

SENATE SPECIAL SESSION COMMITTEE ON RULES

February 09, 2010
8:00 A.M.

Hearing Room C

MEMBERS PRESENT: Sen. Richard Devlin, Chair
Sen. Ted Ferrioli, Vice-Chair
Sen. Jason Atkinson
Sen. Ginny Burdick
Sen. Rick Metsger

STAFF PRESENT: Erin Seiler, Committee Administrator
Mike Reiley, Committee Assistant

MEASURES/ISSUES HEARD: Public Hearing and Work Session (Executive Appointment)
State Workforce Investment Board
State Board of Psychologist Examiners
Quality Education Commission
Water Resources Commission
Physical Therapist Licensing Board
Fair Dismissals Appeals Board
Oregon Transportation Commission
State Board of Chiropractic Examiners
State Apprenticeship and Training Council
Oregon Board of Licensed Professional Counselors and Therapists
Oregon Educators Benefit Board
Health Services Commission
Oregon Health and Science University Board of Directors
Commission on Hispanic Affairs
Home Care Commission
Board of Examiners of Nursing Home Administrators
Commission on Judicial Fitness and Disability
Oregon State Board of Nursing
Oregon Youth Program Advisory Board
Commission for Women
Oregon Board of Naturopathic Medicine

This recording log is in compliance with Senate and House Rules. For complete contents, refer to the digital audio recording.

SRULES

2/9/2010 8:04:13 AM

- 8:04:18 AM Meeting Called to Order by Chair Devlin
- 8:05:40 AM **Executive Appointments - Public Hearing**
- 8:05:43 AM **State Workforce Investment Board, Debbie Glass and Lori Luchak**
- 8:05:45 AM {Exhibit} 1: Chair Devlin
- 8:06:25 AM Lori Luchak, President, Miles Fiberglass & Composites Inc. (by telephone)
- 8:06:42 AM Sen. Atkinson
- 8:07:23 AM Debbie Glass, Chief Nurse Executive & Interim Chief Executive Officer, Providence Newberg Medical Center (by telephone)
- 8:08:26 AM Sen. Atkinson
- 8:08:34 AM Glass
- 8:08:36 AM **State Board of Psychologist Examiners, Roger Carlson, Fran Ferder & James Hendry**
- 8:08:38 AM {Exhibit} 2: Chair Devlin
- 8:09:16 AM James Hendry, attorney
- 8:10:02 AM {Exhibit} 3: Vice-Chair Ferrioli
- 8:10:29 AM Hendry
- 8:10:36 AM Vice-Chair Ferrioli
- 8:11:28 AM Hendry
- 8:11:57 AM Vice-Chair Ferrioli
- 8:12:26 AM Hendry
- 8:12:53 AM Fran Ferder, clinical psychologist
- 8:13:33 AM Vice-Chair Ferrioli
- 8:13:54 AM Ferder
- 8:14:02 AM Vice-Chair Ferrioli
- 8:14:14 AM Chair Devlin
- 8:14:21 AM Roger Carlson, licensed psychologist (by telephone)
- 8:16:21 AM Vice-Chair Ferrioli
- 8:16:36 AM Carlson
- 8:16:39 AM Vice-Chair Ferrioli
- 8:17:03 AM Carlson
- 8:17:06 AM Vice-Chair Ferrioli
- 8:17:29 AM Carlson
- 8:17:33 AM Sen. Atkinson
- 8:18:28 AM Vice-Chair Ferrioli
- 8:19:12 AM **Quality Education Commission, Peter Tromba**

8:19:14 AM {Exhibit} 4: Chair Devlin
8:19:17 AM Peter Tromba, Principal, Monroe Middle School, Eugene
8:21:29 AM Vice-Chair Ferrioli
8:21:41 AM Tromba
8:21:47 AM Vice-Chair Ferrioli
8:22:05 AM Tromba
8:22:07 AM Sen. Atkinson
8:22:30 AM Tromba
8:23:14 AM **Water Resources Commission, Carol Whipple**
8:24:26 AM {Exhibit} 5: Chair Devlin
8:24:32 AM Carol Whipple, rancher (by telephone)
8:25:40 AM Vice-Chair Ferrioli
8:26:07 AM Whipple
8:26:11 AM Vice-Chair Ferrioli
8:27:08 AM Whipple
8:28:02 AM Vice-Chair Ferrioli
8:28:06 AM Whipple
8:28:28 AM Vice-Chair Ferrioli
8:28:40 AM Sen. Atkinson
8:29:20 AM Whipple
8:30:08 AM **Physical Therapist Licensing Board, Carol Sutton, Troy Costales & Richard Rutt**
8:30:09 AM {Exhibit} 6: Chair Devlin
8:30:15 AM Carol Sutton, retired teacher (by telephone)
8:31:22 AM Vice-Chair Ferrioli
8:32:10 AM Sutton
8:33:19 AM Troy Costales, Division Administrator, Oregon Department of Transportation
8:34:53 AM Vice-Chair Ferrioli
8:35:31 AM Costales
8:35:48 AM Vice-Chair Ferrioli
8:36:03 AM Sen. Burdick
8:36:11 AM Chair Devlin
8:36:42 AM Richard Rutt, Professor & Director, School of Physical Therapy, Pacific University (by telephone)
8:37:51 AM Vice-Chair Ferrioli
8:39:12 AM **Fair Dismissal Appeals Board, Doug Crow & Lisa Nicholson**
8:39:36 AM {Exhibit} 7: Chair Devlin
8:39:39 AM Doug Crow
8:40:01 AM Vice-Chair Ferrioli
8:40:28 AM Crow
8:41:21 AM Vice-Chair Ferrioli
8:41:50 AM Crow
8:42:02 AM Chair Devlin
8:42:16 AM Vice-Chair Ferrioli

- 8:42:39 AM** Lisa Nicholson, teacher, La Grande Middle School (by telephone)
8:43:25 AM Vice-Chair Ferrioli
8:43:37 AM Nicholson
8:43:45 AM Vice-Chair Ferrioli
8:44:15 AM **Oregon Transportation Commission, Mary Olson**
8:44:23 AM {Exhibit} 8: Chair Devlin
8:44:26 AM Mary Olson, President, Norris Olson and Associates, Inc.
8:45:31 AM Vice-Chair Ferrioli
8:46:14 AM Olson
8:46:19 AM Sen. Atkinson
8:46:47 AM **State Board of Chiropractic Examiners, Daniel Cote & Huma
Pierce**
8:46:57 AM {Exhibit} 9: Chair Devlin
8:47:00 AM Daniel Cote, chiropractor
8:48:32 AM Sen. Atkinson
8:48:40 AM {Exhibit} 9: Rep. Vic Gilliam, House District 18
8:49:10 AM Sen. Atkinson
8:49:22 AM Rep. Gilliam
8:49:27 AM Sen. Atkinson
8:49:56 AM Cote
8:50:55 AM Vice-Chair Ferrioli
8:51:37 AM Cote
8:52:25 AM Vice-Chair Ferrioli
8:53:00 AM Chair Devlin
8:53:05 AM Vice-Chair Ferrioli
8:53:07 AM Chair Devlin
8:53:14 AM Huma Pierce, chiropractor
8:54:02 AM Vice-Chair Ferrioli
8:54:28 AM Pierce
8:54:46 AM Vice-Chair Ferrioli
8:55:08 AM Pierce
8:55:27 AM **State Apprenticeship and Training Council, Michael Pollock**
8:55:29 AM {Exhibit} 10: Chair Devlin
8:55:35 AM Michael Pollock, Director of Training, Steamfitters Union Local 290
Training Center
8:56:43 AM **Oregon Board of Licensed Professional Counselors and
Therapists, Elizabeth Hartshorn & Suzan Turley**
8:56:45 AM {Exhibit} 11: Chair Devlin
8:57:12 AM Elizabeth Hartshorn, licensed professional counselor
8:57:51 AM Vice-Chair Ferrioli
8:58:00 AM Hartshorn
8:58:04 AM Vice-Chair Ferrioli
8:58:20 AM Suzan Turley, Public Director at Large, Association of Social Work
Boards (by telephone)
8:59:57 AM Vice-Chair Ferrioli

9:00:11 AM Turley
9:00:16 AM Vice-Chair Ferrioli
9:00:28 AM Turley
9:01:38 AM **Oregon Educators Benefit Board, Rick Shidaker**
9:01:39 AM {Exhibit} 12: Chair Devlin
9:01:46 AM Rick Shidaker, field representative, Oregon School Employees Association
9:02:20 AM Vice-Chair Ferrioli
9:02:35 AM Shidaker
9:02:41 AM Vice-Chair Ferrioli
9:03:01 AM Shidaker
9:03:05 AM Vice-Chair Ferrioli
9:03:24 AM Chair Devlin
9:03:33 AM **Health Services Commission, Lawrence Betcher & James Tyack**
9:03:45 AM {Exhibit} 13: Chair Devlin
9:03:48 AM Lawrence Betcher, clinical social worker, Providence Adult Outpatient Services
9:04:57 AM Vice-Chair Ferrioli
9:05:22 AM Betcher
9:05:25 AM Vice-Chair Ferrioli
9:05:33 AM Betcher
9:05:59 AM Vice-Chair Ferrioli
9:06:25 AM Chair Devlin
9:06:27 AM James Tyack, dentist (by telephone)
9:07:53 AM Vice-Chair Ferrioli
9:08:42 AM Tyack
9:09:23 AM **Oregon Health and Science University Board of Directors, Maria Pope**
9:09:24 AM {Exhibit} 14: Chair Devlin
9:09:26 AM Maria Pope, Chief Financial Officer, Portland General Electric
9:10:51 AM Sen. Metsger
9:13:41 AM Pope
9:14:41 AM Sen. Metsger
9:15:56 AM Vice-Chair Ferrioli
9:16:25 AM Pope
9:16:28 AM Vice-Chair Ferrioli
9:16:42 AM Pope
9:17:21 AM Vice-Chair Ferrioli
9:17:53 AM Pope
9:18:08 AM Chair Devlin
9:18:15 AM Sen. Burdick
9:18:58 AM Pope
9:19:54 AM Sen. Burdick
9:20:44 AM Sen. Atkinson

9:23:29 AM Vice-Chair Ferrioli
9:24:04 AM Pope
9:24:36 AM **Commission on Hispanic Affairs, Andrea Cano**
9:24:38 AM {Exhibit} 15: Chair Devlin
9:24:41 AM Andrea Cano, consultant, non-profit organizations (by telephone)
9:26:56 AM Vice-Chair Ferrioli
9:27:18 AM Cano
9:27:40 AM Vice-Chair Ferrioli
9:28:08 AM **Home Care Commission, Mark King & Joseph Lowe**
9:28:50 AM {Exhibit} 16: Chair Devlin
9:28:52 AM Joseph Lowe, home care client (by telephone)
9:29:41 AM Vice-Chair Ferrioli
9:29:58 AM Lowe
9:30:37 AM Mark King, home care client
9:32:04 AM Vice-Chair Ferrioli
9:32:15 AM King
9:32:21 AM Chair Devlin
9:32:40 AM **Board of Examiners of Nursing Home Administrators, Nicolle King Deering**
9:33:00 AM {Exhibit} 17: Chair Devlin
9:33:07 AM Nicolle King Deering, Consultant Pharmacist, Payless Drug Long Term Care Pharmacy
9:34:44 AM Vice-Chair Ferrioli
9:35:07 AM Deering
9:35:08 AM Vice-Chair Ferrioli
9:35:58 AM Deering
9:36:24 AM Vice-Chair Ferrioli
9:36:35 AM Deering
9:36:37 AM Chair Devlin
9:37:22 AM **Commission on Judicial Fitness and Disability, Patricia Smith**
9:37:26 AM {Exhibit} 18: Chair Devlin
9:37:28 AM Patricia Smith, business owner/educator (by telephone)
9:38:53 AM Vice-Chair Ferrioli
9:39:07 AM Smith
9:39:09 AM Vice-Chair Ferrioli
9:40:00 AM Chair Devlin
9:40:02 AM Smith
9:40:28 AM **Oregon State Board of Nursing, Benjamin Souede & Max Tenscher**
9:40:29 AM {Exhibit} 19: Chair Devlin
9:40:55 AM Benjamin Souede, attorney, Lane Powell, PC (by telephone)
9:42:16 AM Vice-Chair Ferrioli
9:42:48 AM Souede
9:42:50 AM Vice-Chair Ferrioli
9:43:07 AM Souede

9:44:36 AM Vice-Chair Ferrioli
9:45:03 AM Max Tenscher, family nurse practitioner (by telephone)
9:46:12 AM Vice-Chair Ferrioli
9:46:31 AM Tenscher
9:46:44 AM Vice-Chair Ferrioli
9:46:58 AM Tenscher
9:47:59 AM **Outdoor Youth Program Advisory Board, Christina Meyerhoff**
9:48:00 AM {Exhibit} 20: Chair Devlin
9:48:06 AM Christina Meyerhoff, Director of Safety, Oregon Episcopal School
(by telephone)
9:49:09 AM Vice-Chair Ferrioli
9:49:20 AM Meyerhoff
9:49:24 AM Vice-Chair Ferrioli
9:49:30 AM Chair Devlin
9:49:33 AM **Quality Education Commission, Mark Mulvihill & Maryalice
Russell**
9:49:51 AM {Exhibit} 4: Chair Devlin
9:49:53 AM Mark Mulvihill, Superintendent, Umatilla-Morrow Education Service
District (by telephone)
9:51:01 AM Vice-Chair Ferrioli
9:51:12 AM Mulvihill
9:51:37 AM Vice-Chair Ferrioli
9:51:47 AM Mulvihill
9:52:48 AM Vice-Chair Ferrioli
9:53:00 AM Sen. Atkinson
9:53:55 AM Mulvihill
9:56:10 AM Sen. Atkinson
9:56:23 AM Mulvihill
9:56:33 AM Sen. Atkinson
9:56:50 AM Maryalice Russell, Superintendent, McMinnville School District (by
telephone)
9:57:39 AM Vice-Chair Ferrioli
9:58:09 AM Russell
9:58:11 AM Vice-Chair Ferrioli
9:58:41 AM Russell
9:58:47 AM Sen. Metsger
9:59:29 AM **Commission for Women, Sunny Petit & Darlene Taylor**
9:59:33 AM {Exhibit} 21: Chair Devlin
9:59:35 AM Sunny Petit, Director of Programs, Center for Women, Politics and
Policy, Portland State University (by telephone)
10:00:33 AM Vice-Chair Ferrioli
10:00:48 AM Petit
10:00:49 AM Vice-Chair Ferrioli
10:01:10 AM Petit
10:01:33 AM Vice-Chair Ferrioli

10:01:51 AM Chair Devlin
10:02:09 AM Darlene Taylor, research analyst (by telephone)
10:04:11 AM Vice-Chair Ferrioli
10:04:50 AM Taylor
10:05:49 AM **Oregon Board of Naturopathic Medicine, Gregory Eckel**
10:05:50 AM {Exhibit} 22: Chair Devlin
10:05:54 AM Gregory Eckel, physician (by telephone)
10:06:40 AM Vice-Chair Ferrioli
10:07:27 AM Eckel
10:07:43 AM Chair Devlin

10:08:06 AM **Executive Appointments - Work Session**

10:08:30 AM MOTION: Chair Devlin moves the appointments to the following boards and commissions to the Senate floor with a BE CONFIRMED EN BLOC recommendation:

10:08:34 AM Michael Pollock to the State Apprenticeship and Training Council
10:08:36 AM Daniel Cote & Huma Pierce to the State Board of Chiropractic Examiners
10:08:40 AM Elizabeth Hartshorn & Suzan Turley to the Oregon Board of Licensed Professional Counselors and Therapists
10:08:43 AM Rick Shidaker to the Oregon Educators Benefit Board
10:08:47 AM Doug Crow & Lisa Nicholson to the Fair Dismissal Appeals Board
10:08:51 AM Maria Pope to the Oregon Health and Science University Board of Directors
10:08:55 AM Lawrence Betcher & James Tyack to the Health Services Commission
10:09:00 AM Andrea Cano to the Commission on Hispanic Affairs
10:09:04 AM Mark King & Joseph Lowe to the Home Care Commission
10:09:07 AM Patricia Smith to the Commission on Judicial Fitness and Disability
10:09:12 AM Gregory Eckel to the Oregon Board of Naturopathic Medicine
10:09:17 AM Nicolle King Deering to the Board of Examiners of Nursing Home Administrators
10:09:20 AM Benjamin Souede & Max Tenscher to the Oregon State Board of Nursing
10:09:27 AM Christina Meyerhoff to the Outdoor Youth Program Advisory Board
10:09:31 AM Troy Costales, Richard Rutt & Carol Sutton to the Physical Therapist Licensing Board
10:09:36 AM Roger Carlson, Fran Ferder & James Hendry to the State Board of Psychologist Examiners
10:09:44 AM Mark Mulvihill, Maryalice Russell & Peter Tromba to the Quality Education Commission
10:09:49 AM Mary Olson to the Oregon Transportation Commission
10:09:52 AM Carol Whipple to the Water Resources Commission
10:09:57 AM Sunny Petit & Darlene Taylor to the Commission for Women
10:10:02 AM Debbie Glass & Lori Luchak to the State Workforce Investment

Board

- 10:10:12 AM** {Exhibit} 23: Vice-Chair Ferrioli
10:12:00 AM Chair Devlin
10:12:31 AM Vice-Chair Ferrioli
10:12:40 AM Sen. Metsger
10:13:21 AM Sen. Burdick
10:13:36 AM Chair Devlin
10:13:52 AM Vice-Chair Ferrioli
10:13:58 AM Sen. Burdick
10:14:12 AM Chair Devlin
10:14:19 AM VOTE: 5-0-0
10:14:19 AM Ayes: Atkinson, Burdick, Metsger, Ferrioli, Devlin
10:14:20 AM CARRIER: SEN. BURDICK will lead discussion on the floor
10:14:31 AM MOTION: Chair Devlin moves the reappointments to the following boards and commissions with a BE CONFIRMED EN BLOC recommendation:
10:15:04 AM Mark King & Joseph Lowe to the Home Care Commission
10:15:13 AM Suzan Turley to the Oregon Board of Licensed Professional Counselors and Therapists
10:15:15 AM VOTE: 5-0-0
10:15:15 AM Ayes: Atkinson, Burdick, Metsger, Ferrioli, Devlin
10:15:16 AM CARRIER: SEN. ATKINSON will lead discussion on the floor
10:15:20 AM Chair Devlin
10:15:43 AM Meeting Adjourned by Chair Devlin
-

SRULES

2/9/2010 8:04:13 AM

- 8:05:45 AM** {Exhibit} 1: Executive Appointments – State Workforce Investment Board, informational packet, staff, 16 pp
- 8:08:38 AM** {Exhibit} 2: Executive Appointments – State Board of Psychologist Examiners, informational packet, staff, 16 pp
- 8:10:02 AM** {Exhibit} 3: Executive Appointments, “The Truth Behind the Waldo Lake Decision” *The Oregonian* newspaper article, Sen. Ted Ferrioli, 2 pp
- 8:19:14 AM** {Exhibit} 4: Executive Appointments – Quality Education Commission, informational packet, staff, 11 pp
- 8:24:26 AM** {Exhibit} 5: Executive Appointments – Water Resources Commission, informational packet, staff, 6 pp
- 8:30:09 AM** {Exhibit} 6: Executive Appointments – Physical Therapist Licensing Board, informational packet, staff, 26 pp
- 8:39:36 AM** {Exhibit} 7: Executive Appointments – Fair Dismissal Appeals Board, informational packet, staff, 8 pp
- 8:44:23 AM** {Exhibit} 8: Executive Appointments – Oregon Transportation Commission, informational packet, staff, 4 pp
- 8:46:57 AM** {Exhibit} 9: Executive Appointments – State Board of Chiropractic Examiners, informational packet, staff, 16 pp
- 8:55:29 AM** {Exhibit} 10: Executive Appointments – State Apprenticeship and Training Council, informational packet, staff, 7 pp
- 8:56:45 AM** {Exhibit} 11: Executive Appointments – Oregon Board of Licensed Professional Counselors and Therapists, informational packet, staff, 14 pp
- 9:01:39 AM** {Exhibit} 12: Executive Appointments – Oregon Educator Benefit Board, informational packet, staff, 8 pp
- 9:03:45 AM** {Exhibit} 13: Executive Appointments – Health Services Commission, informational packet, staff, 24 pp
- 9:09:24 AM** {Exhibit} 14: Executive Appointments – Oregon Health and Science University Board of Directors, informational packet, 12 pp
- 9:24:38 AM** {Exhibit} 15: Executive Appointments – Commission on Hispanic Affairs, informational packet, staff, 10 pp
- 9:28:50 AM** {Exhibit} 16: Executive Appointments – Home Care Commission, informational packet, staff, 11 pp
- 9:33:00 AM** {Exhibit} 17: Executive Appointments – Board of Nursing Home Administrators, informational packet, staff, 10 pp
- 9:37:26 AM** {Exhibit} 18: Executive Appointments – Commission on Judicial Fitness and Ability, informational packet, staff, 8 pp

- 9:40:29 AM** {Exhibit} 19: Executive Appointments – Oregon State Board of Nursing, informational packet, staff, 13 pp
- 9:48:00 AM** {Exhibit} 20: Executive Appointments – Outdoor Youth Program Advisory Board, informational packet, staff, 5 pp
- 9:59:33 AM** {Exhibit} 21: Executive Appointments – Commission for Women, informational packet, staff, 15 pp
- 10:05:50 AM** {Exhibit} 22: Executive Appointments – Oregon Board of Naturopathic Medicine, informational packet, staff, 5 pp
- 10:10:12 AM** {Exhibit} 23: Executive Appointments, *Oath of Office*, Sen. Ted Ferrioli, 1 p
-