

# SENATE COMMITTEE ON RULES AND REDISTRICTING

February 15, 2001 Hearing Room C  
03:00 PM Tape 20

**MEMBERS PRESENT:** Sen. Steve Harper, Chair  
Sen. Peter Courtney, Vice-Chair  
Sen. Jason Atkinson  
Sen. Lee Beyer  
Sen. Kate Brown  
Sen. Randy Miller  
Sen. John Minnis

**STAFF PRESENT:** Craig Allen, Committee Administrator  
Annetta Mullins, Committee Assistant

**MEASURE/ISSUES HEARD:** Executive Appointments  
Board of Boiler Rules  
Construction Contractors Board  
Oregon Disabilities Commission  
Oregon Liquor Control Commission  
Teacher Standards and Practices Commission  
State Workforce Investment Board  
State Board of Psychologist Examiners  
Board on Public Safety Standards and Training  
Oregon Board of Accountancy  
Lane County Mass Transit District Board  
Advisory Council on Podiatry  
Board of Directors, State Accident Insurance Fund Corporation  
Health Services Commission  
Public Hearing and Work Session  
SJR 12  
Work Session  
Introduction of Committee Measure

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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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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<u>TAPE 20, A</u> 004	Chair Harper	Calls meeting to order at 3:05 p.m. and opens a work session for consideration of executive appointments.
<u>EXECUTIVE APPOINTMENTS</u>		
006	Chair Harper	Announces that the appearances of all the appointees have been waived.
<u>BOARD OF BOILER RULES - ROBERT W. COWLING (EXHIBIT A)</u>		
011	Sen. Courtney	<b>MOTION:</b> Moves to waive the appearance of and the APPOINTMENT of Robert W. Cowling to the Board of Boiler Rules to the floor with the recommendation that the appointment BE

019 CONFIRMED.  
VOTE: 7-0  
Chair Harper Hearing no objection, declares the motion CARRIED.  
SEN. COURTNEY will lead discussion on the floor.

**CONSTRUCTION CONTRACTORS BOARD - JAMES FAIRCHILD (EXHIBIT B)**

022 Sen. Courtney MOTION: Moves to waive the appearance of and the APPOINTMENT of James Fairchild to the Construction Contractors Board to the floor with the recommendation that the appointment BE CONFIRMED.

023 VOTE: 7-0  
Chair Harper Hearing no objection, declares the motion CARRIED.  
SEN. COURTNEY will lead discussion on the floor.

**OREGON DISABILITIES COMMISSION - SANDY HAYDEN (EXHIBIT C)**

025 Sen. Courtney MOTION: Moves to waive the appearance of and the APPOINTMENT of Sandy Hayden to the Oregon Disabilities Commission to the floor with the recommendation that the appointment BE CONFIRMED.

025 VOTE: 7-0  
Chair Harper Hearing no objection, declares the motion CARRIED.  
SEN COURTNEY will lead discussion on the floor.

**OREGON LIQUOR CONTROL COMMISSION - CHRISTINE LEWANDOWSKI (EXHIBIT D)**

029 Sen. Courtney MOTION: Moves to waive the appearance of and the APPOINTMENT of Christine Lewandowski to the Oregon Liquor Control Commission to the floor with the recommendation that the appointment BE CONFIRMED.

032 VOTE: 7-0  
Chair Harper Hearing no objection, declares the motion CARRIED.  
SEN. MILLER will lead discussion on the floor.

**TEACHER STANDARDS AND PRACTICES COMMISISON - PATRICIA EVENSON-BRADY (EXHIBIT E)**

033 Sen. Courtney MOTION: Moves to waive the appearance of and the APPOINTMENT of Patricia Evenson-Brady to the Teacher Standards and Practices Commission to the floor with the recommendation that the appointment BE CONFIRMED.

037 VOTE: 7-0  
Chair Harper Hearing no objection, declares the motion CARRIED.  
SEN. MILLER will lead discussion on the floor.

**STATE WORKFORCE INVESTMENT BOARD - BARBARA AMATO, CHERYL HINERMAN, CONNIE HOLMES (EXHIBIT F)**

039 Sen. Courtney MOTION: Moves to waive the appearance of and the APPOINTMENTS of Barbara Amato, Cheryl Hinerman and Connie Holmes to the State Workforce Investment Board to the floor with the recommendation that the appointments BE

042 CONFIRMED EN BLOC.  
VOTE: 7-0  
Chair Harper Hearing no objection, declares the motion CARRIED.  
SEN. MILLER will lead discussion on the floor.

**STATE BOARD OF PSYCHOLOGIST EXAMINERS - MARTIN WAECHTER (EXHIBIT G)**

045 Sen. Courtney MOTION: Moves to waive the appearance of and the APPOINTMENT AND REAPPOINTMENT of Martin Waechter to the State Board of Psychologist Examiners to the floor with the recommendation that the appointment and reappointment BE CONFIRMED.

052 VOTE: 7-0  
Chair Harper Hearing no objection, declares the motion CARRIED.  
SEN. BROWN will lead discussion on the floor.

**BOARD ON PUBLIC SAFETY STANDARDS AND TRAINING -BOB WOLFE (EXHIBIT H)**

053 Sen. Courtney MOTION: Moves to waive the appearance of and the APPOINTMENT AND REAPPOINTMENT of Bob Wolfe to the Board on Public Safety Standards and Training to the floor with the recommendation that the appointment and reappointment BE CONFIRMED.

057 VOTE: 7-0  
Chair Harper Hearing no objection, declares the motion CARRIED.  
SEN. ATKINSON will lead discussion on the floor.

**OREGON BOARD OF ACCOUNTANCY - NIKKI WEINER (EXHIBIT I)**

061 Sen. Courtney MOTION: Moves to waive the appearance of and the REAPPOINTMENT of Nikki Weiner to the Oregon Board of Accountancy to the floor with the recommendation that the reappointment BE CONFIRMED.

063 VOTE: 7-0  
Chair Harper Hearing no objection, declares the motion CARRIED.  
SEN. L. BEYER will lead discussion on the floor.

**LANE COUNTY MASS TRANSIT DISTRICT BOARD - PATRICIA HOCKEN (EXHIBIT J)**

066 Sen. Courtney MOTION: Moves to waive the appearance of and the REAPPOINTMENT of Patricia Hocken to the Lane County Mass Transit District Board to the floor with the recommendation that the reappointment BE CONFIRMED.

073 VOTE: 7-0  
Chair Harper Hearing no objection, declares the motion CARRIED.  
SEN. L. BEYER will lead discussion on the floor.

**ADVISORY COUNCIL ON PODIATRY - JAMES LISLE (EXHIBIT K)**

075 Sen. Courtney MOTION: Moves to waive the appearance of and the REAPPOINTMENT of James Lisle to the Advisory Council on Podiatry to the floor with the recommendation that the reappointment BE CONFIRMED.

078

Chair Harper

**VOTE: 7-0**

**Hearing no objection, declares the motion CARRIED.  
SEN. L. BEYER will lead discussion on the floor.**

**BOARD OF DIRECTORS OF STATE ACCIDENT INSURANCE FUND CORPORATION - KEN ALLEN, FELICIA TRADER (EXHIBIT L)**

082

Sen. Minnis

**MOTION: Moves that the REAPPOINTMENTS OF KEN ALLEN AND FELICIA TRADER BE CARRIED OVER until after February 23.**

084

Sen. Minnis

Explains that he and Sen. L. Beyer have requested specific audit records relative to the financial situation of SAIF that SAIF has refused to provide to the legislature. Asks that the appointments be set over until after February 23 to allow an opportunity for him to speak with the appointees regarding their views on the propriety of lobbying by SAIF, and also the potential release of audit information, which is public information and the legislature should have access to.

110

Chair Harper

**VOTE: 7-0**

**Hearing no objection, declares the motion CARRIED.**

**HEALTH SERVICES COMMISSION - ELLEN LOWE (EXHIBIT M)**

111

Sen. Courtney

**MOTION: Moves to waive the appearance of and report the REAPPOINTMENT of Ellen Lowe to the Health Services Commission to the floor WITHOUT RECOMMENDATION.**

114

Sen. Brown

Advises Chair Harper that a person in the audience would like to testify in opposition to the reappointment of Lowe.

127

Elle Jenny

Comments that she that Ms. Lowe has a lot of expertise and is a very qualified lady to lobby for lots of issues. However, as a health plan consumer, and someone who has been hoping for representation of health plan consumers on the Health Services Commission, she does not believe Ms. Lowe understands consumer issues. States that she has been waiting a long time to get consumers on the commission and thinks it is important the commission members know the issues of those they represent. It is of great concern to have Lowe on the commission with a voice that determines the outcomes of life and death issues for people on the Oregon Health Plan. Asserts there is no one on the commission to represent consumer issues.

Sen. Minnis

States that he will vote no on the floor.

Sen. Brown

Comments that Ms. Jenny raises a good point that there should be a consumer on the Health Services Commission. Also thinks that Ms. Lowe has done an outstanding job for the State of Oregon in the human service arena. States that she would encourage the committee to send the reappointment to the floor with recommendation, but will support the motion.

192

Sen. L. Beyer

Comments that his observation has been that Ms. Lowe is an aggressive advocate for consumers.

197

Sen. Minnis

Comments that the opposition to the reappointment has to do with her position advocating that the Oregon Health Plan fund physician-assisted suicide.

204

Chair Harper

Comments he will also vote no on the floor.

222

**VOTE: 7-0**

**Chair Harper**

**Hearing no objection, declares the motion CARRIED.  
SEN. COURTNEY will lead discussion on the floor.**

229 Chair Harper Assigns floor discussion leaders for the boards and commissions: Board of Boiler Rules, Construction Contractors Board, Oregon Disabilities Commission - Senator Courtney; Oregon Liquor Control Commission, Teacher Standards and Practices Commission, State Workforce Investment Board - Senator Miller; State Board of Psychologist Examiners, Senator Brown; Board on Public Safety Standards and Training - Sen. Atkinson; Oregon Board of Accountancy, Lane County Mass Transit District Board, Advisory Council on Podiatry - Sen. L. Beyer; Health Services Commission - Sen. Courtney.

250 Chair Harper Closes executive appointment work session and opens a work session on SJR 12.

**SJR 12 - WORK SESSION**

260 Kappy Eaton Governance Chair, League of Women Voters of Oregon. Comments that their organization is very much in favor of the uncluttered bill. Suggests that language in the proposed SJR 12-2 amendments (**EXHIBIT N**) that says the legislature will meet on the second Monday in September would be confusing to the voters. Suggests the language could say, "as designated by law" instead of "second Monday in September."

302 Sen. Minnis Asks what language in the Constitution does not allow annual sessions.

303 Chair Harper Responds that the Constitution says "biennial".  
Committee Discuss changing language in the SJR 12-2 amendments.

381 Sen. Courtney **MOTION: Moves to SUSPEND the rules for the purpose of considering a conceptual amendment to the SJR 12-2 amendments.**

392 **VOTE: 7-0**

**Chair Harper Hearing no objection, declares the motion CARRIED.**

393 Sen. Courtney **MOTION: Moves to conceptually amend the SJR 12-2 amendments dated 2/15/01 in line 7, delete "September" and insert "January".**

**VOTE: 7-0**

**Chair Harper Hearing no objection, declares the motion CARRIED.**

393 Sen. Courtney **MOTION: Moves to ADOPT the SJR 12-2 amendments dated 2/15/01 as conceptually amended in line 7.**

407 **VOTE: 7-0**

**Chair Harper Hearing no objection, declares the motion CARRIED.**

442 Sen. Courtney **MOTION: Moves SJR 12 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.**

455 **VOTE: 7-0**

**Chair Harper Hearing no objection, declares the motion CARRIED.  
SEN. L. Beyer and Miller will lead discussion on the floor.**

**INTRODUCTION OF COMMITTEE MEASURE**

476 Chair Harper Asks support from committee members to curtail the number of bill introductions.

499	Sen. Courtney	<b>MOTION: Moves LC 3458 BE INTRODUCED as a committee bill.</b>
502	Chair Harper	<b>VOTE: 7-0 Hearing no objection, declares the motion CARRIED.</b>
503	Chair Harper	Adjourns meeting at 3:35 p.m.

Submitted By,                      Reviewed By,

Annetta Mullins,  
Committee Assistant

Craig Allen,  
Committee Administrator

**EXHIBIT SUMMARY**

- A - Board of Boiler Rules, staff and governor's office, 9 pp**
- B - Construction Contractors Board, staff and governor's office, 8 pp**
- C - Oregon Disabilities Commission, staff and governor's office, 6 pp**
- D - Oregon Liquor Control Commission, staff and governor's office, 6 pp**
- E - Teacher Standards and Practices Commission, staff and governor's office, 10 pp**
- F - State Workforce Investment Board, staff and governor's office, 21 pp**
- G - State Board of Psychologist Examiners, staff and governor's office, 5 pp**
- H - Board on Public Safety Standards and Training, staff and governor's office, 9 pp**
- I - Oregon Board of Accountancy, staff and governor's office, 5 pp**
- J - Lane County Mass Transit District Board, staff and governor's office, 7 pp**
- K - Advisory Council on Podiatry, staff and governor's office, 4 pp**
- L - Board of Directors of State Accident Insurance Fund Corporation, staff and governor's office, 13 pp**
- M - Health Services Commission, staff and governor's office, 8 pp**
- N - SJR 12, SJR 12-2 amendments, Sen. Harper, 1 p**