

SENATE SPECIAL SESSION COMMITTEE ON RULES

February 11, 2010
8:00 A.M.

Hearing Room C

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

MEMBER EXCUSED: Sen. Ginny Burdick

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

MEASURES/ISSUES HEARD: SR 3 – Public Hearing and Work Session
Public Hearing and Work Session (Executive Appointment)
Board of Boiler Rules
Oregon Board of Optometry
Oregon Medical Board
State Board of Direct Entry Midwifery
State Workforce Investment Board
Teacher Standards & Practices Commission
State Board of Higher Education
Public Employees' Benefit Board
Oregon Educators Benefit Board
Building Codes Structures Board
Oregon Volunteers Commission for Voluntary Action & Service
Oregon State Hospital Advisory Board
State Board of Tax Practitioners
SB 1014 – Work Session
SJR 41 – Public Hearing

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

SRULES

2/11/2010 8:05:03 AM

8:05:07 AM Meeting Called to Order by Chair Devlin

8:05:16 AM **SR 3 - Public Hearing**

8:05:37 AM Brigadier General Mike Caldwell, Deputy Director, Oregon Military Department

8:10:21 AM Chair Devlin

8:10:53 AM **Executive Appointments - Public Hearing**

8:11:38 AM **Board of Boiler Rules, Greg Itoh**

8:11:40 AM {Exhibit} 1: Chair Devlin

8:13:00 AM Greg Itoh, consultant, Garrett Callahan Company, Beaverton

8:13:23 AM **Oregon Board of Optometry, Jeffrey Pelson**

8:13:33 AM {Exhibit} 2: Chair Devlin

8:13:35 AM Jeffrey Pelson, optometric physician, Grants Pass

8:13:54 AM **Oregon Medical Board, Roger McKimmy & Kent Williamson**

8:13:56 AM {Exhibit} 3: Chair Devlin

8:14:38 AM Roger McKimmy, physician/surgeon, Oregon Urology Institute, Springfield

8:16:08 AM Kent Williamson, physician/surgeon, Pacific Vascular Specialists, Portland

8:17:27 AM {Exhibit} 4: Vice-Chair Ferrioli

8:18:56 AM Chair Devlin

8:19:01 AM Williamson

8:19:30 AM McKimmy

8:20:10 AM Vice-Chair Ferrioli

8:21:09 AM Chair Devlin

8:22:11 AM **State Board of Direct Entry Midwifery, Susan Heinz**

8:22:19 AM {Exhibit} 5: Chair Devlin

8:22:24 AM Susan Heinz, certified nurse midwife, Samaritan OB/GYN, Corvallis

8:22:55 AM Sen. Atkinson

8:23:06 AM Heinz

8:24:15 AM Vice-Chair Ferrioli

8:25:10 AM Heinz

8:25:30 AM Sen. Atkinson

8:25:35 AM Heinz

8:26:20 AM Vice-Chair Ferrioli

8:26:33 AM Chair Devlin

8:27:25 AM **State Workforce Investment Board, Robert Beisner**

8:27:26 AM {Exhibit} 6: Chair Devlin
8:27:28 AM Robert Beisner, Managing Director, SolarWorld Industries America Inc., Portland
8:28:16 AM Sen. Metsger
8:28:52 AM Beisner
8:30:40 AM Sen. Metsger
8:31:31 AM Beisner
8:33:29 AM State Board of Direct Entry Midwifery, Cynthia Luxford
8:33:32 AM Cynthia Luxford, licensed midwife, Home Sweet Home Birth, Otis
8:35:21 AM **Teacher Standards and Practices Commission, Nancy Watt**
8:35:25 AM {Exhibit} 7: Chair Devlin
8:35:29 AM Nancy Watt, retired university administrator, Tigard
8:36:40 AM Sen. Atkinson
8:36:43 AM Watt
8:36:56 AM Sen. Atkinson
8:36:58 AM Watt
8:37:22 AM Vice-Chair Ferrioli
8:38:36 AM Watt
8:38:38 AM Vice-Chair Ferrioli
8:38:51 AM Watt
8:39:20 AM Vice-Chair Ferrioli
8:40:02 AM Watt
8:41:46 AM Vice-Chair Ferrioli
8:42:28 AM Chair Devlin
8:42:50 AM **State Board of Higher Education, Jill Eiland**
8:42:52 AM {Exhibit} 8: Chair Devlin
8:42:55 AM Jill Eiland, Northwest Region Corporate Affairs Manager, Intel, Portland
8:43:34 AM Sen. Atkinson
8:43:41 AM Eiland
8:43:55 AM Sen. Atkinson
8:44:15 AM Eiland
8:44:17 AM Sen. Atkinson
8:44:38 AM Eiland
8:44:54 AM Sen. Atkinson
8:45:27 AM Eiland
8:46:07 AM Sen. Atkinson
8:46:59 AM Eiland
8:47:25 AM Sen. Atkinson
8:48:12 AM Eiland
8:48:28 AM Sen. Atkinson
8:49:18 AM Eiland
8:49:37 AM Sen. Atkinson
8:52:03 AM Eiland
8:52:20 AM **Public Employees' Benefit Board, Barney Speight**

- 8:52:25 AM** {Exhibit} 9: Chair Devlin
8:52:30 AM Barney Speight, Director of Health Care Purchasing, Oregon Health Authority, Salem
- 8:54:06 AM** **Oregon Educators Benefit Board, Mary Hennrich**
8:54:08 AM {Exhibit} 10: Chair Devlin
8:54:10 AM Mary Lou Hennrich, Executive Director, Community Health Partnership, Portland
- 8:56:11 AM** **Building Codes Structures Board, Joseph Bowers & Dan Carlson**
8:56:15 AM {Exhibit} 11: Chair Devlin
8:56:27 AM Joseph Bowers, Vice-President, Ironworkers Local #29, Salem
8:56:52 AM Dan Carlson, Development Services Manager, City of Corvallis
8:58:59 AM Vice-Chair Ferrioli
9:00:17 AM Carlson
9:02:12 AM Bowers
9:02:46 AM Vice-Chair Ferrioli
9:04:09 AM Chair Devlin
9:04:23 AM **Oregon Volunteers Commission for Voluntary Action & Service, Steven Pixley**
9:04:28 AM {Exhibit} 12: Chair Devlin
9:04:34 AM Steven Pixley, Volunteer Program Coordinator, Portland Parks & Recreation
- 9:05:36 AM** **Oregon State Hospital Advisory Board, Debra Orman McHugh**
9:05:44 AM {Exhibit} 13: Chair Devlin
9:05:49 AM Debra Orman McHugh, Oregon State Chapter, National Alliance for Mental Illness (NAMI), Salem
9:06:55 AM Vice-Chair Ferrioli
9:07:04 AM McHugh
9:07:06 AM Vice-Chair Ferrioli
9:08:34 AM **State Board of Tax Practitioners, Olivia Williams**
9:08:38 AM {Exhibit} 14: Chair Devlin
9:08:48 AM Olivia Williams, licensed tax practitioner, Williams, Williams & Co., Salem
- 9:11:17 AM** Vice-Chair Ferrioli
9:11:30 AM Williams
9:11:42 AM Vice-Chair Ferrioli
9:11:43 AM Williams
9:11:57 AM Vice-Chair Ferrioli
9:12:08 AM Williams
9:12:19 AM Vice-Chair Ferrioli
9:12:35 AM Chair Devlin
9:12:36 AM Vice-Chair Ferrioli
9:13:20 AM Williams
9:13:25 AM Vice-Chair Ferrioli
9:13:45 AM Williams

9:14:07 AM Vice-Chair Ferrioli
9:14:13 AM Williams
9:14:26 AM Chair Devlin
9:14:40 AM Vice-Chair Ferrioli
9:14:41 AM Williams
9:15:01 AM Chair Devlin

9:15:29 AM **SR 3 - Public Hearing**

9:15:34 AM Sen. Martha Schrader, Senate District 20
9:17:46 AM Vice-Chair Ferrioli
9:17:59 AM Sen. Schrader
9:18:15 AM Vice-Chair Ferrioli
9:18:38 AM Sen. Schrader
9:19:41 AM Vice-Chair Ferrioli
9:19:55 AM Sen. Schrader

9:20:07 AM **SR 3 – Work Session**

9:20:26 AM MOTION: Vice-Chair Ferrioli moves SR 3 BE ADOPTED
9:20:33 AM Vice-Chair Ferrioli
9:20:36 AM Chair Devlin
9:20:55 AM VOTE: 4-0-1
9:20:55 AM Ayes: Atkinson, Metsger, Ferrioli, Devlin; Excused: Burdick
9:20:56 AM CARRIER: SEN. SCHRADER will lead discussion on the floor

9:20:58 AM **Executive Appointments - Work Session**

9:21:09 AM MOTION: Chair Devlin moves the appointments to the following boards and commissions to the Senate floor with a BE CONFIRMED EN BLOC recommendation:
9:21:23 AM Greg Itoh to the Board of Boiler Rules
9:21:29 AM Joseph Bowers & Dan Carlson to the Building Codes Structures Board
9:21:31 AM Mary Hennrich to the Oregon Educators Benefit Board
9:21:33 AM Jill Eiland to the State Board of Higher Education
9:21:36 AM Roger McKimmy & Kent Williamson to the Oregon Medical Board
9:21:40 AM Susan Heinz & Cynthia Luxford to the State Board of Direct Entry Midwifery
9:21:45 AM Jeffrey Pelson to the Oregon Board of Optometry
9:21:49 AM Debra Orman McHugh to the Oregon State Hospital Advisory Board
9:21:54 AM Barney Speight to the Public Employees' Benefit Board
9:21:56 AM Nancy Watt to the Teacher Standards and Practices Commission
9:22:00 AM Olivia Williams to the State Board of Tax Practitioners
9:22:03 AM Steven Pixley to the Oregon Volunteers Commission for Voluntary Action & Service
9:22:07 AM Robert Beisner to the State Workforce Investment Board

9:22:15 AM VOTE: 4-0-1
9:22:15 AM Ayes: Atkinson, Metsger, Ferrioli, Devlin; Excused: Burdick
9:22:16 AM CARRIER: SEN. FERRIOLI will lead discussion on the floor
9:22:18 AM MOTION: Chair Devlin moves the reappointments to the following boards and commissions to the Senate floor with a BE CONFIRMED EN BLOCK recommendation:
9:22:28 AM Mary Hennrich to the Oregon Educators Benefit Board
9:22:30 AM Barney Speight to the Public Employees' Benefit Board
9:22:34 AM Donald Girard & Lewis Neace to the Oregon Medical Board
9:22:40 AM VOTE: 4-0-1
9:22:40 AM Ayes: Atkinson, Metsger, Ferrioli, Devlin; Excused: Burdick
9:22:41 AM CARRIER: SEN. METSGER will lead discussion on the floor
9:23:16 AM Meeting Recessed
9:34:18 AM Meeting Reconvened

9:34:48 AM **SB 1014 - Work Session**

9:34:53 AM {Exhibit} 15: Erin Seiler, Committee Administrator
9:36:00 AM Vice-Chair Ferrioli
9:36:16 AM Sasha Pollack, Senate Majority Office
9:36:41 AM Vice-Chair Ferrioli
9:36:45 AM Pollack
9:37:14 AM Vice-Chair Ferrioli
9:37:20 AM Pollack
9:37:25 AM Chair Devlin
9:37:34 AM Vice-Chair Ferrioli
9:37:41 AM Sen. Atkinson
9:37:51 AM Seiler
9:38:12 AM Pollack
9:38:17 AM Sen. Atkinson
9:38:34 AM MOTION: Chair Devlin moves -11 amendments
9:38:37 AM VOTE: 4-0-1
9:38:38 AM Ayes: Atkinson, Metsger, Ferrioli, Devlin; Excused: Burdick
9:38:59 AM MOTION: Sen. Metsger moves SB 1014 to the floor DO PASS AS AMENDED
9:39:04 AM VOTE: 3-1-1
9:39:04 AM Ayes: Metsger, Ferrioli, Devlin; Nays: Atkinson; Excused: Burdick
9:39:05 AM CARRIER: SEN. BURDICK will lead discussion on the floor

9:39:42 AM **SJR 41 - Public Hearing**

9:39:55 AM {Exhibit} 16, 17, 18: Erin Seiler, Committee Administrator
9:40:24 AM Vice-Chair Ferrioli
9:40:30 AM Chair Devlin
9:41:01 AM Vice-Chair Ferrioli
9:41:26 AM Chair Devlin
9:41:54 AM Vice-Chair Ferrioli

9:42:05 AM Chair Devlin
9:42:26 AM Vice-Chair Ferrioli
9:42:43 AM Sen. Metsger
9:43:17 AM Chair Devlin
9:43:31 AM Vice-Chair Ferrioli
9:43:53 AM Chair Devlin
9:44:01 AM Vice-Chair Ferrioli
9:44:03 AM Chair Devlin
9:44:12 AM {Exhibit} 19: Andi Miller, Senior Policy Analyst, Oregon Business Association
9:45:07 AM Chair Devlin
9:47:58 AM Miller
9:48:33 AM Chair Devlin
9:48:49 AM Vice-Chair Ferrioli
9:52:08 AM Chair Devlin
9:53:57 AM Vice-Chair Ferrioli
9:54:13 AM Chair Devlin
9:54:30 AM Miller
9:54:37 AM Vice-Chair Ferrioli
9:56:22 AM Chair Devlin
9:56:48 AM Vice-Chair Ferrioli
9:57:00 AM The following prepared testimony is submitted for the record without public testimony:
9:57:01 AM {Exhibit} 20: Kappy Eaton, Governance Coordinator, League of Women Voters of Oregon
9:57:03 AM Meeting Adjourned by Chair Devlin

SRULES

2/11/2010 8:05:03 AM

- 8:11:40 AM** {Exhibit} 1: Executive Appointments – Board of Boiler Rules, informational packet, staff, 8 pp
 - 8:13:33 AM** {Exhibit} 2: Executive Appointments – Oregon Board of Optometry, informational packet, staff, 10 pp
 - 8:13:56 AM** {Exhibit} 3: Executive Appointments – Oregon Medical Board, informational packet, staff, 42 pp
 - 8:17:27 AM** {Exhibit} 4: Executive Appointments – Oregon Medical Board, Oregon Medical Board Meeting Notice – January 2010, Sen. Ted Ferrioli, 2 pp
 - 8:22:19 AM** {Exhibit} 5: Executive Appointments – State Board of Direct Entry Midwifery, informational packet, staff, 9 pp
 - 8:27:26 AM** {Exhibit} 6: Executive Appointments – State Workforce Investment Board, informational packet, staff, 4 pp
 - 8:35:25 AM** {Exhibit} 7: Executive Appointments – Teacher Standards and Practices Commission, informational packet, staff, 6 pp
 - 8:42:52 AM** {Exhibit} 8: Executive Appointments – State Board of Higher Education, informational packet, staff, 8 pp
 - 8:52:25 AM** {Exhibit} 9: Executive Appointments – Public Employees' Benefit Board, informational packet, staff, 6 pp
 - 8:54:08 AM** {Exhibit} 10: Executive Appointments – Oregon Educators Benefit Board, informational packet, staff, 7 pp
 - 8:56:15 AM** {Exhibit} 11: Executive Appointments – Building Codes Structures Board, informational packet, staff, 12 pp
 - 9:04:28 AM** {Exhibit} 12: Executive Appointments – Oregon Volunteers Commission for Voluntary Action & Service, informational packet, staff, 9 pp
 - 9:05:44 AM** {Exhibit} 13: Executive Appointments – Oregon State Hospital Advisory Board, informational packet, staff, 7 pp
 - 9:08:38 AM** {Exhibit} 14: Executive Appointments – State Board of Tax Practitioners, informational packet, staff, 8 pp
 - 9:34:53 AM** {Exhibit} 15: SB 1014, -11 amendments, staff, 27 pp
 - 9:39:55 AM** {Exhibit} 16: SJR 41, -2 amendments, staff, 1 p
 - 9:39:55 AM** {Exhibit} 17: SJR 41, -4 amendments, staff, 1 p
 - 9:39:55 AM** {Exhibit} 18: SJR 41, -5 amendments, staff, 1 p
 - 9:44:12 AM** {Exhibit} 19: SJR 41, prepared testimony, Andi Miller, 1 p
 - 9:57:01 AM** {Exhibit} 20: SJR 41, prepared testimony, Kappy Eaton, 1 p
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