

HOUSE COMMITTEE ON COMMERCE SUBCOMMITTEE ON BUSINESS

February 9, 1993 Hearing Room 50 8:30 a.m. Tapes 26-29

MEMBERS PRESENT: Rep. Bob Repine, Chair Rep. Hedy Rijken, Vice-Chair  
Rep. Lisa Naito Rep. Liz VanLeeuwen Rep. Cynthia Wooten

STAFF PRESENT: Janet McComb, Committee Administrator Debbie  
Schieno, Committee Clerk

MEASURES CONSIDERED: HB 2106 - Public Hearing HB 2202 - Public  
Hearing HB 2303 - Public Hearing HB 2305 - Public Hearing

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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. [--- Unable To Translate  
Graphic ---]

TAPE 26, SIDE A

002 CHAIR REPINE: Calls the meeting to order at 8:30 a.m.

Public Hearing on HB 2202

012 JACK CASSELL, ADMINISTRATOR, OREGON TELEPHONE ASSISTANCE  
PROGRAM AND TELECOMMUNICATION DEVICES ACCESS PROGRAM: Submits and  
reviews testimony in favor of HB 2202 (EXHIBIT A).

103 REP. NAITO: When do you expect to receive certification under  
the ADA?

CASSELL: Spring.

110 CHAIR REPINE: Expresses concern with the disparity between the  
rates and funding for low income who need assistance.

121 RON EACHUS, CHAIR, OREGON PUBLIC UTILITY COMMISSION: Responds.  
-Greatest impact to be on low income assistance program. -Reviews costs.

249 REP. WOOTEN: Differential between residential and business  
surcharges?

EACHUS: No.

288 REP. WOOTEN: How are numbers anticipated?

EACHUS: Responds.

330 REP. WOOTEN: Assures protection for low income customers?

CASSELL: Responds. -HB 2202 allows for flexibility and protection  
for the low income

individuals. -If growth continues at rate predicted, the PUC would be in position to explore other financial funding for 1993-95 biennium.

TAPE 27, SIDE A

026 REP. NAITO: Will our relay system comply?

CASSELL: Confident that all the FCC requirements will be met.

057 CHAIR REPINE: Would modification of 16 cent charge need approval from the Emergency Board?

EACHUS: Depends on current budget.

084 REP. VANLEEUWEN: Are you trying to meet or exceed the federal standards?

EACHUS: Meet requirements of existing federal law. May not be possible if there continues to be a 15 cent cap on hearing impaired program.

104 JOHN VAUGHN, BUDGET & FINANCE MANAGER, PUBLIC UTILITY COMMISSION: Continues to explain projections.

156 REP. WOOTEN: Offers her appreciation of the program.

246 DAVE OVERSTREET, GTE NORTHWEST: Testifies on HB 2202. GTE would like to see accounts kept separate. -Relates HB 2202 and 2203.

299 REP. NAITO: Is PUC solely responsible for compliance with the ADA?

306 OVERSTREET: Responsibility relates to the TDAP program, administered by the PUC.

Public Hearing on HB 2106

365 JANET McCOMB, COMMITTEE ADMINISTRATOR: Outlines Preliminary Staff Measure Summary (EXHIBIT B).

368 REX CHAPMAN AND JOYCE THORBECK, BOARD OF TAX SERVICE EXAMINERS: Submits and reviews testimony in favor of HB 2106 (EXHIBIT C). TAPE 26, SIDE B

Public Hearing on HB 2303

035 JANET McCOMB, COMMITTEE ADMINISTRATOR: Outlines Preliminary Staff Measure Summary (EXHIBIT D).

050 GROVER SIMMONS, INDEPENDENT ADULT CARE PROVIDERS ASSOCIATION: Submits and reviews testimony in favor of HB 2303 (EXHIBIT E).

177 REP.WOOTEN: Sections of bill not applicable to the primary purpose of the bill. Is this additional language the only portion of the bill

being addressed now?

SIMMONS: Yes.

190 REP. WOOTEN: How do people charged with legal guardianship of the resident prepare to communicate with the resident about issues of

change?

SIMMONS: The purpose of the bill is to limit the negative effect of telling the very elderly that the home is to be sold or leased, when it is not necessary.

216 MARK NELSON, REPRESENTING OREGON REGISTERED CARE PROVIDERS: Outlines HB 2303 and refers to SB 549 (refer to 1991 session). -Agrees with Mr. Simmons that the intent is to protect residents from

trauma caused by change in surroundings.

299 CHAIR REPINE: Are there contractual agreements existing in all cases?

NELSON: Yes, both within rules and statutes which require a written contract.

318 DOREENE BRYANT, INDEPENDENT ADULT CARE PROVIDERS: Speaks in favor of HB 2303.

393 CHAIR REPINE: Do all residents have an adult guardian?

400 BRYANT: Very rare when a client does not have a representative.

TAPE 27, SIDE B

001 MICKEY TATE, MID-WILLAMETTE VALLEY SENIOR SERVICES ASSOCIATION: Testifies in opposition to HB 2303. -Most residents do not have legal guardians. -Resident's have a right to know that an owner/care provider is

changing.

032 REP. NAITO: Suggests language to the bill.

091 MERIDITH COATE, DIRECTOR, LONG TERM CARE OMBUDSMAN: Testified in opposition to HB 2303.

182 REP. WOOTEN: What are the concerns?

COATE: Foster care becoming an industry.

244 REP. NAITO: Percentage of residents without guardians?

COATE: The majority of guardians are family members, but a very small percentage of the residents do have guardians.

280 REP. WOOTEN: Commends the industry for their efforts.

Public Hearing on HB 2305

Staff submits Preliminary Staff Measure Summary (EXHIBIT F)

305 HAL RITZ, INDEPENDENT ADULT CARE PROVIDER: Submits and reviews testimony in support of HB 2305 (EXHIBIT G).

401 REP. NAITO: Are these homes subject to the American Disabilities Act?

RITZ: Many of the homes come under the building code.

TAPE 28, SIDE A

012 CHAIR REPINE: Have the federal ADA requirements specifically addressed foster care home facilities?

RITZ: Laws have not stipulated specifically, although we find controlling agencies have different requirements. We would like to see unification.

077 REP. NAITO: Concern with the same standards applying to a single family dwelling as to an adult foster home. This bill many not accommodate

that flexibility.

RITZ: Responds to the issue of single family dwellings.

165 STEVE WETTER, TENLY PROPERTIES CORP.: Submits and reviews testimony in favor of HB 2305 (EXHIBIT H).

289 MARK NELSON, REPRESENTING OREGON REGISTERED CARE PROVIDERS: Testifies in favor of HB 2305. Speaks to the Statutes relating to the bill

(EXHIBIT I). -Outlines state foster care system.

TAPE 29, SIDE A

016 REP. NAITO: Can local fees be challenged regarding fair housing?

018 NELSON: Yes, they can be challenged on the basis of the ADA.

030 R.A. SCHMIDT, INDEPENDENT ADULT CARE PROVIDERS: Submits and reviews testimony in favor of HB 2305 (EXHIBIT J).

097 DOREENE BRYANT, INDEPENDENT ADULT CARE PROVIDERS: Testifies in favor of HB 2305, speaking of personal experiences with her adult foster care

home.

170 CHAIR REPINE: Adjourns the meeting at 11:10 a.m.

Submitted by:

Reviewed by:

Debbie Schieno  
Administrator

Janet McComb Clerk

EXHIBIT LOG:

A - Testimony on HB 2202 - Cassell - 19 pages B - Preliminary Staff  
Summary - Staff - 2 pages C - Testimony on HB 2106 - Chapman & Thorbeck  
- 9 pages D - Preliminary Staff Summary - Staff - 2 pages E -  
Testimony on HB 2303 - Simmons - 2 pages F - Preliminary Staff Summary  
- Staff - 2 pages G - Testimony on HB 2305 - Ritz - 2 pages H -  
Testimony on HB 2305 - Wetter - 2 pages I - Statute - Nelson - 3 pages  
J - Testimony on HB 2305 - Schmidt - 1 page