

SENATE COMMITTEE ON
HEALTH AND HUMAN SERVICES

Hearing Room
P.M. Tapes - 54

MEMBERS PRESENT:

Sen. William McCoy, Vice-Chair
Sen. Bill Kennemer
Sen. Randy Leonard

MEMBERS EXCUSED:

Sen. Stan Bunn, Chair
Sen. Lenn Hannon

STAFF PRESENT:

Art Wilkinson, Committee Administrator
Mary Gallagher, Committee Assistant

MEASURES HEARD:

SB 615 Public Hearing
SB 741 Public Hearing
SB 753 Public Hearing
SB 804 Public Hearing
SB 959 Public Hearing
SB 1115 Public Hearing
SB 1117 Public Hearing

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

Senator McCoy (Vice-Chair) will Chair today's meeting as Senator Bunn is excused.

TAPE , A

002 CHAIR MCCOY: Convenes the meeting at 3:08 P.M.

 Opens Public Hearings on SB 615, SB 741, SB 753, SB 804 and SB 959

020 STATE SENATOR PETER SORENSON, Dist. 20: Speaking IN SUPPORT OF anti-smoking legislation, particularly SB 753 and SB 804. [EXHIBIT A]

087 STATE REPRESENTATIVE LISA NAITO, Dist. 15: Speaking IN SUPPORT OF anti-smoking legislation, particularly SB 615 and SB 741. [EXHIBITS B-1,

B-2]

170 STATE SENATOR KEN BAKER, Dist. 14: Speaking IN SUPPORT OF anti-smoking legislation, particularly SB 615.

228 STATE SENATOR RON CEASE, Dist. 10: Speaking IN SUPPORT OF anti-smoking legislation, particularly SB 959.

300 KENNEMER: Question about incongruency in possible penalties cited in SB 615.

314 NAITO: We just took the existing statutes, with respect to designated smoking areas and incorporated them.

344 CHAIR MCCOY: For the time being, we will be speaking only to SB 741.

345 KEITH PUTMAN, Committee Researcher: Addresses committee re: intent/purpose of SB 741.

393 BETH PEARCE, staff to City of Portland Commissioner Earl Blumenauer: Speaking IN SUPPORT OF SB 741. [EXHIBIT C]

TAPE 52, A

032 KENNEMER: How did you derive the figure of 3 million packs of cigarettes sold to minors?

034 PEARCE: It's using 1993 studies that were done through the American Lung Association and American Heart Association.

043 JULIE BRANDIS, representing Associated Oregon Industries: Speaking IN OPPOSITION TO SB 741.

062 CHAIR MCCOY: Would you rather have the money that's collected go into the General Fund, and then appropriate it from the General Fund?

063 BRANDIS: Yes.

070 CHAIR MCCOY: Closes PUBLIC HEARING on SB 741

Re-opens PUBLIC HEARINGS on SB 615, SB 753, SB 804, and SB 959

072 PUTMAN: Discusses guidelines for testimony.

100 KATHY HATTRICK, representing Oregon Sports Action: Speaking IN SUPPORT OF SB 615 and SB 959, with proposed amendment.

130 SANDY HENSCHER, representing herself/family: Speaking IN SUPPORT OF SB 615 and SB 753.

191 BRENDA NIBLOCK, Health Promotion Manager, American Lung Association of Oregon: Speaking IN SUPPORT OF SB 959. [EXHIBITS D-1, D-2]

254 RICHARD POWELL, ex-smoker: Speaking IN SUPPORT OF SB 615 and SB 959. [EXHIBIT E]

289 JOHN PATCHOT, M.D., Volunteer, American Cancer Society: Speaking IN SUPPORT OF SB 959. [EXHIBIT F]

340 MIKE SKEELS, Acting Administrator, Health Division: Speaking IN SUPPORT OF SB 615, SB 741, SB 753 and SB 959.

TAPE 51, B

485 BETH PEARCE: References her exhibit.

518 BETSY BAILEY, Associated Oregon Industries: Speaking IN OPPOSITION TO SB 615, SB 753 and SB 959. [EXHIBITS G, H]

543 DAVE MURRAY, Precision Cast Parts: Speaking IN OPPOSITION TO SB 615.

597 KENNEMER: Will Precision Cast Parts be classified as a business that's closed to minors by law?

601 MURRAY: I'm not sure, but I believe we would be closed to minors by law.

606 KENNEMER: If we banned smoking in the workplace , I assume that would render the design of some of your facilities dysfunctional. What kind of expense would be incurred by your company to go to a fully non-smoking environment?

613 MURRAY: Responds.

626 JOE GILLIAM, representing National Federation of Independent Business: Speaking IN OPPOSITION TO SB 615, SB 753 and SB 959.

662 CHAIR MCCOY: Are you saying that a company has no responsibility to the public or to the people that it employs...that the owner or manager should be able to do whatever he or she wants to do, without any interference from the State or from anybody else?

667 GILLIAM: Responds.

685 CHAIR MCCOY: Calls 10-minute recess.

686 Re-convenes at 4:38 P.M.

698 JOHN ANDERSON, Pres., Oregon Restaurant Association/Pres., Truck & Travel Truck Stop: Speaking IN OPPOSITION TO SB 615, SB 753, and SB 959. [EXHIBITS I-1, I-2]

741 FRED JUBITZ, President, Jubitz Truck Stop: Speaking IN OPPOSITION TO SB 615, SB 753 and SB 959.

806 DAVID WILDER, Manager, Rice Hill Truck Plaza: Speaking IN OPPOSITION TO SB 615, SB 753 and SB 959.

824 KAREN OLSON, Burns Bros. Truck Stops: Speaking IN OPPOSITION TO SB 615.

880 WENDY BJORNSON, Tobacco-Free Coalition of Oregon: Speaking IN SUPPORT OF SB 959. [EXHIBIT J]

TAPE 52, B

524 JAN HEMELSTRAND, private citizen: Speaking IN SUPPORT OF SB 959.

[EXHIBIT K]

555 JOE BARNETT, OGOSH: Speaking IN SUPPORT OF SB 959.

580 JACK POMPEI, DCBS/Oregon OSHA: Describes relationship of DCBS to enforcement of SB 959.

623 KENNEMER: Question to Putman: Do we have a fiscal impact statement on these bills?

624 PUTMAN: Not for this bill. (Pompei says he will bring one.)

657 MARK NELSON, representing R.J. Reynolds Tobacco Co.: Speaking IN OPPOSITION TO SB 753 and SB 959. [EXHIBIT L]

751 ROSCHEL ROBINETTE, foster parent: Speaking IN OPPOSITION TO SB 804. [EXHIBIT M]

833 BETTY UCHYTIL, Assistant Administrator, CSD: Speaking IN OPPOSITION TO SB 804. [EXHIBIT N]

TAPE 53, A

029 JACQUELINE ZIMMER, City Councilor: Speaking IN SUPPORT OF SB 753 as it relates to regulating smoking at the Oregon State Fair.

059 LOLA JORDAN, Boys & Girls Aid Society: Speaking IN OPPOSITION TO SB 804.

[EXHIBIT O]

100 CHAIR MCCOY: Closes PUBLIC HEARINGS on SB 615, SB 753, SB 804 & SB 959

WRITTEN TESTIMONY OF JEFFREY A. BLOSSER: (didn't testify) [EXHIBIT P]

115 CHAIR MCCOY: Opens PUBLIC HEARING on SB 1115
-PUTMAN hands out -2 Amendments [EXHIBIT Q]

124 SUSAN DIETSCHKE, Assistant Administrator, Senior and Disabled Services Division, DHR: Speaking IN SUPPORT OF SB 1115, with proposed amendments. [EXHIBIT R]

185 JACQUELINE ZIMMER, Area Agencies on Aging: Speaking IN OPPOSITION TO SB 1115 in its current form.

266 RUTH MCEWEN, representing Oregon Disabilities Commission: Speaking mostly IN OPPOSITION TO SB 1115.

289 FRANK ARMSTRONG, private citizen: Speaking IN OPPOSITION TO SB 1115.

305 PHYLLIS RAND, private citizen: Speaking mostly IN SUPPORT OF SB 1115. [EXHIBIT S]

359 CHAIR MCCOY: Closes PUBLIC HEARING on SB 1115

Opens PUBLIC HEARING on SB 1117

374 PETER CALLERO, Professor of Sociology, WOSC: Speaking IN OPPOSITION TO SB 1117. [EXHIBIT T]

TAPE 54, A

029 JACQUELINE BENNETT, Program Manager, Elizabeth House Maternity
Residence: Speaking IN OPPOSITION TO Section 4 of SB 1117. [EXHIBIT U]

065 LYNDA HARRINTGON, Executive Director, Oregon Right to Life: Speaking
mostly IN OPPOSITION TO SB 1117. [EXHIBIT V]

1117-1 Amendments: [EXHIBIT W]

099 CHUCK SHEKETOFF, Multnomah County Legal Aid Service: Speaking IN
OPPOSITION TO SB 1117. [EXHIBIT X]

321 MARI ANN GEST, representing Oregon Public Employees Union: Speaking IN
SUPPORT OF SB 1117, with proposed amendments. [EXHIBIT Y]

391 MARY KAY BRANT, Organizer, Oregon Public Employees Union: Speaking
mostly IN SUPPORT OF SB 1117.

TAPE 53, B

477 BRANT: Continuing testimony.

639 KATHRYN STERNS, Caseworker, AFS: Brief comment.

645 MAURA ROACH, Planned Parenthood: Discusses a certain provision of the
bill which concerns her organization.

722 CHAIR MCCOY: Adjourns the meeting at 6:35 P.M.

WRITTEN TESTIMONY OF LAURIE WIMMER (did not testify): [EXHIBIT Z]

Submitted by, Reviewed by,

Mary Gallagher Art Wilkinson
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

- A - Letter/Written Testimony of Barney McKay on SB 804--Senator Peter Sorenson--7 pages
- B-1 Written Testimony on SB 615 and SB 741--Representative Lisa Naito--3 pages
- B-2 Supplement to Written Testimony on SB 615 and SB 741--Representative Lisa Naito--33 pages
- C - Written Testimony on SB 741--Beth Pearce--2 pages
- D-1 Written Testimony on SB 959--Brenda Niblock--2 pages
- D-2 Supplement to Written Testimony on SB 959--Brenda Niblock--14 pages
- E - Written Testimony on SB 615 and SB 959--Richard Powell--2 pages
- F - Written Testimony on SB 959--John Pachot--5 pages
- G - Written Testimony on SB 615 and SB 753--Betsy Bailey--1 page
- H - Written Testimony of Tom Eder, ADEC, on SB 615, SB 753, and SB 959--Betsy Bailey--2 pages
- I-1 Written Testimony on SB 615--John Anderson--2 pages
- I-2 Written Testimony of Gary Grimmer on SB 615--John Anderson--1 page

J - Written Testimony on SB 959--Wendy Bjornson--2 pages
K - Written Testimony on SB 959--Jan Hemelstrand--1 page
L - Article relating to SB 753 and SB 959--Mark Nelson--1 page
M - Written Testimony on SB 804--Roschel Robinette--2 pages
N - Written Testimony on SB 804--Betty Uchytel--2 pages
O - Written Testimony on SB 804--Lola Jordan--1 page
P - Written Testimony on SB 615--Jeffrey Blosser--2 pages
Q - -2 Amendments to SB 1115--Keith Putman--23 pages
R - Written Testimony on 1115-2 Amendments--Susan Dietsche--2 pages
S - Written Testimony on SB 1115--Phyllis Rand--1 page
T - Written Testimony on SB 1117--Peter Callero--2 pages
U - Written Testimony on SB 1117--Jacqueline Bennett--1 page
V - Written Testimony on SB 1117--Lynda Harrington--3 pages
W - -1 Amendments to SB 1117--Keith Putman--3 pages
X - Written Testimony on SB 1117--Chuck Sheketoff--11 pages
Y - Written Testimony on SB 1117--Mari Anne Gest--3 pages
Z - Written Testimony on SB 1117--Laurie Wimmer--4 pages