

# SENATE COMMITTEE ON HUMAN RESOURCES

March 10, 2003  
1:00 PM

Hearing Room B  
Tape - 23

**MEMBERS PRESENT:**     **Sen. Bill Fisher, Chair**  
                                  **Sen. Bill Morrisette, Vice-Chair**  
                                  **Sen. Kate Brown**  
                                  **Sen. Ginny Burdick**  
                                  **Sen. Bev Clarno**  
                                  **Sen. Charles Starr**

**STAFF PRESENT:**       **Marjorie Taylor, Administrator**  
                                  **Saranelle Allen, Committee Assistant**

**MEASURE/ISSUES HEARD:**     **SB 18 – Public Hearing and Work Session**  
                                  **SB 37 - Public Hearing and Work Session**  
                                  **SB 118 - Public Hearing and Work Session**  
                                  **SB 154 – Work Session**  
                                  **SB 155 – Work Session**

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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.

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<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>Tape 23, A</b>		
008	Chair Fisher	Opens meeting at 1:06 p.m. and convenes a public hearing on SB 18.
<b><u>SB 18 – PUBLIC HEARING</u></b>		
010	Marjorie Taylor	Administrator. Explains SB 18 and the SB 18-1 ( <b>EXHIBIT A</b> ) and SB 18-3 ( <b>EXHIBIT B</b> ) amendments received since meeting on 2/20/03. Advises the bill has a subsequent referral to Judiciary.
030	Chair Fisher	States we have an option of rescinding referral.
	Bob Joondeph	Oregon Advocacy Center. Here to answer any questions on the SB 18-3 amendments. States satisfaction on the way the SB 18-3 amendment was written.
	Sen. Brown	Asks for his organizations' opinion on the SB 18-1 amendment. Feels amendment causes more confusion than clarification.
	Kevin Moynahan	DHS Investigative Department. Testifies in support of the amendments as set forth.
059	Chair Fisher	Asks if he supports both of the proposed amendments.
	Moynahan	Advises, yes.
	Sen. Morrisette	Asks for clarification on the concern on the SB 18-1 amendment.
	Joondeph	Gives his clarification on unavailability of care and advises that it is a reporting statute. Advises that inserting the word 'available' would probably not make a difference.
080	Moynahan	Advises that the amendment had no intent to reject any services.
	Joondeph	Gives further clarification.
	Chair Fisher	Closes public hearing and opens a work session on SB 18.
<b><u>SB 18 – WORK SESSION</u></b>		
080	Sen. Brown	<b>MOTION: Moves that the SUBSEQUENT REFERRAL to Judiciary BE RESCINDED on SB 18.</b>

	<b>Chair Fisher</b>	<b>VOTE: 6-0</b>
	Sen. Morrisette	<b>Hearing no objection, declares the motion CARRIED.</b>
	Chair Fisher	Said he feels no need for SB 18-1 amendment, due to confusing the issue, but would support the SB 18-3 amendment.
085	Sen. Morrisette	States that the SB 18-1 amendments will not be considered. <b>MOTION: Moves to ADOPT SB 18-3 amendment dated 03/04/03.</b>
086		<b>VOTE: 6-0</b>
	<b>Chair Fisher</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
087	Sen. Morrisette	<b>MOTION: Moves SB 18 to the floor with a DO PASS AS AMENDED recommendation, and that the SUBSEQUENT REFERRAL to Judiciary BE RESCINDED.</b>
088		<b>VOTE: 6-0</b>
	<b>Chair Fisher</b>	<b>AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.</b>
	Chair Fisher	<b>SEN. GORDLY will lead discussion on the floor.</b> Closes work session on SB 18 and opens a work session on SB 37.
<b><u>SB 37 – PUBLIC HEARING</u></b>		
099	Marjorie Taylor	Administrator. Explains the bill.
	Sen. Brown	Recommends moving bill out, and not burdening staff in Judiciary Committee.
	Ryan Gibb	Salem Attorney. Testifies on behalf of the Elder Law Section of Oregon State Bar in support of SB 37 as written.
	Chair Fisher	Closes the public hearing and opens a work session on SB 37.
<b><u>SB 37 – WORK SESSION</u></b>		
080	Sen. Brown	<b>MOTION: Moves that the SUBSEQUENT REFERRAL to Judiciary BE RESCINDED on SB 37.</b>
	<b>Chair Fisher</b>	<b>VOTE: 6-0</b>
		<b>Hearing no objection, declares the motion CARRIED.</b>
	Sen. Brown	<b>MOTION: Moves SB 37 to the floor with a DO PASS recommendation and the SUBSEQUENT REFERRAL to Judiciary BE RESCINDED.</b>
155		<b>VOTE: 5-0-1 (See Tape at 210)</b>
	<b>Chair Fisher</b>	<b>AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Burdick</b>
	Chair Fisher	<b>The motion CARRIES.</b> <b>SEN. BROWN will lead discussion on the floor.</b> Closes work session on SB 37, and opens a public hearing on SB 118.
<b><u>SB 118 – PUBLIC HEARING</u></b>		
170	Marjorie Taylor	Administrator. Reads the bill, and notes the SB 118-1 amendment ( <b>EXHIBIT C</b> ).
	Chair Fisher	Would like to know if changing the definition from ‘disability to persons with disabilities’ would impact the bill. Requests clarification from attorney general’s office.
	Sen. Brown	States wording probably came from the Governor’s task force, and was done to update and modernize the wording.
172	Chair Fisher	Declares a recess on SB 118 in order to get clarification from the Attorney General on wording on the SB 118-1 amendment.
	Chair Fisher	Opens work session on SB 154.

**SB 154 – WORK SESSION**

- 173 Marjorie Taylor Administrator. Explains the SB 154-1 amendment (**EXHIBIT D**).  
A letter from Michelle Whitehead, PhD, in opposition to SB 154 is hereby made a part of these minutes (**EXHIBIT E**).
- 174 Sen. Morrisette **MOTION: Moves to ADOPT SB 154-1 amendment dated 03/05/03.**
- 176 **VOTE: 6-0**  
**AYE: In a roll call vote, all members present vote Aye.**  
**The motion CARRIES.**
- 178 Chair Fisher  
Sen. Morrisette **MOTION: Moves SB 154 to the floor with a DO PASS AS AMENDED recommendation.**
- 188 **VOTE: 6-0**  
**AYE: In a roll call vote, all members present vote Aye.**  
**The motion CARRIES.**  
**SEN. MORRISETTE will lead discussion on the floor.**  
Chair Fisher  
Chair Fisher Closes work session on SB 154 and opens a work session on SB 155.

**SB 155 – WORK SESSION**

- 192 Marjorie Taylor Administrator. Reviews SB 155 heard last week.  
Sen. Morrisette **MOTION: Moves SB 155 to the floor with a DO PASS recommendation.**
- 193 **VOTE: 6-0**  
**AYE: In a roll call vote, all members present vote Aye.**  
**The motion CARRIES.**  
**SEN. MORRISETTE will lead discussion on the floor.**  
Chair Fisher  
Chair Fisher Closes work session on SB 155, and calls a 5 minute recess to obtain information from the attorney general’s office on SB 118. Reconvenes committee and reopens work session on SB 37.
- 199 Chair Fisher

**SB 37 – WORK SESSION**

- 200 Chair Fisher **MOTION: Requests unanimous consent that the rules be SUSPENDED to allow SEN. BURDICK to BE RECORDED as voting AYE on the motion to move SB 37 to the floor with a DO PASS recommendation and the SUBSEQUENT REFERRAL to the committee on Judiciary BE RESCINDED.**
- 210 **Vote: 6-0-0**  
**AYE: In a roll call vote, all members present vote Aye.**
- 213 Chair Fisher **The motion CARRIES.**  
**SEN. BROWN will lead discussion on the floor.**
- 230 Chair Fisher Closes work session on SB 37 and reopens a public hearing on SB 118.

**SB 118 – PUBLIC HEARING**

- Chair Fisher Asks for clarification on wording changes of a ‘handicapped person’ to ‘persons with disabilities’. Would like to understand if this changes anything on the bill or is it just updating the terminology.
- Pete Shepherd Deputy Attorney General. States that words were changed for updating the titles and were inserted during the last legislative process.
- Chair Fisher Clarifies wording on the SB 118-1 amendment (**EXHIBIT C**) with staff.

	Chair Fisher	Closes public hearing and opens a work session on SB 118.
<b>SB 118 – WORK SESSION</b>		
398	Sen. Brown	<b>MOTION: Moves to ADOPT SB 118-1 amendments dated 02/14/03.</b>
399		<b>VOTE: 6-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>The motion CARRIES.</b>
402	Chair Fisher Sen. Brown	<b>MOTION: Moves SB 118 to the floor with a DO PASS AS AMENDED recommendation.</b>
403		<b>VOTE: 6-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>The motion CARRIES.</b>
	Chair Fisher	<b>SEN. BROWN will lead discussion on the floor.</b>
460	Chair Fisher Chair Fisher	Closes work session on SB 118. Adjourns meeting at 1:42 p.m.

**EXHIBIT SUMMARY**

- A – SB 18, proposed amendment, SB 18-1, staff, 1 p.**
- B – SB 18, proposed amendment, SB 18-3, staff, 1 p.**
- C – SB 118, proposed amendment, SB 118-1, staff, 1 p.**
- D – SB 154, proposed amendment, SB 154-1, Senator Charles Starr, 1 p.**
- E – SB 154, written testimony, Michelle Whitehead, staff, 1 p.**