

SENATE COMMITTEE ON RULES

May 09, 2005
3:00 P.M.

Hearing Room B
Tapes 65 - 66
Corrected 11/08/05

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

VISITING MEMBER : Sen. Vicki Walker

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

MEASURE/ISSUES HEARD:

Executive Appointments – Work Session
State Board of Chiropractic Examiners
Joyce McClure
Estelle Parker-Kent
Michael Vissers
Board of Examiners of Nursing Home Administrators
Margaret Clark
Larry Davy
Kathleen Elias
Jim Bagley
State Workforce Investment Board
David Williams
Executive Appointments – Public Hearing
Board of Directors of State Accident Insurance Fund (SAIF) Corporation
Catherine Travis
Robb Van Cleave
Water Resources Commission
Charles Barlow
John Jackson
Mary Meloy
Gary Reed
Jay Rasmussen
Susie Smith
Drafting and Introduction of Committee Measures – Work Session

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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 65, A 005	Chair Brown	Calls the meeting to order at 3:07 p.m. Opens work session on executive appointments.

EXECUTIVE APPOINTMENTS – WORK SESSION

STATE BOARD OF CHIROPRACTIC EXAMINERS – APPOINTMENTS OF JOYCE McCLURE,

ESTELLE PARKER-KENT AND MICHAEL VISSERS (See Exhibit T of May 3 Committee Minutes)

010 Chair Brown MOTION: Moves the APPOINTMENTS of Joyce McClure, Estelle Parker-Kent and Michael Vissers to the State Board of Chiropractic Examiners to the floor with the recommendation that the appointments BE CONFIRMED EN BLOC.

015 VOTE: 3-0-2

Chair Brown EXCUSED: 2 – Atkinson, Ferrioli
Hearing no objection, declares the motion CARRIED.
SEN. RINGO will lead discussion on the floor.

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(See Exhibit W of May 3 Committee

Minutes)

020 Chair Brown MOTION: Moves to waive the appearance of Jim Bagley, the APPOINTMENTS of Margaret Clark, Larry Davy, Kathleen Elias, and the REAPPOINTMENTS of Jim Bagley and Kathleen Elias to the Board of Examiners of Nursing Home Administrators to the floor with the recommendation that the appointments and reappointments BE CONFIRMED EN BLOC.

025 Sen. Shields Comments on the qualifications of candidates. Discusses issue of elder abuse behind closed doors in care facilities.

030 VOTE: 3-0-2

Chair Brown EXCUSED: 2 – Atkinson, Ferrioli
Hearing no objection, declares the motion CARRIED.
SEN. SHIELDS will lead discussion on the floor.

STATE WORKFORCE INVESTMENT BOARD – APPOINTMENT OF DAVID WILLIAMS (See

Exhibit V of May 3 Committee Minutes)

035 Chair Brown MOTION: Moves the APPOINTMENT of David Williams to the State Workforce Investment Board to the floor with the recommendation that the appointment BE CONFIRMED.

040 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.

045 Chair Brown Closes work session on executive appointments. Opens public hearing on executive appointments.

EXECUTIVE APPOINTMENTS – PUBLIC HEARING

STATE ACCIDENT INSURANCE FUND CORPORATION BOARD OF DIRECTORS –

APPOINTMENTS OF CATHERINE TRAVIS AND ROBB VAN CLEAVE (EXHIBIT A)

050 Sen. Ryan Deckert District 14. Introduces Catherine Travis. Testifies in support of her appointment.

065 Catherine Travis Attorney, Portland. Discusses her background, interest in and qualifications for the appointment. Describes mission of providing quality, affordable workers' compensation insurance. Expresses need to restore public confidence in the SAIF Corporation Board.

155 Robb Van Cleave Mayor of The Dalles. Discusses his background, interest in and qualifications for the appointment. Describes necessity of healthy workers' compensation system.

215	Sen. Shields	Asks about level of oversight the Board gave the former director and how much it should provide.
230	Travis	Confirms it should be investigated and the Board should have oversight for certain contracts and other aspects of the business.
255	Sen. Shields	Asks about public meetings and open records.
280	Van Cleave	Observes the law must be followed, considering statutes in place which govern the company. Suggests the company must err on the side of the public and keep meetings open.
305	Sen. Shields	Asks whether SAIF Corporation should be drawn closer to government or become more independent.
345	Travis	Defers and asks for time to study and understand the issue before drawing conclusions. Discusses ways to make a quasi-public corporation operate effectively in a market environment.
405	Van Cleave	Discusses dealing with employees and how he has taken the employees' side in a conflict with SAIF Corporation. Asserts the company must follow rules established by the legislature, while staying competitive in the marketplace. Continues and discusses options for Board oversight of the company.
TAPE 66, A		
020	Sen. Ferrioli	Explains Van Cleave is an expert in employee management. Asks how he will operate on the Board as an employer representative.
030	Van Cleave	Explains he will try to find balance between employee and employer interests.
040	Sen. Ferrioli	Asks Travis how she will represent the public on the Board.
045	Travis	Explains she will try to represent those broader interests.
060	Sen. Ferrioli	Points out there are specific roles designated on the Board and urges candidates to represent those interests.
070	Chair Brown	Asks if his mayor's job is for pay.
075	Van Cleave	Answers it is a volunteer position.
085	Sen. Atkinson	Points out that the legislature also represents the public. Suggests there is little confidence in SAIF Corporation. Asks what the candidates will do to repair the company's reputation with the legislature.
110	Travis	Agrees it is incumbent on the Board to restore the confidence of the legislature and the public. Discusses need to take politics out of group insurance contracts and lobbying contracts.
145	Van Cleave	Responds every Board has members who bring their own experience and integrity to the Board. Suggests the Board must work to restore best practices.
170	Sen. Atkinson	Explains the agency needs to be shaken up. Asks the candidates to work hard for improvements.
190	Sen. Walker	Comments on Travis's experience in bankruptcy and business reorganizations. Comments on the appointment dates.
230	Travis	Responds she was contacted in March 2005.
235	Van Cleave	Adds he has been asking the Governor since November 2004 to be appointed to the Board.
245	Sen. Walker	Discusses legislation pending this session. Asks about the make-up of the Management-Labor Advisory Committee (MLAC).
275	Travis	Commits to obtaining information about Sen. Walker's legislation, evaluating it and sharing her expertise in the process.
295	Van Cleave	Answers he did not know about MLAC and was surprised he could not find out more. Expresses curiosity.
315	Sen. Walker	Comments MLAC has too much power and should be

reconsidered.

WATER RESOURCES COMMISSION – APPOINTMENT OF CHARLES BARLOW, JOHN JACKSON, MARY MELOY, AND GARY REED, AND REAPPOINTMENT OF JAY RASMUSSEN AND SUSIE SMITH (EXHIBIT B)

340	Charles Barlow	Farmer operating family farm with 1000 irrigated acres. Discusses his background, interest in and qualifications for the appointment. Explains he has overwhelming support from his region.
375	Chair Brown	Asks about the closure of a sugar beet plan in Nyssa.
380	Barlow	Explains the company has temporarily closed the processing facility due to reduction in demand.
400	Mary Meloy	Bend; retired from municipal government. Discusses her background, interest in and qualifications for the appointment. Describes experience working with natural resource issues and farming 20 acres of grass and hay in central Oregon.
TAPE 65, B		
010	John Jackson	Cornelius; retired from wholesale plant nursery. Discusses his background, interest in and qualifications for the appointment. Discusses experience in local water district issues.
040	Gary Reed	Superintendent and Research Entomologist, Hermiston Agricultural Research and Extension Center, Oregon State University. Discusses his background, interest in and qualifications for the appointment. Discusses increasing significance of water supply issues.
060	Sen. Shields	Asks about allowing drilling of thousands of domestic wells, and how that affects the overall water supply. Asks about conservation of water in an agricultural state.
080	Meloy	Discusses types of wells, both permitted and exempt from permits: <ul style="list-style-type: none">• Permitted wells are regulated and more information is available on those systems• For exempt users there must be public education on how to conserve
105	Reed	Suggests the problem is more massive than it seems. Discusses conservation efforts currently in place in areas where water is more scarce. Discusses need for more knowledge of state water base and opportunities for the long term.
125	Jackson	Explains that education is important. Discusses water as a finite resource which the public must understand. Describes how the water table is dropping in the lower Willamette Basin.
145	Chair Brown	Comments on implications of Ballot Measure 37.
150	Jackson	Adds that a checklist for purchase of property should include a check on the groundwater situation.
160	Sen. Ben Westlund	District 27. Testifies in support of Mary Meloy's appointment. Discusses her efforts in the Deschutes River system with a collaborative can-do attitude and a committee work ethic.
185	Kay Teisl	Oregon Cattlemen's Association. Testifies in support of Water Resources Commission appointees, especially Charles Barlow.
190	Barry Bushue	Oregon Farm Bureau Federation. Testifies in support of the Water Resources Commission candidates.
The following material is submitted for the record without public testimony for executive appointments:		
	Martha Pagel	Submits written testimony (EXHIBIT C).

200	Chair Brown	Closes public hearing on executive appointments. Opens work session for consideration of requests for drafting and introduction.
<u>APPROVAL OF REQUESTS FOR DRAFTING AND INTRODUCTION – WORK SESSION</u>		
215	Chair Brown	Describes three requests for drafting and introduction (EXHIBIT D).
220	Chair Brown	MOTION: Moves drafting requests 1 through 3 BE APPROVED FOR DRAFTING by Legislative Counsel and BE INTRODUCED as committee bills.
225		VOTE: 4-0-1
	Chair Brown	EXCUSED: 1 - Atkinson
		Hearing no objection, declares the motion CARRIED.
230	Chair Brown	Closes work session. Adjourns the committee meeting at 4:22 p.m.

EXHIBIT SUMMARY

- A. State Accident Insurance Fund Corporation Board of Directors, staff and Governor’s office, 14 pp**
- B. Water Resources Commission, staff and Governor’s office, 33 pp**
- C. Water Resources Commission, written testimony, Martha Pagel, 2 pp**
- D. Approval of drafting and introduction requests, staff, 3 pp**