

HOUSE COMMITTEE ON HUMAN RESOURCES

May 21, 1997 Hearing Room H-170

1:00 P.M. Tapes 109 - 110

MEMBERS PRESENT:

Rep. Patricia Milne, Chair

Rep. Jackie Taylor, Vice-Chair

Rep. Richard Devlin

Rep. Jeff Kruse

Rep. Jane Lokan

Rep. Kitty Piercy

Rep. Steve Harper

MEMBER EXCUSED:

STAFF PRESENT:

Lori A. Long, Administrator

Diane M. Quinones, Administrative Support

MEASURES/ISSUES HEARD:

SB 1071 Public Hearing and Work Session

HB 3254 Work Session

HB 2174 Work Session

SB 21A Work Session

HB 2894 Work Session

HB 3564 Work Session

SB 397 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 109, A		
003	Chair Milne	Calls the meeting to order at 1:04p.m., opens public hearing on SB 1071.
<u>SB 1071 PUBLIC HEARING</u>		
008	Lori Long	Committee Administrator, summarizes SB 1071.
018	Sen. Joan Dukes	District 1, provides testimony in support of SB 1071 (EXHIBIT A). Comments on: * the task force being inclusive * creating a forum for discussion during the interim * to evaluate access, availability and delivery of services in pain and symptom management for Oregonians * drug addiction issues with the terminally ill * recommendations to state agencies and the legislature
068	Paul Stull	Physician, Astoria, provides testimony in support of SB 1071. Notes the: * national studies show that 50 percent of terminally ill receive proper pain management. * the state have not helped change attitudes of the public, physicians, Board of Medical Examiners and the Oregon Medical Association.
101	Rep. Taylor	Acknowledges and comments on Dr. Stull's community commitment.
112	Chair Milne	Comments in support of SB 1071.
123	Grant Higginson	State Health Officer, Deputy Administrator, Oregon Health Division, provides testimony in support of SB 1071(EXHIBIT B).
141	Phil Leveque	Physician, provides testimony in support of SB 1071 (EXHIBIT C).
188	Chair Milne	Closes the public hearing on SB 1071, opens a work session on SB 1071.
<u>SB 1071 WORK SESSION</u>		
191	Rep.	MOTION: Moves SB 1071 to the floor with a DO PASS

	Taylor	recommendation.
195		VOTE: 6-0 AYE: 6 - Devlin, Harper, Kruse, Piercy, Taylor, Milne EXCUSED: 1 - Lokan
	Chair Milne	The motion CARRIES. REP. TAYLOR will lead discussion on the floor.
202	Chair Milne	Closes work session on SB 1071, opens work session on HB 3254.
<u>HB 3254</u> <u>WORK</u> <u>SESSION</u>		
211	Rep. Jeff Kruse	District 45, provides testimony in support of HB 3254 and the -2 amendments dated 05/21/97 (EXHIBIT D).
240	Rep. Taylor	Questions the fiscal impact.
244	Rep. Kruse	Responds that it is not available at this time.
252	Rep. Devlin	Comments that this legislation is not unexpected.
245	Gary Weeks	Director, Department of Human Resources, testifies in support of HB 3254 and the -2 amendment. Comments on: * This bill will be a comprehensive review of how the department issues licenses. * The Governor is supportive of this legislation.
300	Rep. Kruse	Acknowledges the department's time and commitment to this bill.
309	Rep. Kruse	MOTION: Moves to ADOPT HB 3254-2 amendments dated 5/21/97.
313	Chair Milne	Hearing no objections, declares the motion CARRIED.
309	Rep. Kruse	MOTION: Moves HB 3254 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.
335		VOTE: 7-0 AYE: 7 - Devlin, Harper, Kruse, Lokan, Piercy, Taylor, Milne
	Chair Milne	The motion CARRIES.
345	Chair Milne	Closes work session on HB 3254, opens work session on HB 2174.

HB 2174 WORK SESSION		
353	Long	Summarizes the bill and the -10 amendments dated 05/15/97 (EXHIBIT E).
405	Chair Milne	Questions if the -10 amendments replace the -4 amendments.
409	Long	Responds no, it deletes language on the hand engrossed bill. Continues with summary of the -8 amendments dated 5/02/97 (EXHIBIT F).
440	Rep. Devlin	Questions if the Oregon State Bar and the Oregon Catholic Conference have reviewed the amendments.
TAPE 110, A		
011	Long	Responds that the Health Division held discussions with both organizations to draft appropriate language.
014	Higginson	Comments on the drafting of the compromise amendments.
034	Rep. Kruse	MOTION: Moves to ADOPT HB 2174-10 amendments dated 5/15/97.
039	Chair Milne	Hearing no objection, declares the motion CARRIED.
045	Long	Reviews the -8 amendments dated 05/02/97.
065	Rep. Taylor	Questions if the -8 amendments are necessary since the issue will be addressed by the electorate.
077	Rep. Kruse	Responds that if Measure 16 does not pass this bill will be void.
082	Rep. Devlin	Comments on his concerns with the -8 amendments.
101	Chair Milne	Questions the Health Division's intentions.
107	Higginson	Responds that the Health Division has administrative rules prepared if the Death with Dignity Act is implemented. Notes the procedure in place to determine compliance.
136	Rep. Piercy	Comments in agreement with Rep. Devlin's position.
143	Rep. Lokan	Questions if the Health Division's rules are adequate without additional legislation.
150	Higginson	Responds affirmatively.
163	Rep. Lokan	Comments in support of this amendment, this is not a social issue but one of vital statistics that is important to Oregonians.
177	Chair Milne	Comments in agreement with Rep. Lokan, questions if the Health Division will continue to review this issue.
196	Higginson	Responds that the drafting of an emergency rule can be done quickly and without a public hearing. Notes that these type of rules are temporary and the adoption of permanent rules requires a formal

		procedure.
214	Rep. Kruse	MOTION: Moves HB 2174 to the floor with a DO PASS AS AMENDED recommendation.
222		VOTE: 7-0 AYE: 7 - Devlin, Harper, Kruse, Lokan, Piercy, Taylor, Milne
	Chair Milne	The motion CARRIES. REP. DEVLIN will lead discussion on the floor.
239	Chair Milne	Closes work session on HB 2174, opens work session on SB 21A.
<u>SB 21A WORK SESSION</u>		
251	Rep. Harper	MOTION: Moves SB 21A to the floor with a DO PASS recommendation.
255	Rep. Devlin	Requests a two minute recess.
261	Chair Milne	Recess at 2:00p.m., reconvenes work session at 2:03p.m.
268		VOTE: 5-2 AYE: 5 - Devlin, Harper, Piercy, Taylor, Milne NAY: 2 - Kruse, Lokan
	Chair Milne	The motion CARRIES. REP. MILNE will lead discussion on the floor.
278	Chair Milne	Closes work session on SB 21A, opens work session on HB 2894.
<u>HB 2894 WORK SESSION</u>		
281	Long	Summarizes the bill and the -4 amendments dated 05/19/97 (EXHIBIT G).
327	Rep. Kruse	MOTION: Moves to ADOPT HB 2894-4 amendments dated 05/19/97.
332	Chair Milne	Hearing no objection, declares the motion CARRIED.
338	Rep. Kruse	MOTION: Moves HB 2894 to the floor with a DO PASS AS AMENDED recommendation.
342		VOTE: 7-0 AYE: 7 - Devlin, Harper, Kruse, Lokan, Piercy, Taylor, Milne

	Chair Milne	The motion CARRIES. REP. MILNE will lead discussion on the floor.
353	Chair Milne	Closes the work session on HB 2894, opens work session on HB 3564.
<u>HB 3564</u> <u>WORK</u> <u>SESSION</u>		
365	Long	Summarizes the bill and the -1 amendments dated 04/01/97 (EXHIBIT H).
384	Rep. Lokan	MOTION: Moves to ADOPT HB 3564-1 amendments dated 04/01/97.
396		VOTE: 5-2 AYE: 5 - Devlin, Kruse, Lokan, Piercy, Milne NAY: 2 - Harper, Taylor
	Chair Milne	The motion CARRIES.
414	Rep. Lokan	MOTION: Moves HB 3564 to the floor with a DO PASS AS AMENDED recommendation.
421	Rep. Taylor	Questions section 2, is a transfer of property between state agencies allowed in this bill.
432	Rep. Lokan	Responds that the bill addresses the selling of property.
444	Rep. Taylor	Comments in support of caring for the developmentally disabled, however she is unable to support this bill.
466	Rep. Piercy	Comments on the bill and concurs with Rep. Taylor
473	Rep. Kruse	Comments on the siting selection process and that he will support this bill.
TAPE 109, B		
033	Rep. Lokan	Comments on the Governor's position.
053	Rep. Harper	Concurs with Rep. Taylor and Rep. Piercy.
058	Rep. Devlin	Comments on his support of the bill.
076	Chair Milne	Acknowledges the position of committee members, notes that she supports this bill.
090		VOTE: 4-3 AYE: 4 - Devlin, Kruse, Lokan, Milne

		NAY: 3 - Harper, Piercy, Taylor
	Chair Milne	The motion CARRIES. REP. LOKAN will lead discussion on the floor.
098	Chair Milne	Closes work session on HB 3564, opens work session on SB 397.
<u>SB 397 WORK SESSION</u>		
102	Long	Summarizes the bill and explains the -1 amendments dated 05/15/97 (EXHIBIT I) and submits written testimony from Jim Lockwood, Department of Corrections dated 05/21/97 (EXHIBIT J).
128	Rep. Kruse	Questions if SB 397 is a duplicate bill of HB 3564.
140	Greg Leo	Responds that a trust fund must be established with both bills and SB 397 proposed -1 amendments.
151	Rep. Kruse	Questions the role of legislature if all parties involved with the sale of the property are in agreement.
154	Leo	Responds that the residents of Wilsonville have questioned that issue also.
163	Rep. Kruse	Questions if HB 3564 passes why is SB 397 necessary.
171	Leo	Responds with the history of the Damasch State Hospital property sale. Notes the following issues: * the agreements between the state of Oregon and local governments * discusses the memorandum of understanding and the need for these bills
192	Rep. Kruse	Comments that this bill will compromise HB 3564.
203	Leo	Responds with further explanation of why both bills are necessary: * the trust fund can only be established in the senate bill * the relating clauses make it necessary to keep both bills
231	Rep. Lokan	MOTION: Moves to ADOPT SB 397-1 amendments dated 05/15/97.
235	Rep. Kruse	Comments on concerns regarding SB 397.
256		VOTE: 4-3 AYE: 4 - Devlin, Kruse, Lokan, Milne NAY: 3 - Harper, Piercy, Taylor
	Chair Milne	The motion CARRIES.

266	Rep. Lokan	MOTION: Moves SB 397 to the floor with a DO PASS AS AMENDED recommendation.
271		VOTE: 4-3 AYE: 4 - Devlin, Kruse, Lokan, Milne NAY: 3 - Harper, Piercy, Taylor
	Chair Milne	The motion CARRIES. REP. LOKAN will lead discussion on the floor.
281	Chair Milne	Closes work session on SB 397, adjourns the meeting at 2:33pm.

Submitted By, Reviewed By,

Diane M. Quinones, Lori A. Long,

Administrative Support Administrator

Transcribed By,

Sandy Thiele-Cirka,

Administrative Support

EXHIBIT SUMMARY

A - SB 1071, Written testimony, Sen. Joan Dukes, 10pp

B - SB 1071, Oregon Health Division, Grant Higginson, 1pp

C - SB 1071, Written testimony, Phillip Leveque, 4pp

D - SB 1071, -2 amendments, Rep. Kruse, 2pp

E - HB 2174, -10 amendments, Staff, 1pp

F - HB 2174, -8 amendments, Staff, 2pp

G - HB 2894, -4 amendments, Staff, 18pp

H - HB 3564, -1 amendments, Staff, 1pp

I - SB 397, -1 amendments, Staff, 1pp

J - SB 397, Department of Corrections, Staff, 1pp