

# HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

July 03, 2001  
10:00 AM

Hearing Room D  
Tapes 175 - 176

**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. Cheryl Walker**

**STAFF PRESENT:**       **Cara Filsinger, Committee Administrator**  
                              **Jennifer Goodman, Committee Assistant**

**MEASURE/ISSUES HEARD:**     **SB 965A – WORK SESSION**  
                                  **SB 885B – WORK SESSION**  
                                  **HM 4 – WORK SESSION**  
                                  **SJR 24A – 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 175, A</b>		
004	Chair Wilson	Calls the meeting to order at 10:06. Opens a work session on SB 965A.
<b><u>SB 965A – WORK SESSION</u></b>		
010	Staff	Introduces <b>(EXHIBITS A &amp; B)</b> the –A18 and –A20 amendments.
011	Diane Lewis	Committee Administrator. Explains the amendments. Explains that the –A18 amendments include the –A11 and –A16 amendments and that the –A18's resolve earlier conflicts. Refers to the –A20 amendments. Adds that the –A18 amendments are from Representative Jackie Winters.
035	Representative Jackie Winters	District 31. Discusses the –A18 amendments. Refers to the word 'voluntary' in the amendments. Wants to emphasize voluntary participation. Adds that written consent is required to participate.
057	Lewis	Clarifies the language in the -A18 amendments. Explains the changes in the reporting mechanism of the plan.
073	Representative Betsy Close	District 36. Discusses and testifies in support of the –A20 amendments. Submits <b>(EXHIBIT C)</b> . Believes there should be a performance evaluation in four years. Concerned with the existing screening tool.
095	Representative Cedric Hayden	District 43. Testifies in supports the –A20 amendments and errata page <b>(EXHIBIT D)</b> . Believes that these amendments consider the truly needy and the real resources available. Adds that they protect confidentiality and retain local control.

118	Chair Wilson	Explains that the –A20 amendments contain a sunset clause.
121	Rep. Close	Asks to address confidentiality and local control. Refers to page 13 line 7 of the amendments. Continues to explain page 13 line 19 regarding questions asked of participants.
136	Rep. Hayden	Refers to ORS Chapters 163, 164, 166, 167, and 475 statutes.
140	Chair Wilson	Asks about record screening criteria.
148	Rep. Close	Responds that her concern is that it assumes risk simply based on certain criteria.
162	Rep. Walker	Asks about page 2, number 8. Refers to termination of pregnancies.
172	Rep. Close	Responds that Rep. Greg Smith requested this. Explains that he does not want the suggestion of not having a child.
181	Rep. Walker	Asks about the Department of Human Services funds.
191	Cindy Hunt	Legislative Counsel. Explains that the language prohibits funding relating to Early Childhood Services from being used for the listed categories.
199	Rep. Doyle	Clarifies that it is the Department of Human Services funds that are not to be used for the Early Childhood System.
202	Hunt	Responds in the affirmative.
204	Rep. Hayden	States that the Oregon Progress Board is made a policy maker and he does not support this. Refers to <b>(EXHIBIT D)</b> .
230	Rep. Bill Witt	District 7. States that he supports the –A20 amendments to this bill.
239	Rep. Janet Carlson	District 32. Supports the –A18 amendments. Supports voluntary participation and written consent for this program. States that they provide safeguards regarding confidentiality.
257	Rep. Verger	Asks about –A20 amendments and the reference to local control. Asks if the –A18 amendments deal with this issue sufficiently.
263	Rep. Carlson	States that this is being dealt with in Ways and Means. Refers to block grants.
277	Chair Wilson	Closes the work session on SB 965.
281	Rep. Devlin	Asks about amendment consideration in the future.
284	Chair Wilson	States that he would presume so. Opens a work session on SB 885B.

**SB 885B – WORK SESSION**

307	Staff	Introduces –B13 amendments <b>(EXHIBIT E)</b> .
308	Senator Joan Dukes	District 1. Explains the –B13 amendments. Wants to remove language regarding the commission. Explains that the amendment contains conflict clean ups.
354	Holly Robinson	Legislative Counsel. Explains that the changes made by the –B13 amendments have to do with how physician assistants are licensed.
374	Rep. Devlin	Asks about the effective date of continuing education.
378	Robinson	Responds that it is January 2, 2006.
383	Rep. Devlin	Clarifies that once the commission makes a recommendation they have until January 2, 2006.
389	Robinson	States that they have until 2008.
393	Rep. Walker	Expresses concern with commission set-up. Believes there is duplicate work occurring.
427	Senator Dukes	Explains that they use existing staff. Adds that she chose not to give per diem and other extras. Explains that the biggest asset for the commission is that healthcare professionals do not get

together on this subject. Discusses a previous task force.  
Believes that the board and commission can work together to avoid duplication and understand each other's professions.  
Believes the cost of the classes will be minimal.

**TAPE 176, A**

082	Rep. Walker	Asks why acupuncturists are not included.
086	Senator Dukes	Replies that the acupuncturists are to serve on the commission. Adds that they are not licensed to distribute drugs.
097	Rep. Walker	Asks how often the course is required.
101	Senator Dukes	Replies that it is a one-time requirement.
103	Rep. Walker	Expresses concern over the language regarding the course.
110	Robinson	Explains the time for renewal.
125	Senator Dukes	Explains that she wanted to accommodate out of state practitioners.
131	Rep. Verger	Asks if there is a serious disconnect between doctors and patients.
137	Senator Dukes	States that she believes it is very serious. Recounts stories of people with pain management problems.
190	Rep. Devlin	Asks about page 3 of the amendments. States that this gives broad latitude to the Board of Medical Examiners regarding whom must take the course.
203	Senator Dukes	Responds in the affirmative. Explains that it is difficult to separate medical doctors in the statute.
214	Rep. Devlin	Refers to chronic terminal pain. Asks if it is not possible to waive the course.
227	Senator Dukes	Responds in the affirmative.
230	Staff	Introduces the –A5 amendments ( <b>EXHIBIT F</b> ).
231	Rep. Walker	Explains her –A5 amendments. Explains that her amendments provide 8 hours of pain management training. Adds that they do not create a commission. Explains that administration costs would be paid by established boards. Believes that training and education will not require another board to be formed.
264	Senator Dukes	Believes that the bill will not pass with the –A5's. Explains that the commission is the most important part of the bill.
274	Rep. Devlin	Asks if forming a committee and having the continuing education voluntary is an acceptable alternative.
284	Senator Dukes	Believes it would be fatal to the bill. Believes that continuing education is necessary.
299	Rep. Devlin	Asks if there would be a conflict with the –A5 amendments and the B-engrossed version of the bill.
304	Robinson	Responds that the –A5 amendments can be redrafted to correlate with the B-engrossed version of the bill.
310	Rep. Devlin	Asks if in the current form these can be used.
312	Robinson	Responds that these cannot be used as is drafted at this time.
315	Rep. Walker	Explains that the –A5 amendments does require training.
325	Chair Wilson	Recesses the committee.
333	Chair Wilson	Calls the meeting back from recess.
<b>334</b>	<b>Rep. Walker</b>	<b>MOTION: Moves to ADOPT SB 885B-A5 amendments dated 06/13/01.</b>
342	Rep. Devlin	States that he will vote 'no' on the –A5 amendments but believes that they would pass on the floor. Adds that the –B13 amendments will not pass as easily on the floor.
<b>352</b>		<b>VOTE: 3-6</b> <b>AYE: 3 - Garrard, Starr, Walker C</b>

		<b>NAY: 6 - Devlin, Doyle, Gardner, March, Verger, Wilson</b>
	<b>Chair Wilson</b>	<b>The motion FAILS.</b>
363	<b>Rep. Devlin</b>	<b>MOTION: Moves to ADOPT SB 885B-B13 amendments dated 07/03/01.</b>
		<b>VOTE: 8-1</b>
		<b>AYE: 8 - Devlin, Doyle, Gardner, March, Starr, Verger, Walker C, Wilson</b>
		<b>NAY: 1 - Garrard</b>
	<b>Chair Wilson</b>	<b>The motion CARRIES.</b>
377	<b>Rep. Devlin</b>	<b>MOTION: Moves SB 885B to the floor with a DO PASS AS AMENDED recommendation.</b>
380	Rep. Starr	Explains that he is not well versed in this area. States that the breadth of issues in the House Rules Committee is very diverse. Explains that he takes these issues very seriously. Adds that he will oppose SB 885B today.
<b>TAPE 175,B</b>		
014	Rep. Walker	Agrees with Representative Starr. Believes that there are pitfalls in creating another board and therefore another bureaucracy. States that she will vote 'no' on these amendments.
052	Chair Wilson	Explains that pain management is a serious problem. Believes that the coordination of sharing information can be very beneficial. Supports the idea of a commission on pain.
083	Rep. Garrard	States that he is not against the concept but does not feel that this is the best way to deal with the problem. Adds that he will give a courtesy 'yes'.
097	Rep. Verger	States that she will give a courtesy 'yes' vote. Hopes that this will attract people to go into the medical profession. Adds that the courts have scared people away from the profession.
113	Rep. March	States that he does not believe this is unnecessary bureaucracy. Believes that it is very important that people be able to deal with their pain.
127		<b>VOTE: 7-2</b>
		<b>AYE: 7 - Devlin, Doyle, Gardner, Garrard, March, Verger, Wilson</b>
		<b>NAY: 2 - Starr, Walker C</b>
	<b>Chair Wilson</b>	<b>The motion CARRIES.</b>
		<b>REP. MARCH will lead discussion on the floor.</b>
134	Chair Wilson	Closes the work session on SB 885B and opens a work session on HM 4.
<b><u>HM 4 – WORK SESSION</u></b>		
148	Sandy Thiele-Cirka	Committee Administrator. Explains the memorial. States that HM 4 requests that Congress direct the Army Corps of Engineers to make Detroit Lake a recreational area.
144	Representative Tootie Smith	HD 28. Discusses the circumstances of Detroit Lake. Explains the recreational aspects of Detroit Lake. Asks that we consider the economic impact this memorial will have on the area.
198	Rep. March	States concern over water use for irrigation and power. Asks what the water is being used for now.
205	Rep. Smith	Responds that this is one of 11 lakes. Believes that there are other lakes that can be used for power and other needs that are not such a recreational mecca.
229	Rep. March	Asks if there are other lakes that could be substituted for Detroit

234	Rep. Smith	Lake. Responds in the affirmative. Explains that they need to manage better in the down times.
249	Rep. Garrard	Refers to the Klamath Basin that was drought stricken 8 years ago. States that he supports HM 4.
264	Rep. Smith	Believes that these situations are very similar.
270	Rep. Devlin	<b>MOTION: Moves HM 4 be sent to the floor with a BE ADOPTED recommendation.</b>
279		<b>VOTE: 9-0</b>
	<b>Chair Wilson</b>	<b>AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.</b>
289	Chair Wilson	<b>REP. TOOTIE SMITH will lead discussion on the floor.</b> Closes the work session on HM 4 and opens a work session on SJR 24A.
<b><u>SJR 24A – WORK SESSION</u></b>		
290	Chair Wilson	Explains that he will move suspension of the rules to reconsider SJR 24A. Adds that they will vote to pull it back to committee.
301	Rep. Doyle	<b>MOTION: Moves to SUSPEND the rules for the purpose of Reconsidering SJR 24A.</b>
302		<b>VOTE: 9-0</b>
	<b>Chair Wilson</b>	<b>AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.</b>
312	Rep. Doyle	<b>MOTION: Moves to RECONSIDER the vote by which passed HJR 24A.</b>
315		<b>VOTE: 9-0</b>
	<b>Chair Wilson</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
329	Chair Wilson	Adjourns the meeting at 11:25 a.m.

Submitted By,

Reviewed By,

Jennifer Goodman,  
Committee Assistant

Cara Filsinger,  
Committee Administrator

**EXHIBIT SUMMARY**

- A – SB 965A, -A18 amendments, Staff, 7pp.**
- B – SB 965A, -A20 amendments, Staff, 18pp.**
- C – SB 965A, written testimony, Rep. Close, 1p.**
- D – SB 965A, Errata, Staff, 1p.**
- E – SB 885B, -B13 amendments, Staff, 3pp.**
- F – SB 885B, -A5 amendments, Staff, 1p.**