HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

June 18, 2001 Hearing Room D 8:30 AM Tapes 154 - 157

MEMBERS PRESENT: Rep. Carl Wilson, Chair

Rep. Richard Devlin, Vice-Chair Rep. Dan Doyle, Vice-Chair

Rep. Dan Gardner Rep. Bill Garrard Rep. Steve March Rep. Bruce Starr Rep. Joanne Verger Rep. Cherryl Walker

STAFF PRESENT: Megan Palau, Committee Administrator

Sandy Thiele-Cirka, Committee Administrator

Diane Lewis, Committee Administrator Cara Filsinger, Committee Administrator Jim Stembridge, Committee Administrator

Sara Noble, Committee Assistant

MEASURE/ISSUES HEARD: HB 3045 – Public Hearing and Work Session

SB 811 – Public Hearing SB 885A – Public Hearing SB 960A – Public Hearing SJR 31A – Work Session SB 485A – Work Session SB 439A – 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.

TAPE/#	Speaker	Comments
TAPE 154,	A	
004	Chair Devlin	Calls the committee to order at 8:40 a.m. and opens a public
		hearing on HB 3045.
HB 3045 –	PUBLIC HEARING	·
	Staff	Submits the –2 amendments (EXHIBIT A).
010	Gary Conkling	Representing the Beaverton and Hillsboro School Districts.
	,	Testifies in support of HB 3045 with the –2 amendments.
080	Rep. Verger	Asks about the implication that local government would not be
		cooperative in these situations.
093	Conkling	Responds he does not believe the implication should be taken
	_	that there is not cooperation and explains.
118	Rep. Verger	Expresses her thoughts on the issue.
127	Chair Devlin	Clarifies this amendment is to existing law ORS 195.110.
133	Rep. March	Asks if the school districts used their powers of eminent domain.
144	Conkling	Explains several condemnations that the school district is
	_	involved with.
152	Rep. March	Expresses his thoughts on the use of eminent domain.
157	Conkling	Replies that there is probably no escaping the use of that tool.

163	Rep. Garrard	Asks if students were transferred to a different school district in ordered to put this act in motion.
172 178	Conkling Chair Devlin	States the criteria required by ORS 195.110. Closes the public hearing on HB 3045 and opens a public
SB 811 – PUBI	LIC HEARING	hearing on SB 811.
-	Staff	Submits the –4 and –6 amendments (EXHIBITS B, C).
186	Sen. David Nelson	Senate District 29. Testifies in support of the –6 amendments to SB 811.
209	John Marshall	Representing the Oregon School Boards Association. Testifies in support of SB 811 without the amendments.
249	Nancy Heiligman	Director of School Finance, Oregon Department of Education (ODE). Testifies in support of SB 811 with the –4 and –6
263	Rep. Starr	amendments but opposes federal Job Corps the language. Asks if the Quality Education Model is in the statute and if HB 2295 has passed.
265	Heiligman	Responds that the Quality Education Model is not included in statute and references HB 2295.
275	Rep. Verger	Asks if this would open the door for other type of programs as well.
282	Marshall	Responds he does not have that information.
292	Chair Devlin	Closes the public hearing on SB 811 and opens a public hearing on SB 885A.
	BLIC HEARING	
302	Amy Klare	Representing the Oregon Society of Physician Assistants (OSPA). Submits written testimony (EXHIBIT D) and testifies in opposition of SB 885A.
361	Sen. Joan Dukes	Senate District 1. Testifies in support of SB 885A. Submits the – A6 amendments (EXHIBIT E) and testifies in support of SB 885A and the –A6 amendments.
TAPE 155, A		occitand no 110 unionaments.
040	Sen. Dukes	Continues with her testimony.
051	Rep. March	Comments that physician assistants only provide pain relief
		under the direct supervision of a doctor. Asks if there is a reason to include them in SB 885A when doctors are actually making those decisions.
058	Sen. Dukes	Responds the person who sees the patient is the one who needs the education and explains.
073	Rep. March	Recognizes how difficult it could be for a physician assistant to make a recommendation to a doctor on what type of pain relief to use.
077	Sen. Dukes	Responds with a scenario and explanation.
094	Sen. Ginny Burdick	Senate District 6. Testifies in support of SB 885A.
130	Sen. Dukes	Submits written information regarding pain management (EXHIBITS F, G) and continues with additional testimony.
145	Klare	Continues with her testimony.
179 190	Rep. Verger Klare	Comments on controlling pain up to a certain level.
190 192	Rep. March	Responds she is not qualified to respond. Asks if it would be agreeable to add a physician assistant to the
	•	Pain Management Commission.
207 218	Klare Scott Gallant	Responds she believes that would be helpful and explains.
210	Scon Gallalli	Director of Government Affairs for the Oregon Medical Association (OMA). Submits written testimony (EXHBIT H)

205	m	and testifies in opposition of SB 885A.
305	Tom Holt	Representing the Oregon State Pharmacists Association. Testifies in opposition of SB 885A.
338	Ellie Jenny	Private citizen. Submits written testimony (EXHIBIT I) and testifies in support of SB 885A.
386 TAPE 154, B	Mary Botkin	Private citizen. Testifies in support of SB 885A.
025	Botkin	Continues with her testimeny
051		Continues with her testimony.
	Dr. Henry Holmes Dr. Holmes	Private citizen. Testifies in support of SB 885A.
150		Continues with his testimony.
243	Jennifer Wager	Executive Director, Pain Society of Oregon. Testifies in support of SB 885A.
306	Carol Misrack	Pain Management Coordinator, Oregon Department of Human Services. Testifies in support of SB 885A.
370	Rep. C. Walker	Asks if the intent of the bill could be accomplished by existing
		continued education requirements of health regulatory boards.
380	Misrack	Explains that pain is not being managed on a statewide basis.
TAPE 155, B		
009	Dr. Paul Stull	Private citizen. Testifies in support of SB 885A.
075	Dr. Stull	Continues with his testimony.
094	Rep. Verger	Asks why Oregon has not made progress in the area of pain
		management since 1997 and 1999 legislative action.
100	Dr. Stull	Explains that small steps have been taken leading up to the current position.
108	Sen. Dukes	States that the Oregon Legislature has passed all but one of the
100	Sen. Banes	bills and explains.
121	Dr. Stull	Gives additional testimony.
133	Rep. Garrard	Asks about the impact to the Oregon health system. Restates the
	•	question asking what is the impact.
138	Dr. Stull	Responds by explaining the importance of patient assessments.
151	Sen. Dukes	Describes areas the commission will be addressing.
183	Rep. Garrard	Indicates his concerns that the increased number of visits for pain
		management will effect the Oregon Health Plan and physicians.
191	Sen. Dukes	Points out the bill will create the opposite effect and explains.
209	Dr. Stall	Gives additional information to the question.
221	Chair Wilson	Asks for clarification on creating a commission versus existing continuing education.
228	Sen. Dukes	Explains how the commission will be able to coordinate the
		various areas of pain management.
263	Sen. Dukes	Gives additional information referencing a lawsuit in California.
275	Dr. John Lawton	Representing the Oregon Doctors of Chiropractic (ODOC).
		Submits written testimony (EXHIBIT J) and testifies in
		opposition of SB 885A.
TAPE 156, A		opposition of 5B coeff.
014	Rep. C. Walker	References SB 885A section 1 (b) and (c). Asks if there are
01.	resp. C. Waller	organizations that do research and analysis of pain management
		for chiropractic groups.
029	Dr. Lawton	Responds affirmatively and explains.
094	Chair Wilson	Asks what do we do for the population in chronic pain with no
		help in sight.
110	Dr. Lawton	Responds he feels that the healthcare provider marketplace needs
		to be opened up and explains.
143	Chair Wilson	Conveys concerns that have been brought to his attention.
148	Dr. Lawton	Gives additional thoughts regarding how this issue could better
		-

Expresses his thoughts regarding creating a commission versus existing continuing education.	164 Dr. Holmes			be addressed.
existing continuing education. Closes the public hearing on SB 885A and opens a public hearing on SB 960A. Bruce Bishop Executive Director, Oregon Government Standards and Practices Commission. Submits written testimony (EXHBIT K) and testifies in support of SB 960A. Executive Director, Oregon Government Standards and Practices Commission. Submits written testimony (EXHBIT L) and testifies in opposition of SB 960A in its current form. Asks about current contact with the Capitol Club. Responds that there has been no contact since SB 960A left the Senate. References page 5 line 17. Asks how you interpret the difference between the change "no lobbyist shall instigate" and "a lobbyist may not instigate". Responds he thinks it is weaker language but it doesn't weaken the effect. Asks if wages and salary cover the issue enough. States he believes that compensation is referred to as the compensation on bobyist receives. Gives a scenario and asks if there should be more clarifying language in that area. Acknowledges clarifying language is always positive. Asks of these issues had been presented to the Senate committee. Explains yes and no. Suggests that both parties arrange for further discussions. Closes the public hearing on SB 960A. Explains what to expect for the meetings this afternoon and tomorrow. Asks if the committee is going to have an opportunity to discuss the amendments to SB 487. Answers that he doesn't expect to open a work session today. Recesses the committee at 2:03 p.m. and opens a work session on SIR 31A. MOTION: Moves SIR 31A be sent to the floor. VOTE: 8-0.1 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Rep. Dayle The motion CARRIES. REP. DEVLIN will lead discussion on the floor. Closes the work session on SIR 31A and recesses the committee at 2:49 p.m. and opens a work session on SIR 348.	existing continuing education.	164	Dr Holmes	
SR 960A - PUBLIC HEARING	SB 960A - PUBLIC HEARING	10.	21. 11011110	
Searing on SB 960A Publ.ic Hearing	hearing on SB 960A.	197	Chair Wilson	
Pat Hearn Representing the Capitol Club. Submits written testimony (EXHIBIT K) and testifies in support of SB 960A.	Pat Hearn Executive Director, Oregon Government Standards and Practices Commission. Submits written testimony (EXHIBIT K) and testifies in support of SB 960A. In the testifies in poposition of SB 960A in its current form.			
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<u> 5B 485A – WUKK SESSIUN</u>	O52 Jim Stembridge Committee Administrator. Submits the –A15 amendments	CD 405 4 W/O	DIZ GEGGION	on SB 483A.
	\boldsymbol{c}			Committee Administrator Submits the A15 amondment
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(EVHIDIT N) and approximate				(EARIDIT IV) and Summarizes.
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058	John Schultz	Administrator, Workers Compensation Division. Testifies that the
062	Rep. Starr	-A15 amendments are correct. MOTION: Moves to ADOPT SB 485A-A15 amendments dated 6/18/01.
0.64	Chair Wilman	VOTE: 9-0
064 065	Chair Wilson Rep. Starr	Hearing no objection declares the motion CARRIED. MOTION: Moves SB 485A to the floor with a DO PASS AS AMENDED recommendation.
067	Rep. Garrard	Expresses his thoughts regarding SB 485A. VOTE: 9-0
069	Chair Wilson	AYE: In a roll call vote, all members present vote Aye. The motion CARRIES. REP. WILSON will lead discussion on the floor.
079	Chair Wilson	Closes the work session on SB 485A and opens a work session on SB 439A.
SB 439A – W	ORK SESSION	
081	Jim Stembridge	Committee Administrator. Submits the –A5 amendment (EXHIBIT O) and gives background information.
089	Rep. Starr	Expresses his views on SB 439A.
099	Rep. Wilson	MOTION: Moves SB 439A to the floor with a DO PASS recommendation.
101	Rep. March	Expresses his thoughts on SB 439A.
106	Rep. Devlin	States his opposition to SB 439A without the –A5 amendments.
112	Rep. Gardner	Conveys his opposition to SB 439A.
		VOTE: 5-4 AVE: 5 David Connend Stann Walker C Wilson
		AYE: 5 - Doyle, Garrard, Starr, Walker C, Wilson NAY: 4 - Devlin, Gardner, March, Verger
118	Chair Wilson	The motion CARRIES.
110	Chan Whison	REP. GARRARD will lead discussion on the floor.
128	Rep. March	Serves notice of possible minority report.
130	Rep. Devlin	Serves notice of possible minority report.
132	Chair Wilson	Closes the work session on SB 439A and opens a work session
		on HB 3045.
<u>HB 3045 – W</u>	ORK SESSION	
137	Megan Palau	Committee Administrator. Submits the –3 amendments (EXHIBIT P) and summarizes.
150	Rep. Devlin	Announces those who support the −3 amendments on HB 3045.
158	Rep. Starr	MOTION: Moves to ADOPT HB 3045-3 amendments dated 6/18/01.
160	Rep. Verger	References page 3 section 8 lines 17-26. Asks if the –3 addresses this issue.
178	Rep. Devlin	States his understanding is that the –3 addresses the issue raised by League of Oregon Cities.
183	Gary Conkling	Representing the Beaverton and Hillsboro School Districts. Testifies on the language that was changed and relays
202	D D 1'	information on the area referenced by Rep. Verger.
203	Rep. Devlin	Notes the support of HB 3045.
216	Rep. Verger	Asks if 1000 Friends of Oregon as well as cities and counties
218	Conkling	supports HB 3045 and the –3 amendments. Responds with those who have reviewed the amendments. VOTE: 9-0
223	Chair Wilson	Hearing no objection declares the motion CARRIED.

227	Rep. Starr	MOTION: Moves HB 3045 to the floor with a DO PASS AS AMENDED recommendation. VOTE: 9-0
		AYE: In a roll call vote, all members present vote Aye.
230	Chair Wilson	The motion CARRIES.
		REP. DEVLIN will lead discussion on the floor.
239	Chair Wilson	Closes the work session on HB 3045 and adjourns the committee at 3:03 p.m.

Submitted By, Reviewed By,

Sara Noble, Committee Assistant Cara Filsinger, Committee Administrator

EXHIBIT SUMMARY

A – HB 3045, -2 amendment, staff, 4 pp.

B – SB 811, -4 amendment, staff, 5 pp.

C – SB 811, -6 amendment, staff, 5 pp.

D – SB 885, written testimony, Amy Klare, 2 pp.

E – SB 885, -A6 amendment, Sen. Dukes, 1 p

F - SB 885, written information, Sen. Dukes, 30 pp.

G – SB 885, written information, Sen. Dukes, 2 pp.

H – SB 885, written testimony, Scott Gallant, 2 pp.

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