

## **SENATE COMMITTEE ON RULES**

**April 21, 2005  
8:30 A.M.**

**Hearing Room 343  
Tape 49**

**Corrected 10/07/05**

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

**MEMBER EXCUSED:**     **Sen. Frank Shields**

**VISITING MEMBER:**         **President Peter Courtney**

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

**MEASURE/ISSUES HEARD:**

**Executive Appointments – Public Hearing  
Health Services Commission  
Laurie Theodorou  
Kathryn Weit  
Kevin Olson  
SB 27 – Work Session  
Executive Appointments – Work Session  
State Apprenticeship and Training Council  
Jason Landon  
Oregon Board of Dentistry  
Jill Mason  
Ocean Policy Advisory Council  
Jim Bergeron  
Paul Engelmeyer  
Robin Hartmann  
David Hatch  
Onno Husing  
Scott McMullen  
Bradley Pettinger  
James Pex  
Fred Sickler  
Frank Warrens  
Board of Medical Examiners  
Douglas Kirkpatrick  
Oregon Patient Safety Commission Board of Directors  
Nancy Chi  
Psychiatric Security Review Board  
Julia Hurlburt  
Board on Public Safety Standards and Training  
Andrew Bentz  
Teacher Standards and Practices Commission  
Francis Charbonnier  
State Workforce Investment Board  
C. Carl Califano**

**Charles Karns**  
**James Paulson**  
**Public Utility Commission**  
**John Savage**  
**State Marine Board**  
**George Tinker**  
**Executive Appointments – Public Hearing and Work Session**  
**State Apprenticeship and Training Council**  
**Kenneth Fry**  
**Larry Jones**  
**Oregon Board of Dentistry**  
**Melissa Grant**  
**State Marine Board**  
**Bob Montgomery**  
**Board of Medical Examiners**  
**John Stiger**  
**State Workforce Investment Board**  
**Bob Craft**  
**Linda Mock**

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
<b>TAPE 49, A</b>		
005	Chair Brown	Calls the meeting to order at 8:35 a.m. Opens as subcommittee. Opens public hearing on Executive Appointments.
<b><u>EXECUTIVE APPOINTMENTS – PUBLIC HEARING</u></b>		
<b><u>HEALTH SERVICES COMMISSION – APPOINTMENTS OF LAURIE THEODOROU, KATHRYN WEIT AND KEVIN OLSON (EXHIBIT A)</u></b>		
015	Laurie Theodorou	Mental Health Specialist, Jackson County. Appears by telephone conference to discuss her interest in and qualifications for the appointment.
045	Kathryn Weit	Policy Analyst, Oregon Council on Developmental Disabilities. Appears and discusses her interest in and qualifications for the appointment.
070	Kevin Olson	Physician, oncologist. Appears and discusses his interest in and qualifications for the appointment.
105	Chair Brown	Asks Theodorou about the Oregon Health Plan (OHP) and her role in recreating a vision in Oregon for providing health care for low income Oregonians.
110	Theodorou	Suggests including systems of care billing, especially for children. Supports parity in mental health services and supports including evidence-based practice in billing requirements for OHP.
125	Chair Brown	Refers to SB 267 (2003) which encourages evidence-based practices in corrections and human services programs. Asks for description of billing practices.
130	Theodorou	Discusses ways to help children by providing services to the parents, but explains that in billing practices the child must be the identified patient. Would like to add definitions to assist clinicians.
145	Weit	Discusses mission of OHP to expand coverage to provide care and services to uninsured Oregonians. Expresses concern over

		recent cuts to the OHP. Would like to preserve whatever is possible.
155	Olson	Describes OHP as a crucial structure for protecting the most vulnerable citizens. Explains there is more need than funding so resources must be prioritized. Suggests making good decisions will strengthen OHP to provide the most care for the funding available.
165	Chair Brown	Asks about changes last session.
170	Olson	Voices his intention to help the Commission understand technologies available to match need with resources.
185	Chair Brown	Gavels in full committee. Thanks appointees for volunteering and closes public hearings on executive appointments. Recesses committee at 8:49 a.m.
187	Chair Brown	Reconvenes the committee at 8:52 a.m. Opens work session on SB 27.

**SB 27 – WORK SESSION**

190	Tiffany Harris	Committee Administrator. Presents overview of SB 27.
200	Inga Deckert	State Treasurer's office. Presents overview of -2 amendments (EXHIBIT B).
220	Chair Brown	<b>MOTION: Moves to ADOPT SB 27-2 amendments dated 4/20/05.</b>
225		<b>VOTE: 5-0-1</b>
		<b>EXCUSED: 1 - Shields</b>
	Chair Brown	<b>Hearing no objection, declares the motion CARRIED.</b>
230	Chair Brown	<b>MOTION: Moves SB 27 to the floor with a DO PASS AS AMENDED recommendation.</b>
232	Sen. Ferrioli	Advises he will vote against the bill and will file a minority report.
235	Chair Brown	Comments that despite concerns expressed by members in earlier hearings about the process of the "price tag committee," she has heard no comments or concerns from citizens or lobbyists in the past three months.
240	Sen. Atkinson	Advises he will also vote against the bill.
245		<b>VOTE: 3-2-0</b>
		<b>AYE: 3 – Ringo, Brown, Pres. Courtney</b>
		<b>NAY: 2 - Atkinson, Ferrioli</b>
		<b>EXCUSED: 1 - Shields</b>
	Chair Brown	<b>The motion CARRIES.</b>
		<b>SEN. BROWN will lead discussion on the floor.</b>
255	Chair Brown	Closes work session on SB 27. Advises SB 849 will be set over. Opens work session on Executive Appointments.

**EXECUTIVE APPOINTMENTS – WORK SESSION**

**STATE APPRENTICESHIP AND TRAINING COUNCIL – APPOINTMENT OF JASON LANDON**

(See Exhibit B of April 12 Committee Minutes)

260	Chair Brown	<b>MOTION: Moves the APPOINTMENT of Jason Landon to the State Apprenticeship and Training Council to the floor with the recommendation that the appointment BE CONFIRMED EN BLOC.</b>
265		<b>VOTE: 4-0-1</b>
		<b>EXCUSED: 1 – Shields</b>
	Chair Brown	<b>Hearing no objection, declares the motion CARRIED.</b>
		<b>SEN. RINGO will lead discussion on the floor.</b>

**OREGON BOARD OF DENTISTRY – APPOINTMENT OF JILL MASON (See Exhibit C of April 12**

**Committee Minutes)**

270                      Chair Brown                      **MOTION:** Moves the APPOINTMENT of Jill Mason to the Oregon Board of Dentistry to the floor with the recommendation that the appointment BE CONFIRMED EN BLOC.

275    **VOTE:** 4-0-1  
   **EXCUSED:** 1 – Shields  
   Chair Brown                      Hearing no objection, declares the motion CARRIED.  
   SEN. FERRIOLI will lead discussion on the floor.

**OCEAN POLICY ADVISORY COUNCIL – APPOINTMENTS OF JIM BERGERON, PAUL ENGELMEYER, ROBIN HARTMANN, DAVID HATCH, ONNO HUSING, SCOTT MCMULLEN, BRADLEY PETTINGER, JAMES PEX, FRED SICKLER, AND FRANK WARRENS** (See Exhibit A of April 12 Committee Minutes)

280                      Chair Brown                      **MOTION:** Moves the APPOINTMENTS of Jim Bergeron, Paul Engelmeyer, Robin Hartmann, David Hatch, Onno Husing, Scott McMullen, Bradley Pettinger, James Pex, Fred Sickler, and Frank Warrens to the Ocean Policy Advisory Council to the floor with the recommendation that the appointments BE CONFIRMED EN BLOC.

285    **VOTE:** 4-0-1  
   **EXCUSED:** 1 – Shields  
   Chair Brown                      Hearing no objection, declares the motion CARRIED.  
   SEN. VERGER will lead discussion on the floor.

**BOARD OF MEDICAL EXAMINERS – APPOINTMENT OF DOUGLAS KIRKPATRICK** (See Exhibit H of April 12 Committee Minutes)

290                      Chair Brown                      **MOTION:** Moves the APPOINTMENT of Douglas Kirkpatrick to the Board of Medical Examiners to the floor with the recommendation that the appointment BE CONFIRMED EN BLOC.

295    **VOTE:** 4-0-1  
   **EXCUSED:** 1 – Shields  
   Chair Brown                      Hearing no objection, declares the motion CARRIED.  
   SEN. FERRIOLI will lead discussion on the floor.

**OREGON PATIENT SAFETY COMMISSION BOARD OF DIRECTORS – APPOINTMENT OF NANCY CHI** (See Exhibit D of April 12 Committee Minutes)

300                      Chair Brown                      **MOTION:** Moves the APPOINTMENT of Nancy Chi to the Oregon Patient Safety Commission Board of Directors to the floor with the recommendation that the appointment BE CONFIRMED.

305    **VOTE:** 4-0-1  
   **EXCUSED:** 1 – Shields  
   Chair Brown                      Hearing no objection, declares the motion CARRIED.  
   SEN. ATKINSON will lead discussion on the floor.

**PSYCHIATRIC SECURITY REVIEW BOARD – APPOINTMENT OF JULIA HURLBURT** (See Exhibit E of April 12 Committee Minutes)

310                      Chair Brown                      **MOTION:** Moves the APPOINTMENT of Julia Hurlburt to the Psychiatric Security Review Board to the floor with the recommendation that the appointment BE CONFIRMED.

315    **VOTE:** 4-0-1  
   **EXCUSED:** 1 – Shields  
   Chair Brown                      Hearing no objection, declares the motion CARRIED.  
   SEN. COURTNEY will lead discussion on the floor.

**BOARD ON PUBLIC SAFETY STANDARDS AND TRAINING – APPOINTMENT AND REAPPOINTMENT OF ANDREW BENTZ** (See Exhibit V of April 12 Committee Minutes)

320           Chair Brown           **MOTION:** Moves the APPOINTMENT and REAPPOINTMENT of Andrew Bentz to the Board on Public Safety Standards and Training to the floor with the recommendation that the appointment and reappointment BE CONFIRMED.

325                                   **VOTE:** 4-0-1  
   **EXCUSED:** 1 – Shields  
   Chair Brown           Hearing no objection, declares the motion CARRIED.  
  **SEN. FERRIOLI** will lead discussion on the floor.

**TEACHER STANDARDS AND PRACTICES COMMISSION – APPOINTMENT OF FRANCIS CHARBONNIER** (See Exhibit R of April 12 Committee Minutes)

330           Chair Brown           **MOTION:** Moves the APPOINTMENT of Francis Charbonnier to the Teacher Standards and Practices Commission to the floor with the recommendation that the appointment BE CONFIRMED.

335                                   **VOTE:** 4-0-1  
   **EXCUSED:** 1 – Shields  
   Chair Brown           Hearing no objection, declares the motion CARRIED.  
  **SEN. ATKINSON** will lead discussion on the floor.

**STATE WORKFORCE INVESTMENT BOARD – APPOINTMENTS OF C. CARL CALIFANO, CHARLES KARNS AND JAMES PAULSON** (See Exhibit F of April 12 Committee Minutes)

340           Chair Brown           **MOTION:** Moves the APPOINTMENTS of C. Carl Califano, Charles Karns and James Paulson to the State Workforce Investment Board to the floor with the recommendation that the appointments BE CONFIRMED EN BLOC.

345                                   **VOTE:** 4-0-1  
   **EXCUSED:** 1 - Shields  
   Chair Brown           Hearing no objection, declares the motion CARRIED.  
  **SEN. RINGO** will lead discussion on the floor.

**PUBLIC UTILITY COMMISSION – APPOINTMENT OF JOHN SAVAGE** (See Exhibit T of April 12 Committee Minutes)

350           Chair Brown           **MOTION:** Moves the APPOINTMENT of John Savage to the Public Utility Commission to the floor with the recommendation that the appointment BE CONFIRMED.

355                                   **VOTE:** 4-0-1  
   **EXCUSED:** 1 - Shields  
   Chair Brown           Hearing no objection, declares the motion CARRIED.  
  **SEN. ATKINSON** will lead discussion on the floor.

**STATE MARINE BOARD – APPOINTMENT OF GEORGE TINKER** (See Exhibit S of April 12 Committee Minutes)

360           Chair Brown           **MOTION:** Moves the APPOINTMENT of George Tinker to the State Marine Board to the floor with the recommendation that the appointment BE CONFIRMED EN BLOC.

365 VOTE: 4-0-1  
 EXCUSED: 1 - Shields  
 Chair Brown Hearing no objection, declares the motion CARRIED.  
 SEN. VERGER will lead discussion on the floor.

370 Chair Brown Closes work session on Executive Appointments. Opens public  
 hearing on additional Executive Appointments.

**EXECUTIVE APPOINTMENTS – PUBLIC HEARING**

375 Chair Brown Lists the following appointments to be considered. Seeing no  
 requests for public testimony, closes the public hearing and opens  
 a work session on Executive Appointments.

**EXECUTIVE APPOINTMENTS – WORK SESSION**

**STATE APPRENTICESHIP AND TRAINING COUNCIL – REAPPOINTMENTS OF KENNETH  
 FRY AND LARRY JONES (EXHIBIT C)**

380 Chair Brown MOTION: Moves to waive the appearances of and the  
 REAPPOINTMENTS of Kenneth Fry and Larry  
 Jones to the State Apprenticeship and Training  
 Council to the floor with the recommendation  
 that the reappointments BE CONFIRMED EN  
 BLOC.

382 VOTE: 4-0-1  
 EXCUSED: 1 - Shields  
 Chair Brown Hearing no objection, declares the motion CARRIED.  
 SEN. RINGO will lead discussion on the floor.

**OREGON BOARD OF DENTISTRY – REAPPOINTMENT OF MELISSA GRANT (EXHIBIT D)**

385 Chair Brown MOTION: Moves to waive the appearance of and the  
 REAPPOINTMENT of Melissa Grant to the  
 Oregon Board of Dentistry to the floor with the  
 recommendation that the reappointment BE  
 CONFIRMED EN BLOC.

387 VOTE: 4-0-1  
 EXCUSED: 1 – Shields  
 Chair Brown Hearing no objection, declares the motion CARRIED.  
 SEN. FERRIOLI will lead discussion on the floor.

**STATE MARINE BOARD – REAPPOINTMENT OF BOB MONTGOMERY (EXHIBIT E)**

390 Chair Brown MOTION: Moves to waive the appearance of and the  
 REAPPOINTMENT of Bob Montgomery to the  
 State Marine Board to the floor with the  
 recommendation that the reappointment BE  
 CONFIRMED EN BLOC.

392 VOTE: 4-0-1  
 EXCUSED: 1 - Shields  
 Chair Brown Hearing no objection, declares the motion CARRIED.  
 SEN. VERGER will lead discussion on the floor.

**BOARD OF MEDICAL EXAMINERS – REAPPOINTMENT OF JOHN STIGER (EXHIBIT F)**

395 Chair Brown MOTION: Moves to waive the appearance of and the  
 REAPPOINTMENT of John Stiger to the Board  
 of Medical Examiners to the floor with the  
 recommendation that the reappointment BE  
 CONFIRMED EN BLOC.

397 VOTE: 4-0-1  
 EXCUSED: 1 – Shields  
 Chair Brown Hearing no objection, declares the motion CARRIED.  
 SEN. FERRIOLI will lead discussion on the floor.

**STATE WORKFORCE INVESTMENT BOARD – REAPPOINTMENTS OF BOB CRAFT AND**

**LINDA MOCK (EXHIBIT G)**

400 Chair Brown

**MOTION:** Moves to waive the appearances of and the REAPPOINTMENTS of Bob Craft and Linda Mock to the State Workforce Investment Board to the floor with the recommendation that the reappointments BE CONFIRMED EN BLOC.

402

**VOTE:** 4-0-1

Chair Brown

**EXCUSED:** 1 – Shields

Hearing no objection, declares the motion CARRIED.

**SEN. RINGO** will lead discussion on the floor.

410

Chair Brown

Closes work session. Adjourns the meeting at 9:05 a.m.

**EXHIBIT SUMMARY**

- 
- A. Health Services Commission, staff and Governor's office, 14 pp**
- B. SB 27, -2 amendments (4-20-05), staff, 7 pp**
- C. State Apprenticeship and Training Council, staff and Governor's office, 12 pp**
- D. Oregon Board of Dentistry, staff and Governor's office, 8 pp**
- E. State Marine Board, staff and Governor's office, 6 pp**
- F. Board of Medical Examiners, staff and Governor's office, 7 pp**
- G. Workforce Investment Board, staff and Governor's office, 17 pp**