

SENATE COMMITTEE ON RULES

May 03, 2005
3:00 P.M.

Hearing Room B
Tapes 53 - 54
Corrected 11/07/05

MEMBERS PRESENT: Sen. Kate Brown, Chair
Sen. Jason Atkinson
Sen. Charlie Ringo
Sen. Frank Sen. Shields

MEMBER EXCUSED: Sen. Ted Ferrioli, Vice-Chair

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

MEASURE/ISSUES HEARD:

SB 1046 – Public Hearing and Work Session
SB 849 – Work Session
SB 1048 – Public Hearing and Work Session
Executive Appointments – Public Hearing
State Board of Chiropractic Examiners
Joyce McClure
Michael Vissers
Estelle Parker-Kent
HB 2029 –Work Session
HB 2094A –Work Session
Executive Appointments – Public Hearing
State Workforce Investment Board
David Williams
Board of Examiners of Nursing Home Administrators
Margaret Clark
Larry Davy
Kathleen Elias
Jim Bagley

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 53, A		
005	Chair Brown	Calls the meeting to order at 3:05 p.m. Opens public hearing on SB 1046.
<u>SB 1046 – PUBLIC HEARING</u>		
010	Tiffany Harris	Committee Administrator. Presents overview of SB 1046.
020	Bill Bradbury	Secretary of State. Testifies in support of SB 1046. Discusses Help America Vote Act (HAVA), requiring all voters to be given the opportunity to vote privately and independently. Explains telephone voting can allow disabled voters to do so.
050	Chair Brown	Asks about possible fraud in the system.
055	John Lindback	Director, Elections Division, Secretary of State's office. Explains measures to prevent fraud, such as issuing a PIN number. Adds the pilot program is meant to explore what issues

065	Chair Brown	may arise. Closes public hearing on SB 1046. Opens work session on SB 849.
<u>SB 849 – WORK SESSION</u>		
070	Tom Holt	Oregon State Pharmacy Association. Testifies in support of SB 849 with the -1, -2 and -3 amendments (EXHIBITS A, B, C).
080	Andi Easton	Oregon Medical Association. Testifies in support of SB 849 with the
		-1, -2, and -3 amendments.
085	Chair Brown	MOTION: Moves to ADOPT SB 849-1 amendments dated 4/6/05.
087		VOTE: 4-0-1
	Chair Brown	EXCUSED: 1 - Ferrioli
	Chair Brown	Hearing no objection, declares the motion CARRIED.
090		MOTION: Moves to ADOPT SB 849-2 amendments dated 4/7/05.
092		VOTE: 4-0-1
	Chair Brown	EXCUSED: 1 - Ferrioli
	Chair Brown	Hearing no objection, declares the motion CARRIED.
095		MOTION: Moves to ADOPT SB 849-3 amendments dated 5/3/05.
097		VOTE: 4-0-1
	Chair Brown	EXCUSED: 1 - Ferrioli
	Chair Brown	Hearing no objection, declares the motion CARRIED.
100		MOTION: Moves SB 849 to the floor with a DO PASS AS AMENDED recommendation.
102		VOTE: 4-0-1
	Chair Brown	EXCUSED: 1 - Ferrioli
		Hearing no objection, declares the motion CARRIED.
		SEN. DEVLIN will lead discussion on the floor.
105	Chair Brown	Closes public hearing on SB 849. Opens public hearing on SB 1046.
<u>SB 1046 – PUBLIC HEARING</u>		
110	Rob Cook	Springfield; Commissioner, Oregon Disabilities Commission. Testifies in support of SB 1046. Discusses full access for people with visual impairments under the pilot program.
145	Jeanne Marie Moore	Eugene. Testifies in support of SB 1046. Discusses phone access for visually impaired people. Submits Braille testimony (EXHIBIT D).
170	Ken Rivernider	Eugene. Testifies in support of SB 1046. Discusses intent of the vote-by-mail system to provide an opportunity for citizens to vote in private in their own homes.
190	Mary Otten	Eugene; vision impaired. Testifies in support of SB 1046. Points out vote-by-mail still requires a reader. Comments vote-by-phone also aids those who have transportation issues.
220	Eugene Organ	Eugene; President, Board of Directors, Lane Independent Living Alliance (LILA). Testifies in support of SB 1046. Submits written testimony (EXHIBIT E).
270	Frederick Goble	Springfield. Testifies in support of SB 1046. Asks for the opportunity to vote with security and confidence.
295	Angela Katsakis	Disability Vote Project Coordinator, American Association of People with Disabilities (AAPD). Appears by telephone conference call. Testifies in support of SB 1046. Explains her

focus on Help America Vote Act (HAVA). Submits written testimony of Jim Dickson (**EXHIBIT F**). Discusses voting trial programs in United Kingdom, resulting in increased voting especially among disabled voters. Explains measures taken to avoid voting fraud.

TAPE 54, A

005	Katsakis	Continues and explains combination of programs resulting in increased numbers of votes cast.
040	Sen. Shields	Asks what has happened since the test program in 2003.
045	Katsakis	Explains there will be a broader test in 2006. Discusses plan to make it available in all elections.
050	Sen. Shields	Clarifies voters could choose their method.
055	Katsakis	Discusses options available to voters. Refers to the work of Professor Ted Selker at Massachusetts Institute of Technology (MIT) in developing computerized options for disabled voters.
075	Chair Brown	Asks her to share a quote from her testimony.
080	Katsakis	Refers to quote of Justin Dart: "Vote as if your life depended on it, because it does." Offers to provide contact information.
090	Mary Dole	Eugene; vision impaired. Testifies in support of SB 1046. Comments it would be wonderful to vote all by herself.
105	Cora Jones	Eugene; vision impaired. Testifies in support of SB 1046, especially vote-by-phone.
120	Chair Brown	Explains she won her first legislative race by seven votes, so every vote does count.
125	Sen. Shields	Asks about signing a ballot if visually impaired.
135	Jones	Refers to Lane Independent Living Alliance. Explains how the signature card is compared to the ballot. Discusses assistance available.
150	Gweneth van Frank Carlson	Eugene. Testifies in support of SB 1046. Discusses signature guide available to assist visually impaired person to sign a document. Describes other techniques available.
200	Carlson	Enthusiastically supports vote-by-phone. Refers to Oregon Health and Sciences University (OHSU) survey where 30 percent of the population said they thought they had some disability. Agrees transportation is a big issue. Adds that a high percentage of blind voters do not vote.
The following material is submitted for the record without public testimony for SB 1046:		
	Carole Patterson	Submits written testimony (EXHIBIT G)
	Frank Synoground	Submits written testimony (EXHIBIT H)
	Mollie Hewitt	Submits verbatim transcript of meeting (EXHIBIT I)
235	Chair Brown	Advises the bill will move soon. Closes public hearing on SB 1046. Opens public hearing on SB 1048.

SB 1048 – PUBLIC HEARING

245	Tiffany Harris	Committee Administrator. Presents overview of SB 1048.
255	Bob Repine	Director, Oregon Housing and Community Services (OHCS). Testifies in support of SB 1048. Submits written testimony and chart (EXHIBITS J, K).
325	Chair Brown	Closes public hearing on SB 1048. Opens work session on SB 1046.

SB 1046 – WORK SESSION

330	Sen. Shields	MOTION: Moves SB 1046 to the floor with a DO PASS recommendation.
335		VOTE: 3-0-2

	Chair Brown	EXCUSED: 2 - Atkinson, Ferrioli Hearing no objection, declares the motion CARRIED. SEN. BROWN will lead discussion on the floor.
355	Chair Brown	Closes work session on SB 1046. Reopens public hearing on SB 1048.
<u>SB 1048 – PUBLIC HEARING</u>		
365	Jodi Jones	Oregon Housing and Community Services Department (OHCS). Testifies in support of SB 1048. Submits written testimony (EXHIBIT L) . Discusses homelessness issues in Oregon and need to coordinate efforts to assist. Describes -1 amendments (EXHIBIT M) .
420	Sen. Ringo	Asks why the -1 amendments add the Department of Justice (DOJ).
425	Jones	Explains the DOJ provides shelter services for domestic violence survivors in shelters.
430	Sen. Ringo	Asks about cost and time commitment of DOJ.
435	Repine	Discusses monthly meetings already taking place.
TAPE 53, B		
005	Sen. Ringo	Asks about fiscal impact.
010	Repine	Explains each participating agency will contribute \$8000 annually to support the Ending Homelessness Advisory Council.
015	Sen. Ringo	Asks about Department of Justice providing \$8000 in attorney time.
020	Repine	Discusses other sources of funding.
030	Patti Whitney-Wise	Executive Director, Oregon Hunger Relief Task Force (OHRTF). Testifies in support of SB 1048. Submits written testimony and brochures (EXHIBITS N, O, P) .
050	Sen. Shields	Asks about relationship between hunger and homelessness.
060	Repine	Discusses interaction between agencies which provide services. Gives example of transportation services which allow people to travel to work and therefore obtain housing because they have income.
085	Jean Lasater	Oregon Homeless and Runaway Youth Coalition. Testifies in support of SB 1048. Refers to HB 2202 companion legislation. Discusses progressive nature of homelessness, especially among young people. Submits issue brief (EXHIBIT Q) .
115	Wendy VanElverdinghe	Community Action Directors of Oregon (CADO). Testifies in support of SB 1048. Submits written testimony (EXHIBIT R) .
140	Vicki Skryha	Office of Mental Health and Addiction Services (OMHAS), Department of Human Services (DHS). Testifies in support of SB 1048. Submits written testimony (EXHIBIT S) .
170	Sen. Shields	Comments on the increasing problem of homeless population with insufficient resources or assistance.
180	Chair Brown	Closes public hearing on SB 1048. Opens work session on SB 1048.
<u>SB 1048 – WORK SESSION</u>		
185	Chair Brown	MOTION: Moves to ADOPT SB 1048-1 amendments dated 5/2/05.
187		VOTE: 3-0-2
	Chair Brown	EXCUSED: 2 - Atkinson, Ferrioli Hearing no objection, declares the motion CARRIED.
190	Chair Brown	MOTION: Moves SB 1048 to the floor with a DO PASS AS

192	Sen. Ringo	AMENDED recommendation. Expresses support for the bill and urges allocating more resources to help solve the problem.
195	Sen. Shields	Refers to the Hunger Relief Task Force and its creative solutions to the problems they are assigned.
198		VOTE: 3-0-2 EXCUSED: 2 - Atkinson, Ferrioli Chair Brown Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor.
200	Chair Brown	Closes work session on SB 1048. Opens public hearing for Executive Appointments.

EXECUTIVE APPOINTMENTS – PUBLIC HEARING

STATE BOARD OF CHIROPRACTOR EXAMINERS - APPOINTMENTS OF JOYCE McCLURE, MICHAEL VISSERS, AND ESTELLE PARKER-KENT (EXHIBIT T)

210	Dr. Joyce McClure	Chiropractor. Discusses her background, interest in, and qualification for the appointment.
225	Dr. Michael Vissers	Chiropractor. Discusses his background, interest in, and qualification for the appointment.
235	Estelle Parker Kent	Correctional Lieutenant, Oregon State Penitentiary. Discusses her background, interest in, and qualification for the appointment. Expresses desire to contribute and be a part of the community.
245	Sen. Ringo	Refers to the disagreement between the two main professional chiropractic organizations, Oregon Doctors of Chiropractic (ODC) and the Chiropractic Association of Oregon (CAO).
255	McClure	Opines each organization serves a segment of the community. Suggests issues often arise due to poor communication. Expresses intent to find common ground.
265	Vissers	Acknowledges differences and hopes the two associations can find consensus. Suggests the role of the two associations is not as important to the Board as to the legislative arena where bills are being considered.
280	Sen. Shields	Asks about awareness of diversity and if the Board should do more.
305	Vissers	Agrees the Board should address diversity issues. Explains the difficulty is often that chiropractors are alone in private practice. Expresses openness to improving outreach in the community.
315	Sen. Shields	Urges efforts to branch out.
325	McClure	Discusses her background, including a strong tie in the community with organizers of an annual intercultural communications institute. Pledges to improve communication between communities.
345	Chair Brown	Closes public hearing on Executive Appointments. Opens work session on HB 2029.

HB 2029 – WORK SESSION

350	Tiffany Harris	Committee Administrator. Presents overview of HB 2029 and the -1 amendments (EXHIBIT U).
360	Chair Brown	MOTION: Moves to ADOPT HB 2029-1 amendments dated 4/19/05.
365		VOTE: 3-0-2 EXCUSED: 2 - Atkinson, Ferrioli Chair Brown Hearing no objection, declares the motion CARRIED.

370 Chair Brown **MOTION: Moves HB 2029 to the floor with a DO PASS AS AMENDED recommendation.**

375 **VOTE: 3-0-2**
EXCUSED: 2 - Atkinson, Ferrioli
Chair Brown **Hearing no objection, declares the motion CARRIED.**
SEN. RINGO will lead discussion on the floor.

380 Chair Brown Closes work session on HB 2029. Opens work session on HB 2094A.

HB 2094A – WORK SESSION

385 Sen. Ringo **MOTION: Moves HB 2094A to the floor with a DO PASS recommendation.**

390 **VOTE: 3-0-2**
EXCUSED: 2 - Atkinson, Ferrioli
Chair Brown **Hearing no objection, declares the motion CARRIED.**
SEN. SHIELDS will lead discussion on the floor.

395 Chair Brown Closes work session on HB 2029. Opens public hearing on Executive Appointments.

EXECUTIVE APPOINTMENTS – PUBLIC HEARING

STATE WORKFORCE INVESTMENT BOARD - APPOINTMENT OF DAVID WILLIAMS (EXHIBIT V)

405 David Williams Discusses background, interest in and qualification for the appointment. Expresses interest in working on the Governor's strategic initiatives for workforce development.

425 Chair Brown Asks what the legislature can do to enhance workforce investment and economic development.

430 Williams Discusses need for entire business community to consider how it will recruit and retain skilled and competent employees.

TAPE 54, B

005 Chair Brown Asks about educational level of incoming employees at Northwest Natural.

010 Williams Discusses different levels of education among new employees depending on age and experience.

015 Sen. Shields Comments on connection between workforce development, poverty and homelessness issues.

020 Williams Agrees there is a connection. Suggests two aspects to consider:

- Individual participation in community social programs
- How employers recruit employees from different communities

BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS - APPOINTMENTS OF MARGARET CLARK AND LARRY DAVY, APPOINTMENT AND REAPPOINTMENT OF KATHLEEN ELIAS, AND REAPPOINTMENT OF JIM BAGLEY (EXHIBIT W)

050 Margaret Clark Registered nurse, originally from England. Discusses her background, interest in and qualification for the appointment.

080 Sen. Shields Refers to nursing home visits to parishioners. Asks how she would try to improve what is offered.

090 Clark Responds administrators must have a firm grasp of what Certified Nurse Assistants (CNAs) do in each facility. Suggests there have been vast improvements in nursing home facilities in the past 30 years.

105 Sen. Shields Asks about elder abuse.

110 Clark Suggests open wards make patients less vulnerable. Advocates against closed doors in nursing facilities.

140	Larry Davy	Registered nurse, hospital and nursing home administrator. Discusses his background, interest in and qualification for the appointment.
160	Sen. Shields	Asks about his facility.
165	Davy	Describes.
170	Sen. Shields	Asks about issues coming before the Board.
175	Davy	Discusses need to maintain high quality medical care for an expanding senior population.
185	Sen. Shields	Asks about conditions in nursing homes, maintenance of facilities and abuse issues.
195	Davy	Explains long-term care is difficult to manage due to funding issues and need to provide high-quality care. Seeks creative solutions through donations and community support. Points out standards to be met require well-trained staff.
230	Kathleen Elias	Nursing home administrator, registered nurse. Discusses her background, interest in and qualification for the appointment. Explains importance of providing high-quality care to dependent seniors.
260	Sen. Shields	Asks about problems she will attempt to solve with increasing population of seniors in nursing homes.
270	Elias	Discusses issues: <ul style="list-style-type: none"> • Adequate staffing • Adequate training of administrators and nurses • Working cooperatively with state and federal programs
285	Sen. Shields	Asks about options for long-term care.
290	Elias	Agrees options are important because a nursing home is often the last stop for a patient. Explains the need for appropriate levels of care.
295	Sen. Shields	Refers to options available for seniors before nursing homes.
300	Elias	Discusses her background in acute care and the need for skilled staff to serve the nursing home population with rehabilitation services.
320	Sen. Shields	Closes public hearing on Executive Appointments. Adjourns the meeting at 4:55 p.m.

EXHIBIT SUMMARY

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- A. SB 849, -1 amendments (4-6-05), staff, 1 p**
- B. SB 849, -2 amendments (4-7-05), staff, 1 p**
- C. SB 849, -3 amendments (5-3-05), staff, 1 p**
- D. SB 1046, Braille testimony, Jeanne Marie Moore, 1 p**
- E. SB 1046, written testimony, Eugene Organ, 2 pp**
- F. SB 1046, written testimony of Jim Dickson, Angela Katsakis, 3 pp**
- G. SB 1046, written testimony, Carole Patterson, 2 pp**
- H. SB 1046, written testimony, Frank Synoground, 1 p**
- I. SB 1046, verbatim transcript of hearing, Mollie Hewitt, 23 pp**
- J. SB 1048, written testimony, Bob Repine, 2 pp**
- K. SB 1048, chart Current Structure Addressing Hunger Only, Bob Repine, 2 pp**
- L. SB 1048, written testimony, Jodie Jones, 2 pp**
- M. SB 1048, -1 amendments (5-2-05), staff, 1 p**
- N. SB 1048, written testimony, Patti Whitney-Wise, 1 p**

- O. SB 1048, executive summary Act to End Hunger, Patti Whitney-Wise, oversize**
- P. SB 1048, report Act to End Hunger, Patti Whitney-Wise, 32 pp**
- Q. SB 1048, issue brief From Out of the Shadows, Jean Lasater, 1 p**
- R. SB 1048, written testimony, Wendy VanElverdinghe, 3 pp**
- S. SB 1048, written testimony, Vicki Skryha, 2 pp**
- T. State Board of Chiropractic Examiners, staff and Governor's office, 26 pp**
- U. HB 2029, -1 amendments (4-19-05), staff, 10 pp**
- V. State Workforce Investment Board, staff and Governor's office, 13 pp**
- W. Board of Examiners of Nursing Home Administrators, staff and Governor's office, 15 pp**