa Gaston
Electrical and Elevator Board
Karen Hale
Oregon State Fair Commission
Jerry Underwood
Land Conservation and Development Commission
Margaret Kirkpatrick
Trustees of the State Library
Richard Turner
State Marine Board
Russell Sadler
Outdoor Youth Program Advisory Board
James Brown
Larry Solie
Sustainability Board
William Blosser
Teacher Standards and Practices Commission
Greg Bell
Patricia Evenson-Brady
Karen Weiseth
Commission for Women
Tammi Paul

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 8, A		

005 Chair Brown Calls the meeting to order at 8:37 a.m. Opens public hearing on executive appointment.

EXECUTIVE APPOINTMENT – PUBLIC HEARING

EXECUTIVE DIRECTOR, OREGON WATERSHED ENHANCEMENT BOARD – APPOINTMENT OF THOMAS BYLER (EXHIBIT A)

010 Tom Byler Acting Executive Director, Oregon Watershed Enhancement Board (OWEB). Discusses his interest and qualifications for the appointment. Discusses Oregon's leadership in management of watersheds, fish and wildlife. Submits synopsis of the Oregon Plan for Salmon and Watersheds Biennial Report for 2003-05 (EXHIBIT M).

035 Sen. Shields Asks about Board conflicts over grants to acquire sensitive lands.

050 Byler Confirms it is a key issue for OWEB. Discusses philosophical differences. Explains the constitution provides for the acquisition of land, but OWEB needs clear guidance on the decision-making process.

070 Sen. Shields Asks about local support for land acquisitions.

075 Byler Agrees that is an important pre-condition, which is now provided for in the agency's rules.

080 Sen. Ferrioli Asks how OWEB will reconcile the differences in local interests in certain parcels of land.

090 Byler Responds the Board must reconcile differences. Explains without local support of a project he would have trouble recommending approval.

095 Chair Brown Asks how he sees the Board including input from those who live in distant locations.

105 Byler Explains the Board tries to hold its meetings throughout the state, to allow local officials and groups to participate in the process.

115 Chair Brown Closes public hearing and opens work session on executive appointment.

EXECUTIVE APPOINTMENT – WORK SESSION

EXECUTIVE DIRECTOR, OREGON WATERSHED ENHANCEMENT BOARD – APPOINTMENT OF THOMAS BYLER (EXHIBIT A)

120 Sen. Ringo **MOTION: Moves the APPOINTMENT of Thomas Byler as the Executive Director, Oregon Watershed Enhancement Board, to the floor with the recommendation that the appointment BE CONFIRMED.**

VOTE: 5-0-0

Chair Brown AYE: In a roll call vote, all members present vote Aye. The motion CARRIES. SEN. RINGO will lead discussion on the floor.

125 Chair Brown Closes work session on appointment of Thomas Byler as Director to the Oregon Watershed Enhancement Board. Opens public hearing and work session on additional executive appointments.

EXECUTIVE APPOINTMENTS – PUBLIC HEARING AND WORK SESSION

135 Chair Brown Lists the appointments and reappointments to be considered:
OREGON BOARD OF ACCOUNTANCY – REAPPOINTMENT OF T. LYNN KLIMOWICZ (EXHIBIT B)

STATE BOARD OF EDUCATION – APPOINTMENT OF BRENDA FRANK AND VANESSA GASTON (EXHIBIT C)

ELECTRICAL AND ELEVATOR BOARD – APPOINTMENT OF KAREN HALE (EXHIBIT D)

OREGON STATE FAIR COMMISSION – REAPPOINTMENT OF JERRY UNDERWOOD (EXHIBIT E)

LAND CONSERVATION AND DEVELOPMENT COMMISSION – REAPPOINTMENT OF MARGARET KIRKPATRICK (EXHIBIT F)

TRUSTEES OF THE STATE LIBRARY – APPOINTMENT OF RICHARD TURNER (EXHIBIT G)

STATE MARINE BOARD – APPOINTMENT OF RUSSELL SADLER (EXHIBIT H)

OUTDOOR YOUTH PROGRAM ADVISORY BOARD – REAPPOINTMENT OF JAMES BROWN AND LARRY SOLIE (EXHIBIT I)

SUSTAINABILITY BOARD – REAPPOINTMENT OF WILLIAM BLOSSER (EXHIBIT J)

TEACHER STANDARDS AND PRACTICES COMMISSION – APPOINTMENT OF GREG BELL AND KAREN WEISETH, AND REAPPOINTMENT OF PATRICIA EVENSON-BRADY (EXHIBIT K)

COMMISSION FOR WOMEN – APPOINTMENT OF TAMMI PAUL (EXHIBIT L)

145	Chair Brown	MOTION: Moves that the appearances be waived and that the committee recommend the listed APPOINTMENTS and REAPPOINTMENTS BE CONFIRMED by the Senate, with multiple appointments and reappointments made to a single board or commission to be considered en bloc:
155	Sen. Atkinson	Comments on Russell Sadler appointment to the Marine Board. Expresses concern that the Marine Board, on its magazine and website, has featured Mr. Sadler giving awards to officers in the field, as if he had already been appointed. Points out the Senate process should not appear to be a rubber-stamp without power.
200	Chair Brown	Agrees the commissioners and board members should not appear to be in office until actually appointed.
215		VOTE: 5-0-0
225	Chair Brown	AYE: In a roll call vote, all members present vote Aye.
240	Chair Brown	The motion CARRIES. Closes public hearing and work session on executive appointments. Adjourns the meeting at 8:56 a.m.

EXHIBIT SUMMARY

- A. Oregon Watershed Enhancement Board, staff and Governor's office, 8 pp
- B. Oregon Board of Accountancy, staff and Governor's office, 9 pp
- C. State Board of Education, staff and Governor's office, 18 pp
- D. Electrical and Elevator Board, staff and Governor's office, 8 pp
- E. Oregon State Fair Commission, staff and Governor's office, 9 pp
- F. Land Conservation and Development Commission, staff and Governor's office, 10 pp
- G. Trustees of the State Library, staff and Governor's office, 6 pp
- H. State Marine Board, staff and Governor's office, 10 pp
- I. Outdoor Youth Program Advisory Board, staff and Governor's office, 9 pp
- J. Sustainability Board, staff and Governor's office, 7 pp
- K. Teacher Standards and Practices Commission, staff and Governor's office, 21 pp

L. Commission for Women, staff and Governor's office, 7 pp

M. Oregon Watershed Enhancement Board, Oregon Plan report synopsis, Tom Byler, 4 pp