

HOUSE COMMITTEE ON HUMAN DEVELOPMENT

June 17, 1993 Hearing Room E 9:30 a.m. Tapes 229 - 231

MEMBERS PRESENT: Rep. Mary Alice Ford, Chair Rep. Dennis Luke,
Vice-Chair Rep. Marilyn Dell Rep. George Eighmey Rep. Bill Fisher Rep.
John Meek Rep. Frank Shields

STAFF PRESENT: Melanie Zermer, Committee Administrator Barbara
Porter, Committee Clerk

MEASURES CONSIDERED: SB 925 - Immunization Registry - Work
Session HB 2309 - Long Term Care - Work session SB 1088 -
Bicycle Helmets - Public Hearing & Work session

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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 229, SIDE A

CHAIR FORD: Calls the meeting to order at 9:40 a.m.

SB 925 - Work Session

MOTION: Rep Luke moves SB 925 A-engrossed to the floor with a do pass
recommendation

VOTE: In a roll call vote the motion carries, with all members present
voting AYE

Rep Luke will carry the bill

HB 2309 - Work Session

015 MELANIE ZERMER, COMMITTEE ADMINISTRATOR: reviews the bill -6
amendment (EXHIBIT A) -section 10: mandates a civil penalty for certain
facility responsible

abuses, increases maximum penalty to \$1000, requires contested case
hearing for facilities if civil penalty is imposed -section 16:
provides protocol for providing nursing assistants

administrative review -section 18: changes where civil penalties go 043
discusses options: -send the bill to Appropriations -remove section

18, send to the floor

050 CHAIR FORD: We may be out of compliance on this issue

055 REP SHIELDS: discusses removal of Section 18

062 MOTION: Rep Luke moves the -6 amendments

066 REP FISHER: supports amendments with the caveat that the administrative hearings for the CNE's will be examined -declares potential conflict of interest

079 VOTE: Hearing no objection, the motion carries

081 MOTION: Rep Eighmey moves the removal of Section 18 from the -6 amendment

VOTE: Hearing no objection, the motion carries

MOTION: Rep Luke moves HB 2309 as amended to the floor with a do pass recommendation

REP FISHER: acknowledges work group

090 VOTE: In a roll call vote the motion carries, with all members present voting AYE.

Rep Shields will carry the bill

SB 1088 - Public Hearing

125 SEN CEASE: submits and discusses outline of testimony in support of SB 1088 (EXHIBITS B & C)

139 SEN COOLEY: testifies in support of the bill -provides background -cites statistics, refers to exhibit B 192 -relates personal experience

230 SEN CEASE: the most vulnerable group are boys, ages 10-18 -discusses peer issue -requirement of helmet use and education increases use -the law would be non-punitive 278 -defines "highway" as described in statute

300 REP EIGHMEY: sidewalks are not included -discusses types of bicycles

330 CLAUDIA BLACK: describes "bicycle" as defined in ORS 801.150

338 REP FISHER: discusses illegality of sidewalk riding

365 SEN CEASE: applicable on private property intended for public use -destination resorts 386 -discusses costs of helmets and funding

TAPE 230, SIDE A

013 REP EIGHMEY: defines bicycle -discusses sidewalk riding issue

025 SEN CEASE: the intent is not a punitive bill

030 REP LUKE: discusses standards

035 BLACK: the bill requires certification

045 SEN CEASE: discusses amendment (EXHIBIT D)

055 REP FISHER: discusses Motorcycle helmet controversy

065 SEN COOLEY: discusses cost ratio of motorcycle helmets

114 REP TIERNAN: testifies in support of the bill -discusses sidewalk riding -discusses 16 year old issue -roller blades, skate boards and unicycles should be included

175 REP BROWN: testifies in support of the bill

199 JAMES LACE, MD: submits and summarizes written testimony in support of the bill (EXHIBIT E)

285 ED HALL: relates personal experience with a head injury -discusses costs of initial and ongoing care

310 LARRY HALL, MD: testifies in support of the bill -submits testimony (EXHIBIT F) -discusses health cost savings

366 MARK TOCHEN, MD: submits and summarizes written testimony in support of the bill (EXHIBIT G)

TAPE 299, SIDE B

035 HALL MD: discusses use of helmets on roller blades and skateboards 045 TOCHEN: agrees with Hall

050 REP NAITO: submits and reads written testimony in support of SB 108 8 (EXHIBIT H)

060 TOM WOLBERT, BICYCLE FEDERATION OF OREGON: testifies in opposition to the bill -reduces use of bicycles -impossible to enforce -sends message that bicycling is unsafe -blames victims -they are "cop outs" -they may make bicycle riding less safe -bicycles are a positive addition to transportation mix not against helmet use, this is the wrong approach

112 JOANNE FAIRCHILD: submits and summarizes written testimony in support of the bill (EXHIBIT I)

148 DIANE MURPHY: discusses perspective of bicycle business owner

LUANN TEMMANY: relates head injury story -the committee views a video showing attention span of head injury

victim

225 P YURI SAMER: submits and summarizes written testimony (EXHIBIT J) -suggests education alternatives -discusses compliance -trailers should be included

379 SCOTT NUNN: testifies in opposition to the bill -discusses beach use of bicycles -suggests amendment to exclude beach use -discusses definition of bicycle

TAPE 230, SIDE B

030 NUNN: continues testimony -three to six year-olds ride bikes that are not included in the

definition 040 -describes beach bicycles

060 SCOTT THOMPSON, AAA OREGON: submits and reads written testimony in support of the bill (EXHIBIT K)

090 CHARLIE WILLIAMSON, OREGON TRIAL LAWYERS ASSOCIATION: testifies in support of the bill -discusses section 8

117 TINA KITCHIN, MHDDSD: submits and summarizes written testimony in support of the bill (EXHIBIT L) -discusses cost of care of head injured

183 AL SMITH, DETECTIVE, PORTLAND POLICE BUREAU: testifies in support of the bill -discusses enforcement

209 ADRIENNE GREENE, OHSU: submits and reads written testimony in support of the bill (EXHIBIT M)

235 LLOYD ATHEARN, HEALTH DIVISION: submits and summarizes written testimony in support of the bill (EXHIBIT N)

271 WALTER MCALLISTER, OREGON DEPARTMENT OF TRANSPORTATION - TRAFFIC SAFETY: submits and summarizes written testimony in support of the bill (EXHIBIT O) 370 -there are clear and defined standards for bicycle helmets

TAPE 231, SIDE A

013 MCALLISTER: continues testimony -discusses standard compliance
075 -discusses cost savings

Submitted for the record, testimony from Kathleen Masarie (EXHIBIT P)
Submitted for the record, testimony from a member of the human race, a creature of God (EXHIBIT Q)

CHAIR FORD: Adjourns the meeting at 11:40 a.m.

Submitted by:

Reviewed by:

Barbara Porter
Administrator

Melanie Zermer Clerk

EXHIBIT LOG:

A - Amendments to HB 2309 - staff - 14 pages B - Testimony on SB 1088 - Sen Cease - 3 pages C - Testimony on SB 1088 - Sen Cease - 3 pages D - Amendments to SB 1088 - Sen Cease - 3 pages E - Testimony on SB 1088 - Lace - 2 pages F - Testimony on SB 1088 - Hall - 26 pages G - Testimony on SB 1088 - Tochen - 3 pages H - Testimony on SB 1088 - Rep

Naito - 2 pages I - Testimony on HB 1088 - Fairchild - 7 pages J -
Testimony on SB 1088 - Samer - 3 pages K - Testimony on SB 1088 - AAA -
1 page L - Testimony on SB 1088 - Kitchin - 3 pages M - Testimony on
SB 1088 - Greene - 3 pages N - Testimony on SB 1088 - Health Division -
2 pages O - Testimony on SB 1088 - ODOT - 2 pages P - Testimony on SB
1088 - Masarie - 2 pages Q - Testimony on SB 1088 - A member of the
human race, a creature of God - 3 pages