

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.

HOUSE COMMITTEE ON HUMAN RESOURCES

April 3, 1991Hearing Room D 1:00 p.m.Tapes 103 - 104

MEMBERS PRESENT:Rep. Mary Alice Ford, Chair Rep. Beverly Stein, Vice-Chair Rep. Jerry Barnes Rep. Cedric Hayden (arrived 1:25) Rep. John Meek Rep. Hedy Rijken (arrived 1:10) Rep. Jackie Taylor

STAFF PRESENT: Melanie Zermer, Committee Administrator Pamela Berger, Committee Assistant

MEASURES CONSIDERED: HB 2659 - Limits liability for certain health care professionals - Wrk HB 2957 - Increases number of members to Oregon Board of Dentistry - Wrk HB 3177- Prohibits distribution of tobacco to persons under 18 years of age - Pub HB 3178 - Requires publicly funded facilities to prohibit persons under 18 yrs of age from using tobacco and certain other products on premises - Pub

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TAPE 103, SIDE A

010 CHAIR FORD: Calls the meeting to order at 1:05 p.m.

MELANIE ZERMER: Submits and explains a budget recommendation matrix (EXHIBIT B).

055 Members discuss the best way to prioritize programs.

CHAIR FORD: Points out that this committee has not heard about all programs within DHRand we are only to deal with the ones we know about. However, if a member is aware of one that should be cut, please note that. Not all budget information was available for this committee but the Ways and Means Committee did receive that information.

132 MELANIE ZERMER: Continues explaining Exhibit B.

172 BERNIE THURBER, LEGAL AID: Clarifies hospital assessments.

Members discuss if they should only prioritize programs which are proposed to be cut or all programs within the Department of Human Resources (DHR).

MELANIE ZERMER: Continues explaining Exhibit B.

TAPE 104, SIDE A

Members continue discussing programs affected by the proposed budget cuts.

WORK SESSION: HB 2957 - Increases number of members to Oregon Board of Dentistry

137 MELANIE ZERMER: Submits and explains proposed amendments to HB 2957 (EXHIBIT C) and a hand-engrossed version of the proposed amendments (EXHIBIT D).

REPRESENTATIVE HAYDEN: For the record, the intent of the bill is: "appointments of one dental specialist by the Governor to the Oregon Board of Dentistry may be selected by the Governor from a list of eight names comprised of one name suggested by each of the eight recognized dental specialties."

MOTION: REPRESENTATIVE STEIN MOVES ADOPTION OF THE PROPOSED AMENDMENTS TO HB 2957 (EXHIBIT C).

VOTE: THERE BEING NO OBJECTIONS, THE MOTION PASSES.

MOTION: REPRESENTATIVE STEIN MOVES HB 2957, AS AMENDED, TO THE FLOOR WITH A DO PASS RECOMMENDATION.

VOTE: THE MOTION PASSES UNANIMOUSLY. REPRESENTATIVE HAYDEN CARRIES HB 2957 TO THE FLOOR.

WORK SESSION: HB 2659 - Limits liability for certain health care professionals

183 MOTION: REPRESENTATIVE BARNES MOVES HB 2659 TO THE HOUSE JUDICIARY COMMITTEE WITHOUT A RECOMMENDATION.

VOTE: THE MOTION PASSES UNANIMOUSLY.

PUBLIC HEARING: HB 3177- Prohibits distribution of tobacco to persons under 18 years of age HB 3178 - Requires publicly funded facilities to prohibit persons under 18 yrs of age from using tobacco and certain other products on premises Witnesses: Jim Carlson, Oregon Medical Association (OMA) Joe Weller, American Lung Association Rep. Ron Cease, District 19

206 REP. RON CEASE, DISTRICT 19: Testifies in favor of HB 3177 and HB 3178.

- Am a former smoker; quit because my doctor informed me, 25 years ago, that I had signs of beginning emphysema. - Daughter started smoking at 15 years of age and we had no parental influence over her; she quit because her boyfriend said she stunk. - Tells of family members and people in nursing homes who have lung diseases. - Most people start smoking in their teens. hard for police to stop kids from smoking. - These bills address prohibiting distribution to persons under 18 years of age and that prohibiting public funded facilities from allowing minors to use tobacco products on the premises. - I'm addressing a health issue.

335 REPRESENTATIVE STEIN: Concerned that language in HB 3177 should be changed in regards to "unlawful to distribute".

CEASE: Will clarify this language.

REPRESENTATIVE BARNES: Concerned about federally funded programs not being addressed by this bill.

CEASE: Felt that would we have less control on that. - Should ask Legislative Council to respond to that issue. - Discusses long term affects of smoking.

TAPE 103, SIDE B

005 CHAIR FORD: Concerned that it would be hard to tell a 17 year old from a 21 year old on campus. Are you going to have campus security ask these kids for proof of age?

CEASE: Describes enforcement of seat belt law, as an example. - This won't stop all kids from smoking. - If a publicly funded school has made a policy, and made that policy visible, the incidence rate will decline.

074 REPRESENTATIVE TAYLOR: Feels this would be easy to enforce in a juvenile detention facility.

CEASE: Interested in reaching kids who have not yet started smoking.

100 REPRESENTATIVE BARNES: Who will determine if there is a written policy and if that policy is posted?

CEASE: Not defined in legislation; assume that would be the Oregon Health Division.

115 JIM CARLSON, OREGON MEDICAL ASSOCIATION: Testifies in support of HB 317 7 and HB 3178. - Submits articles on smoking (EXHIBIT E). - HB 3177 is a modest proposal. - HB 3178 is a modest proposal and it is important to note that it does say "shall" withhold funding. There is not specific language on how that would be done.

REPRESENTATIVE STEIN: Supportive of concept of HB 3177 but concerned about those passing out cigarettes, for promotional purposes, being subject to jail.

CARLSON: Currently, if you provide alcohol to minors you would be subject to a fine. - A person passing out free cigarettes on a street corner, for promotional purposes, are acting as an agent. They should be cautioned not to not distribute to minors. They would need strict guidelines.

REPRESENTATIVE STEIN: Wants to make sure those running promotions are held responsible.

CARLSON: That would make an excellent amendment.

240 Members discusses distribution of tobacco products and discuss possible amendments.

301 JOE WELLER, AMERICAN LUNG ASSOCIATION: Testifies in favor of HB 3177 and HB 3178. - Gives background on bills. - Juvenile detention centers often give legalized tobacco breaks. After discussing the policy with them, they responded that families need to provide the tobacco and a permission note. But remember, these are the families that failed the child in the first place. Also, another detention center gives a pack of cigarettes to the juvenile, upon arrival, if they smoked or not. - Discusses broadening the term regarding distribution. - Don't think it is necessary to list all facilities affected by bill. Some of those already listed probably should be deleted such as mental health facility, day care center, etc. - Interested in reaching those facilities who have a large portion of juveniles. - Submits list of schools who plan to have tobacco free policies (EXHIBIT G). - Discusses student management. - Discusses tobacco free hotline. - Discusses tragedy of youngsters smoking. - The National School Board Association supports this. - Shows a "no smoking" book to members.

085 REPRESENTATIVE BARNES: Discusses enforcement.

REPRESENTATIVE MEEK: Discusses amendments he would like drafted for HB 317 8.

Staff submits written testimony on HB 3177 and HB 3178 from the Oregon Health Council. (EXHIBIT F).

ACTING-CHAIR RIJKEN: Adjourns the meeting at 2:50 p.m.

Submitted by,

Reviewed by,

Pamela Berger

Melanie Zermer

EXHIBIT LOG: B - Program Recommendation - Staff - 6 pp. C - HB 2957 - Proposed amendments - Staff - 1 p. D - HB 2957 - Hand engrossed amendments - Staff - 1 p. E - HB 3177 & HB 3178 - articles - Carlson - 2 pp. F - HB 3177 & HB 3178 - Testimony from Oregon Health Council - Staff - 3 pp. G - HB 3177 & HB 3178 - School Tobacco Policy - Weller - 1 p.