

HOUSE COMMITTEE ON RULES AND PUBLIC AFFAIRS

July 02, 2003 Hearing Room E
1:00 PM Tapes 92 - 93

MEMBERS PRESENT: Rep. Dan Doyle, Chair
 Rep. Linda Flores, Vice-Chair
 Rep. Laurie Monnes Anderson, Vice Chair
 Rep. Vic Backlund
 Rep. Phil Barnhart
 Rep. Joanne Verger

MEMBER EXCUSED: Rep. Betsy Close

STAFF PRESENT: Cara Filsinger, Administrator
 Janet Adkins, Administrator
 Annetta Mullins, Committee Assistant

MEASURE/ISSUES HEARD: Introduction of Speaker-approved committee bill – Work Session
 SB 708 A – Work Session
 HB 3643 – Public Hearing

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 92, A 004	Chair Doyle	Calls meeting to order at 1:10 p.m., announces order in which agenda items will be considered, and opens a work session on introduction of Speaker-approved committee bills.
<u>INTRODUCTION OF SPEAKER-APPROVED COMMITTEE BILLS – WORK SESSION</u>		
010	Rep. Backlund	MOTION: Moves LC 3686 BE INTRODUCED as a committee bill (SEE EXHIBIT L OF COMMITTEE MINUTES DATED JUNE 19, 2003).
027	Chair Doyle Rep. Barnhart	Explains the reason for the request for introduction of LC 3686. Comments that the measure just brings the Wine Board under the umbrella of the Department of Agriculture, maintains Oregon's wines, and assists in selling the wines outside of Oregon.
038	Chair Doyle	Comments that Oregon is losing market share and this is a good way to help the industry.
040		VOTE: 6-0-1 EXCUSED: 1 - Rep. Close Hearing no objection, declares the motion CARRIED.
	Chair Doyle	
042	Chair Doyle	Closes the work session on introduction of Speaker-approved committee bills and opens a work session on SB 708 A.
<u>SB 708 A – WORK SESSION</u>		
050	Rep. Laurie Monnes Anderson	District 50. Proposes the SB 708-A4 amendments (EXHIBIT A) and testifies in support of SB 708 A with the SB 708-A4 amendments (EXHIBIT B). Asks that Rep. Bates explain the

		negotiations they have gone through with the Oregon Medical Association.
068	Rep. Alan Bates	District 5. Testifies in support of SB 708 A with the SB 708-A4 amendments. States he sees this as a consensus bill. Explains there are financial and geographical barriers to getting medications to the patients. Comments on situations in rural areas, closure of pharmacies, and use of hospital pharmacies and emergency rooms.
100	Rep. Bates	Explains nurse practitioners can write prescriptions and can hand out samples but not medications.
111	Susan King	Oregon Nurses Association. Comments that the bill represents consensus, of the Oregon Medical Association, Oregon Nurses Association, and the pharmacists. They are looking for dispensing authority for those instances where there is a geographic barrier, even if it occurs within an urban area, or there is a financial barrier. States that she sees more and more patients who cannot afford prescriptions.
128	King	Explains the SB 708-A4 amendments (EXHIBIT A).
144	Tim Martinez	Oregon Medical Association. Testifies in support of SB 708 A with the SB 708-A4 amendments.
150	Chair Doyle	Asks if Rep. Monnes Anderson has heard from the Board of Pharmacy.
155	Rep. Monnes Anderson	States that the pharmacists are okay with the amendments.
158	Chair Doyle	States he had an email earlier from the Board of Pharmacy indicating some reservations, but thinks this make more sense in light of the compromise that has been worked out.
162	Rep. Monnes Anderson	MOTION: Moves to ADOPT SB 708-A4 amendments dated 7/2/03.
167	Rep. Verger Rep. Monnes Anderson	Asks what the concern is of more than one site inspection. States the Board of Nursing will be setting up rules.
179	King	Explains they had several meetings with the Board of Pharmacy and the issue was not brought up. They envision the final authority with dispensing will rest with the Board of Nursing and the Board of Pharmacy has, upon receipt of a complaint, authority to inspect and investigate and look at the procedures in the practice of the nurse practitioner. If they find problems, or any violation of laws or rules, then the Board of Nursing will need to do further investigation and impose discipline. The Board of Pharmacy has the option to look at the procedures but not to impose any final discipline that might occur; that discipline authority rests with the licensing board of the nurse practitioner.
203	Rep. Verger	Asks King to respond to the assertion by the Board of Pharmacy that there is a shift of authority to the Board of Nursing.
	King	States this makes no change in the way professional discipline or the enforcement of professional practice would occur. The Board of Nursing has always held final disciplinary authority over any of their licensees.
	Chair Doyle	Comments that it seemed the issue was the Board of Pharmacy wanted to go in and inspect without a complaint being filed. States he would like to see how it works in two years and if there

229 Rep. Barnhart is a problem, it can be addressed in the next legislative session.
Comments he assumes if the Board of Pharmacy finds violations
there would be further investigation by the Board of Nursing.

King Explains existing system of complaints and investigations.

254 **VOTE: 6-0-1**
EXCUSED: 1 - Rep. Close
Hearing no objection, declares the motion CARRIED.

255 **Rep. Monnes** **MOTION: Moves SB 708 A to the floor with a DO PASS AS**
Anderson **AMENDED recommendation.**

260 **VOTE: 6-0-1**
AYE: In a roll call vote, all members present vote Aye.
EXCUSED: 1 - Rep. Close
The motion CARRIES.

267 **Rep. Doyle** **MOTION: Moves SB 708 A, as amended, be placed on the**
CONSENT CALENDAR.

268 **VOTE: 6-0-1**
EXCUSED: 1 - Rep. Close
Hearing no objection, declares the motion CARRIED.

280 Chair Doyle Closes the work session on SB 708 A and opens a public hearing
on HB 3643.

HB 3643 – PUBLIC HEARING

282 Rep. Rob Patridge District 6. Notes the sponsors of the measure are all the members
of the Ways and Means Subcommittee on Public Safety and the
chairs of the House and Senate Judiciary Committees. Explains
they think the Governor’s office and the legislature need to
restructure the public safety entities in order to better coordinate
the various public safety issues. There seems to be a great deal of
inter-departmental rivalry. The sponsors seek efficiencies in state
government and to improve the quality of information and
decreasing recidivism in the public safety system throughout
Oregon. Coordination of the efforts should be looked at. States
the Ways and Means Subcommittee did not mandate this under
the current budget constraints and time it would take.

308 Rep. Patridge States that HB 3643 just asks that the Governor look at, in
consultation with the Criminal Justice Commission, coordinating
policy issues for the State of Oregon. Comments on duties and
makeup of the Criminal Justice Commission. Notes that
paragraph seven is fairly broad. States they tried to mandate
what the Governor should look at, and if the Governor has a
better idea, he could bring that forward.

372 Rep. Barnhart Asks if the bill orders the Governor to set up the department or to
draft legislation to set up the department.

275 Rep. Patridge Responds that the intent was to have a plan to move forward; it
did not mandate the Governor to set up the department.

Rep. Barnhart Asks if (2) needs to be changed.

Rep. Patridge Responds he does not think a change needs to be made.

401 Rep. Verger Asks what is broken.

Rep. Patridge Comments on interagency rivalry, better coordination of efforts,
and consolidation of overhead. Gives examples of duplicate
efforts.

433	Rep. Verger Rep. Patridge	States she agrees there could be better cooperation among the agencies. Asks if they could not coordinate without legislation. States he does not think they would do that. Comments on lack of coordination of efforts and the various programs in the agencies.
465	Rep. Verger Rep. Patridge	Notes the language in (3) and asked if they contemplate opening the forensic units that are closed, such as the one in Coos Bay. Responds he thinks there is a need to look at centralizing some of the facilities.
454 TAPE 93, A 033	Rep. Verger Chair Doyle Rep. Patridge	Comments on closure of the forensic unit in Coos Bay. Asks if we are adding one more layer of management structure. Responds he believes it will eliminate some of the existing layers of government.
056	Rep. Flores Rep. Patridge	Comments on lack of coordination in technology and asks if that is a place to start. Comments on efforts to coordinate technology and resistance by the agencies.
092	Jim Botwinis	Oregon State Police Officers Association. Testifies not for or against HB 3643 (EXHIBIT C).
120	Mary Botkin Botkin	American Federation of State County and Municipal Employees (AFSCME). States they are here to present testimony not in favor or opposition to HB 3643. Asks what is trying to be accomplished. Comments she thinks it is an admirable goal to coordinate technology. Cautions that there must be security because this is very sensitive data. States that the inability to communicate is due to lack of money to replace technology. Asks why there should be so many personnel officers around the state; they believe a lot of those could be eliminated. There will always be rivalry but the negative effects can be reduced. Agrees on consolidation of efforts on background checks. Asks why the Lottery Commission is not included because they do a lot of background checks and use police officers that could be out on the streets.
214	Botkin	States they are open to the discussion and share the frustration and commitment to finding a better way of doing it by eliminating duplication where it exists and streamlining where we can and get more people on the front line to do the work instead of sitting in the back rooms trying to figure out what needs to be done.
209	Rep. Verger	Comments that the proposed structure does not look manageable, and that she does not want anyone left with the impression that those in public safety do not get along. Comments on creation of homicide team in Coos Bay and activities related to the New Carissa. States there needs to be more discussion because the agency would be too big.
266	Botwinis	Comments the biggest issue for them is agency-to-agency communication capabilities and it does not take a Department of Public Safety to fix that. It is strictly a money issue and can be driven by the legislature by saying that public safety is going to have a backbone of communications that everybody can hook into.
308	Rep. Barnhart	Comments on HB 2892 that he sponsored and that was designed

		to tweak some issues in the technology area. States that he agrees there is a money issue but other issues are just as important as the money issues. Comments on regulation of the use of technology and moving to standard systems.
341	Rep. Barnhart	Comments he believes it is useful to look at this structure but it also worth looking at structures and require departments to get the IT systems, radio systems, and telephonic system in conformity with each other. Suggests that the language in line 19 on page 1 be modified to tell the Governor to study this.
370	Rep. Flores	Asks the witnesses to comment on the unwillingness to communicate interagency wide.
	Botwinis	Responds that jobs are different. The state police are on one side of the fence and other agencies are on the other side. States that he does not see the correlation between the State Police refusing to communicate with the Department of Land Conservation and Development or Parole and Probation because they do not do the same things.
	Chair Doyle	Ask what about the hole in the fence and the corrections people having to call for help.
	Botwinis	Responds that the State Police are there when they are called.
382	Botkin	Comments that rivalry is not always a bad thing. It does not offer disservice to the people of Oregon; it is a good thing. When there is a crisis in Oregon, the color of the uniform makes little difference to those working in the field. States they are talking about equipment challenges rather than personality challenges.
TAPE 92, B		
020	Craig Campbell	Governor's Office. Testifies in opposition to HB 3643 (EXHIBIT D) .
102	Campbell	Continues presentation of statement (EXHIBIT D, page 2) .
118	Campbell	Comments on integration of telecommunications and computer systems integration.
177	Rep. Barnhart	Asks if emergency agencies would include hospitals and medical personnel.
	Campbell	Comments that those groups must be a part of the planning process and are a critical part of a plan.
192	Rep. Barnhart	Comments on the need for local personnel to be able to activate a response when state services are not available.
199	Campbell	Comments that decisions always start at the local level and the state only gets involved when a level of threat warrants state involvement.
220	Rep. Backlund	Asks if the Governor's office might offer a reorganization plan.
	Campbell	Responds that if they determine there is not a need, there will be no bill. If they see a need, there will be a bill.
247	Rep. Backlund	Explains why he signed onto the bill.
273	Rep. Verger	States she shares the same concerns as Campbell and is encouraged they will be meeting. Believes this is a different world today and the Oregon Coast is very aware they are a gateway to the country. Comments about relationships and local police looking up to Oregon State Police personnel. Comments on cuts to State Police personnel in her district and hopes savings can be realized to prevent the cuts from happening again.
377	Chair Doyle	Closes the public hearing on HB 3643 and adjourns meeting at 2:31 p.m.

EXHIBIT SUMMARY

A – SB708 – SB 708-A4 amendments, Rep. Monnes Anderson, 2 pp

B – SB 708, prepared statement, Rep. Monnes Anderson, 1 p

C – HB 3643, prepared statement, Jim Botwinis, 1 p

D – HB 3643, prepared statement, Craig Campbell, 2 pp