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SENATE COMMITTEE ON RULES AND ELECTIONS

April 8, 1997 Hearing Room 343

3:00 PM Tapes 37 - 38

MEMBERS PRESENT:

Sen. Randy Miller, Chair

Sen. Gene Derfler, Vice-Chair

Sen. Neil Bryant

Sen. Randy Leonard

Sen. Cliff Trow

MEMBER EXCUSED:

STAFF PRESENT:

Jan Nordlund, Administrator

Jennifer Peck, Administrative Support

MEASURE/ISSUES HEARD:

Executive Appointments:

Oregon State Lottery Commission

Oregon State Board of Nursing

Columbia River Gorge Commission

Board of Examiners of Nursing Home Administrators

Physical Therapist Licensing Board

Oregon Racing Commission

State Board of Tax Service Examiners

Travel Information Council

Water Resources Commission

Workers' Compensation Board

Oregon State Veterinary Medical Examining Board

Board of Directors of State Accident Insurance Fund Corporation

Employment Relations Board

Introduction of New Measures

SJR 13 Public Hearing and Work Session

SB 453 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 37, A		
003	Chair Miller	Opens meeting at 3:15 p.m. and opens public hearing on Oregon State Lottery Commission.
<u>EXECUTIVE APPOINTMENTS - OREGON STATE LOTTERY COMMISSION</u>		
020		Staff presents (EXHIBIT A).
021	Pamela Roskowski	Chief of Police, Benton County. Explains reasons she is qualified and wants to work on the commission.
034	Chair Miller	Asks about the consequences of people who gamble more than they should.

037	Roskowski	Explains she has not formed particular opinions so that she may listen to opposing sides fairly.
053	Chair Miller	Asks if there was gambling in the state before the lottery.
	Roskowski	States she was not in the state before the lottery.
062	Chair Miller	Asks if she finds the gambling offensive and how much time we should spend on policies to save people from themselves.
065	Roskowski	States we should look at the collective impact as a guideline for policies.
077	Chair Miller	Comments on requirements for retailers to advertise or offer the games they choose.
092	Roskowski	States she would want to get the information on the issue before she would form opinions on those issues.
108	Chair Miller	Asks about the measure on lottery advertising which faced the Senate.
120	Roskowski	Comments on the advertisements she has seen which promote the lottery and the lottery's good works for education.
131	Chair Miller	Asks if it is a good idea to promote more gambling which can subsidize programs for children.
139	Roskowski	States she would need more facts before she will state her opinions.
150	Sen. Trow	Asks about the social consequences of the lottery.
161	Roskowski	Comments on the stresses on the family which then affect the community.
172	Chair Miller	Asks about administrative costs compared to the gross revenues of the lottery.
180	Roskowski	States she has not seen that data and therefore cannot state opinions.
195	Chair Miller	Asks if she could ever see herself as voting to terminate the lottery.
207	Roskowski	States that would need to be seriously considered and compared to the best interests of Oregonians.
215	Sen. Trow	Closes public hearing and opens work session.
220	Sen. Trow	MOTION: Moves the appointment of Pamela Roskowski to the Oregon State Lottery Commission to the floor with the recommendation that the appointment be confirmed.
	Chair	Hearing no objection, declares the motion CARRIED.

	Miller	SEN. TROW will lead discussion on the floor.
223	Chair Miller	Closes work session and opens public hearing on Oregon State Board of Nursing.
<u>EXECUTIVE APPOINTMENTS - OREGON STATE BOARD OF NURSING</u>		
224		Staff presents (EXHIBIT B).
225	Joseph Dinsdale	Engineer/Senior Project Manager, Construction. Explains he has a strong interest in the consumer perspective of health care and qualified nursing care.
262	Sen. Derfler	Asks about Dinsdale's experience as a contractor.
269	Dinsdale	Explains his experience in the field of construction.
283	Sen. Trow	Asks if there are experiences which will help him serve on this board.
288	Dinsdale	States he has observed a wide variance in qualification of nurses and he finds the consequence of the variance of concern to consumers.
312	Chair Miller	Closes public hearing and opens work session.
324	Sen. Leonard	MOTION: Moves the appointment of Joseph Dinsdale to the Oregon State Board of Nursing to the floor with the recommendation that the appointment be confirmed.
	Chair Miller	Hearing no objection, declares the motion CARRIED. SEN. LEONARD will lead discussion on the floor.
328	Chair Miller	Closes work session and opens public hearing on Columbia River Gorge Commission.
<u>EXECUTIVE APPOINTMENTS - COLUMBIA RIVER GORGE COMMISSION</u>		
329		Staff presents (EXHIBIT C).
330	Sen. Bryant	Comments that he is familiar with Lewis Pitt as an active presence in the Capitol.
359	Chair Miller	Closes public hearing and opens work session.
367	Sen. Bryant	MOTION: Moves the re-appointment of Lewis Pitt to the Columbia River Gorge Commission to the floor with the recommendation that the

		appointment be confirmed.
	Chair Miller	Hearing no objection, declares the motion CARRIED. SEN. BRYANT will lead discussion on the floor.
372	Chair Miller	Closes work session and opens public hearing on Board of Examiners of Nursing Home Administrators.
<u>EXECUTIVE APPOINTMENTS - BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS</u>		
373		Staff presents (EXHIBIT D).
374	Evelyn Phillips	Physician. Explains her background in the field of health.
388	Sen. Derfler	Asks about the status of nursing homes.
390	Phillips	States we are quickly approaching the "baby boom" geriatric generation, and we need to start preparing now.
399	Sen. Derfler	Asks if nursing homes need more or less supervision.
407	Phillips	States they currently seem to be doing a good job under economic constraints.
413	Sen. Trow	Asks about travel to her meetings.
415	Phillips	Explains she travels 200 miles to get to Salem.
420	Sen. Trow	Asks about her unique credentials which prepare her for this position.
431	Phillips	Discussion of getting patients into nursing homes.
449	Sen. Bryant	Asks how her college major applies to her medical career.
454	Phillips	Explains her undergraduate degree in European History was attained along with pre-med requirements.
007	Chair Miller	Closes public hearing and opens work session.
007	Sen. Trow	MOTION: Moves the appointment of Evelyn Phillips to the Board of Examiners of Nursing Home Administrators to the floor with the recommendation that the appointment be confirmed.
		Hearing no objection, declares the motion CARRIED.

	Chair Miller	SEN. TROW will lead discussion on the floor.
010	Chair Miller	Closes work session and opens public hearing on Physical Therapist Licensing Board.
<u>EXECUTIVE APPOINTMENTS - PHYSICAL THERAPIST LICENSING BOARD</u>		
011		Staff presents (EXHIBIT E).
012	Thomas Lorish	Physician, Medical Director of Rehabilitation Services, Providence Health System, and Interim Medical Director, Vantage Managed Care Organization. Explains his reasons for wishing to join the board.
022	Sen. Derfler	Asks what actions Lorish would take if he observed physical therapists not doing their jobs properly, such as making the information available to the press.
034	Lorish	States the rights of the patient and personal issues of the therapist would be relevant to the case.
054	Sen. Bryant	Comments on Lorish's grants and publications.
058	Lorish	Comments on his experiences.
067	Sen. Trow	Comments on the basic knowledge which Lorish's application show.
071	Lorish	Explains he has a variety of perspectives to bring to the board.
074	Chair Miller	Closes public hearing and opens work session.
085	Sen. Miller	MOTION: Moves the appointment of Thomas Lorish to the Physical Therapist Licensing Board to the floor with the recommendation that the appointment be confirmed.
	Chair Miller	Hearing no objection, declares the motion CARRIED. SEN. MILLER will lead discussion on the floor.
087	Chair Miller	Closes work session and opens public hearing on Oregon Racing Commission.
<u>EXECUTIVE APPOINTMENTS - OREGON RACING COMMISSION</u>		
090	Sen. Derfler	Suggests carrying this appointment over.

098	Chair Miller	Closes public hearing and opens public hearing on State Board of Tax Service Examiners.
<u>EXECUTIVE APPOINTMENTS - STATE BOARD OF TAX SERVICE EXAMINERS</u>		
099		Staff presents (EXHIBIT F).
100	Dave Kim	Describes his experience on the board and the importance of the decisions he would make toward continuing education.
111	Sen. Derfler	Asks what Kim has accomplished on the board in the past term and what he expects to accomplish in the next term.
116	Kim	States they deal with licensing issues and updating exam banks.
133	Sen. Derfler	Asks what he expects will be done in the upcoming term.
135	Kim	Responds that it is necessary for the board to be firm on the administrative rules which it already has in place.
143	Chair Miller	Closes public hearing and opens work session.
148	Sen. Leonard	MOTION: Moves the re-appointment of Dave Kim to the State Board of Tax Service Examiners to the floor with the recommendation that the appointment be confirmed.
	Chair Miller	Hearing no objection, declares the motion CARRIED. SEN. LEONARD will lead discussion on the floor.
150	Chair Miller	Closes work session and opens public hearing on Travel Information Council.
<u>EXECUTIVE APPOINTMENTS - TRAVEL INFORMATION COUNCIL</u>		
151		Staff presents (EXHIBIT G).
152	John Fitzmaurice	Clarifies his interest in being a member of this council.
174	Chair Miller	Closes public hearing and opens work session.
176	Sen. Trow	MOTION: Moves the appointment and re-appointment of John Fitzmaurice to the Travel Information Council to the floor with the

		recommendation that the appointments be confirmed.
	Chair Miller	Hearing no objection, declares the motion CARRIED. SEN. TROW will lead discussion on the floor.
181	Chair Miller	Closes work session and opens public hearing on Water Resources Commission.
<u>EXECUTIVE APPOINTMENTS - WATER RESOURCES COMMISSION</u>		
193		Staff presents (EXHIBIT H).
194	Andy Anderson	Executive Vice-President, Oregon Farm Bureau. Presents (EXHIBIT I) in support of Jim Nakano's appointment.
206	Sen. Trow	Asks if there is opposition to the appointment.
208	Anderson	States he has heard of no oppositions to the appointment. Explains why Nakano may be absent from this meeting.
231	Chair Miller	Closes public hearing and opens work session.
232	Sen. Bryant	MOTION: Moves the appointment of Jim Nakano to the Water Resources Commission to the floor with the recommendation that the appointment be confirmed.
	Chair Miller	Hearing no objection, declares the motion CARRIED. SEN. BRYANT will lead discussion on the floor.
235	Chair Miller	Closes work session and opens public hearing on Workers' Compensation Board.
<u>EXECUTIVE APPOINTMENTS - WORKERS' COMPENSATION BOARD</u>		
242		Staff presents (EXHIBIT N).
243	Chair Miller	Explains that several people being considered for appointments have had their appearances waived, but these appointments may be carried over at the members' requests.
		Explains he will be able to speak on the appointments

250	Sen. Bryant	of JoAnn Dewey and Midge Cross, in their absences.
261	Jerry Keene	Attorney, Workers' Compensation Board. States the board is effectively the equivalent of an appellate judgeship. Presents (EXHIBIT J) in opposition to the appointment of Maureen Bock. Explains it takes one to two years for a person to grasp the issues of workers' compensation.
319	Keene	Explains there are many current and upcoming changes in the laws concerning workers' compensation and familiarity with the background in Oregon's Workers' Compensation Law is necessary for a new board member. Explains this is not a personal issue, as he does not know Maureen Bock. Explains there are significant differences between Oregon and Idaho's statutes.
385	Keene	Discusses the other nominees and their qualifications pertaining to knowledge of Oregon policies.
425	Sen. Leonard	Asks what particular qualifications are needed for this position.
433		Discussion of the qualifications which are useful for this position.
TAPE 37, B		
008	Keene	Explains he does not seek only Oregon candidates, but someone who is familiar with Oregon's specific policies.
018	Sen. Leonard	Asks who in Oregon would be familiar with the changes in Oregon's policies.
025	Keene	States that the other finalists for this position were knowledgeable of Oregon's specific laws.
030	Sen. Derfler	Comments on needing solid reasons for rejecting her appointment and mentions he has talked with Bock.
051	Keene	Comments on the risks he has taken by opposing this nomination.
064	Chair Miller	Comments on Sen. Derfler having been the only one to talk with the candidate. States this may need to be carried over to another meeting.
077	Sen. Trow	Asks why Bock was not at this hearing.
079	Chair Miller	States distance was a major inconvenience but she probably would have been willing to come if she had been told it was necessary.
085		Discussion of looking for candidates outside of Oregon.
	Bob	Oregon Building and Trades. Comments on current

095	Shipwrack	cases before the Board which are due for a tie-breaking vote which the new member will cast.
108	Sen. Trow	Asks him to explain why we started to look for candidates out of state.
110	Shipwrack	States Bock is an attorney very familiar with workers' compensation laws and has strong management skills.
123	Sen. Trow	Asks if she was chosen by the committee.
	Shipwrack	States the committee narrowed choices down to three candidates who were looked at very favorably and then forwarded them onto the Governor's office.
135	Sen. Trow	Asks who was on the search committee.
136	Shipwrack	Lists the members.
140		Discussion of the nominations.
163	Chair Miller	Asks if the other nominees were Oregonians.
165	Shipwrack	States they were.
167	Chair Miller	Closes public hearing.
168	Sen. Trow	Suggests moving forward on this vote
177		Discussion of out-of-state candidates and the possibility of delaying this work session.
206	Chair Miller	Opens public hearing on Oregon State Veterinary Medical Examining Board.
<u>EXECUTIVE APPOINTMENTS - OREGON STATE VETERINARY MEDICAL EXAMINING BOARD</u>		
208		Staff presents (EXHIBIT K).
209	Sen. Bryant	Speaks in support of JoAnn Dewey's appointment.
224	Chair Miller	Closes public hearing and opens work session.
228	Sen. Bryant	MOTION: Moves the appointment of JoAnn Dewey to the Oregon State Veterinary Medical Examining Board to the floor with the recommendation that the appointment be confirmed.
	Chair Miller	Hearing no objection, declares the motion CARRIED. SEN. BRYANT will lead discussion on the floor.
230	Chair Miller	Closes work session and opens public hearing on Board of Directors of State Accident Insurance Fund

		Corporation.
<u>EXECUTIVE APPOINTMENTS - BOARD OF DIRECTORS OF STATE ACCIDENT INSURANCE FUND CORPORATION</u>		
231		Staff presents (EXHIBIT L).
232	Sen. Bryant	Speaks in support of Midge Cross' re-appointment.
238	Chair Miler	Closes public hearing and opens work session.
248	Sen. Bryant	MOTION: Moves the re-appointment of Midge Cross to the Board of Directors of State Accident Insurance Fund Corporation to the floor with the recommendation that the appointment be confirmed.
	Chair Miller	Hearing no objection, declares the motion CARRIED. SEN. BRYANT will lead discussion on the floor.
250	Chair Miller	Closes work session and opens public hearing on Employment Relations Board.
<u>EXECUTIVE APPOINTMENTS - EMPLOYMENT RELATIONS BOARD</u>		
265		Staff presents (EXHIBIT M).
266	Chair Miller	Hearing no public comments, opens work session.
268	Sen. Leonard	MOTION: Moves the appointment of Kathryn Whalen to the Employment Relations Board to the floor with the recommendation that the appointment be confirmed.
	Chair Miller	Hearing no objection, declares the motion CARRIED. SEN. LEONARD will lead discussion on the floor.
274	Chair Miller	Closes work session and opens work session for introduction of measures for approval.
<u>INTRODUCTION OF COMMITTEE BILLS</u>		
299	Jan Nordlund	Committee Administrator. Lists the drafting and introduction requests.

310	Sen. Miller	MOTION: Moves that draft and introduction requests concerning siting of corrections facilities be introduced as a committee bill, that draft and introduction requests from Liberty Northwest Companies be introduced as a committee bill, and to correct the record that LC 4290 dated 3/28/97 be introduced as Sen. Fisher's bill.
311	Sen. Trow	Asks for further information on the corrections facilities measure.
314	Chair Miller	States it concerns the finances of local sites.
	Chair Miller	Hearing no objection, declares the motion CARRIED.
315	Chair Miller	Closes work session and opens public hearing on SJR 13.
<u>SJR 13 PUBLIC HEARING</u>		
319	Sen. Bryant	Explains SJR 13.
351	Sen. Trow	Asks if anyone else has contacted the committee to testify.
355	Chair Miller	States no one else has. Closes public hearing on SJR 13 and opens work session on SJR 13.
<u>SJR 13 WORK SESSION</u>		
363	Sen. BRYANT:	MOTION: Moves SJR 13 be sent to the floor with a BE ADOPTED recommendation.
	Chair Miller	Hearing no objection, declares the motion CARRIED. SEN. BRYANT will lead discussion on the floor.
391	Chair Miller	Closes work session on SJR 13 and opens work session on SB 453.
<u>SB 453 WORK SESSION</u>		
393	Chair Miller	Explains SB 453.
410		Staff presents public letter submitted prior to the meeting and proposed -1 amendments to SB 453 offered by Sen. Ginny Burdick (EXHIBIT O).
411	Jan Nordlund	Explains the proposed -1 amendments.
416	Sen. Leonard	MOTION: Moves to ADOPT SB 453-1 amendments dated 3/3/97.
433	Stacy Hereau	Represents the office of Sen. Burdick. Explains the amendments.

TAPE 38, B		
007	Chair Miller	Hearing no objection, declares the motion CARRIED.
010	Sen. Leonard	MOTION: Moves SB 453 to the floor with a DO PASS AS AMENDED recommendation.
	Chair Miller	Hearing no objection, declares the motion CARRIED. SEN. BURDICK will lead discussion on the floor.
013	Chair Miller	Closes work session on SB 453 and adjourns meeting at 4:42 p.m.

Submitted By, Reviewed By,

Jennifer Peck, Jan Nordlund,

Administrative Support Administrator

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EXHIBIT SUMMARY

A - Oregon State Lottery Commission, executive appointment for Pamela Roskowski, staff, 18 pp

B - Oregon State Board of Nursing, executive appointment for Joseph Dinsdale, staff, 9 pp

C - Columbia River Gorge Commission, executive re-appointment for Lewis Pitt, staff, 6 pp

D - Board of Examiners of Nursing Home Administrators, executive appointment for Evelyn Phillips, staff, 9 pp

E - Physical Therapist Licensing Board, executive appointment for Thomas Lorish, staff, 11 pp

F - State Board of Tax Service Examiners, executive re-appointment for Dave Kim, staff, 6 pp

G - Travel Information Council, executive appointment and re-appointment for John Fitzmaurice, staff, 8 pp

H - Water Resources Commission, executive appointment for Jim Nakano, staff, 16 pp

I - Water Resources Commission, written testimony, Andy Anderson, 5 pp

J - Workers' Compensation Board, written testimony, Jerry Keene, 4 pp

K - Oregon State Veterinary Medical Examining Board, executive appointment for JoAnn Dewey, staff, 7 pp

L - Board of Directors of State Accident Insurance Fund Corporation, executive re-appointment for Midge Cross, staff, 14 pp

M - Employment Relations Board, executive appointment for Kathryn Whalen, staff, 7 pp

N - Workers' Compensation Board, executive appointment for Maureen Bock, staff 15 pp

O - SB 453, submitted public letter and proposed-1 amendments, staff, 2 pp
