

## SENATE COMMITTEE ON RULES

March 06, 2013  
8:00 A.M.

Hearing Room B

**MEMBERS PRESENT:** Sen. Diane Rosenbaum, Chair  
Sen. Ted Ferrioli, Vice-Chair  
Sen. Lee Beyer  
Sen. Ginny Burdick  
Sen. Bruce Starr

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

**MEASURES/ISSUES HEARD:** Public Hearing and Work Session – Executive Appointments  
Executive Director of the Oregon Watershed  
Enhancement Board  
Director of Veterans' Affairs  
Oregon Board of Dentistry  
Oregon Education Investment Board  
Oregon Board of Accountancy  
State Board of Chiropractic Examiners  
Board of Commissioners of the Port of Coos Bay  
State Board of Direct Entry Midwifery  
State Board of Education  
Electrical and Elevator Board  
Employment Relations Board  
Governing Board of State Department of Geology and  
Mineral Industries  
Commission on Hispanic Affairs  
Oregon Liquor Control Commission  
State Board of Massage Therapists  
Pacific Northwest Electric Power and Conservation  
Planning Council  
Commission on Black Affairs  
Lane Transit District Board  
Construction Contractors Board  
Workers' Compensation Management-Labor Advisory  
Committee  
Work Session – Executive Appointments  
Health Evidence Review Commission  
Health Information Technology Oversight Council  
Oregon Health Policy Board  
Oregon State Hospital Advisory Board  
Land Conservation and Development Commission  
Oregon Board of Maritime Pilots  
Board of Medical Imaging  
Outdoor Youth Program Advisory Board  
Physical Therapist Licensing Board  
Psychiatric Security Review Board

## Recording Log

- 8:07:47 AM Meeting Called to Order by Chair Rosenbaum
- 8:07:50 AM **Executive Appointments - Public Hearing**
- 8:08:10 AM Chair Rosenbaum
- 8:08:52 AM Vice-Chair Ferrioli
- 8:09:02 AM Sen. Beyer
- 8:09:06 AM Sen. Starr
- 8:09:23 AM **{Exhibit} 1: Executive Director of the Oregon Watershed Enhancement Board, Thomas Byler**
- 8:09:36 AM Thomas Byler, Executive Director, Oregon Watershed Enhancement Board
- 8:12:36 AM Vice-Chair Ferrioli
- 8:12:57 AM Byler
- 8:13:28 AM Vice-Chair Ferrioli
- 8:14:29 AM Byler
- 8:15:15 AM Vice-Chair Ferrioli
- 8:15:33 AM Byler
- 8:15:53 AM Vice-Chair Ferrioli
- 8:16:51 AM Byler
- 8:17:00 AM Vice-Chair Ferrioli
- 8:17:48 AM **{Exhibit} 2: Director of Veterans' Affairs, Cameron Smith**
- 8:17:59 AM Cameron Smith, Director, Oregon Department of Veterans' Affairs, Salem
- 8:20:47 AM Chair Rosenbaum
- 8:21:00 AM Sen. Starr
- 8:21:28 AM Smith
- 8:21:47 AM Chair Rosenbaum
- 8:22:18 AM Sen. Burdick
- 8:22:51 AM **{Exhibit} 3: Oregon Board of Dentistry, Todd Beck, James Morris**
- 8:23:56 AM Todd Beck, dentist, Mt. Tabor Dental, LLC, Portland
- 8:24:16 AM James Morris, financial representative, Northwestern Mutual, Portland
- 8:27:11 AM **{Exhibit} 4: Oregon Education Investment Board, Richard Withnell**
- 8:27:21 AM Richard Withnell, Owner, Withnell Motor Company, Salem
- 8:28:20 AM Sen. Starr
- 8:28:39 AM **{Exhibit} 5: Oregon Board of Accountancy, John Lauseng**
- 8:28:48 AM John Lauseng, Senior Audit Manager, AKT LLP, Sherwood
- 8:30:17 AM **{Exhibit} 6: State Board of Chiropractic Examiners, Jason Young**
- 8:30:22 AM Jason Young, chiropractor, Body of Health Chiropractic and Wellness

Center, Corvallis

- 8:30:30 AM The following written testimony is submitted for the record without public testimony:
- 8:30:31 AM {Exhibit} 7: J. Michael Burke, chiropractic physician, Portland
- 8:33:07 AM **{Exhibit} 8: Board of Commissioners of the Oregon International Port of Coos Bay, Eric Farm, Donna Opitz**
- 8:33:22 AM Donna Opitz, realtor, Pacific Properties, Coos Bay
- 8:34:40 AM Eric Farm, forester, The Campbell Group, LLC, North Bend
- 8:36:14 AM Chair Rosenbaum
- 8:36:30 AM The following written testimony is submitted for the record without public testimony:
- 8:36:32 AM {Exhibit} 9: Jody McCaffree, resident, North Bend
- 8:36:47 AM **{Exhibit} 10: State Board of Direct Entry Midwifery, Colleen Forbes**
- 8:37:02 AM Colleen Forbes, licensed midwife, Midwifery Care, Eugene
- 8:38:58 AM **{Exhibit} 11: State Board of Education, Miranda Summer, Anthony Veliz**
- 8:39:28 AM Miranda Summer, attorney, Summer Janzen LLP, Portland
- 8:41:05 AM Anthony Veliz, owner, IZO Public Relations & Marketing, Woodburn
- 8:43:28 AM **{Exhibit} 12: Electrical and Elevator Board, Heather Miller**
- 8:43:37 AM Heather Miller, project manager, Dynalectric, Portland
- 8:45:28 AM **{Exhibit} 13: Employment Relations Board, Adam Rhynard**
- 8:45:33 AM Adam Rhynard, staff attorney, Workers' Compensation Board, Portland (by telephone)
- 8:47:56 AM Vice-Chair Ferrioli
- 8:48:28 AM Chair Rosenbaum
- 8:48:47 AM Rhynard
- 8:49:00 AM The following written testimony is submitted for the record without public testimony:
- 8:49:01 AM {Exhibit} 14: Diana Moffat, Executive Director, Local Government Personnel Institute
- 8:49:02 AM {Exhibit} 15: Duke Shepard, Human Services/Labor Policy Advisor, Office of the Governor
- 8:49:24 AM **{Exhibit} 16: Governing Board of the State Department of Geology & Mineral Industries, Dennis Luke**
- 8:49:29 AM Dennis Luke, owner, Luke Builders Inc., Bend
- 8:51:12 AM Sen. Starr
- 8:51:29 AM Luke
- 8:51:32 AM Vicki McConnell, Oregon State Geologist; Director, Oregon Department of Geology & Mineral Industries

- 8:53:14 AM {Exhibit} 17: Commission on Hispanic Affairs, Cynthia Gomez**  
**8:53:21 AM** Cynthia Gomez, Director of Cultural Centers & Instructor, Portland State University, Portland (by telephone)
- 8:54:51 AM** The following written testimony is submitted for the record without public testimony:  
**8:54:55 AM** {Exhibit} 18: Andrea Cano, Chair, Commission on Hispanic Affairs
- 8:55:11 AM {Exhibit} 19: Oregon Liquor Control Commission, Pamela Weatherspoon**  
**8:55:24 AM** Pamela Weatherspoon, Community Relations, Randall Children's Hospital at Legacy Emanuel Medical  
**8:57:43 AM** Sen. Beyer  
**8:58:26 AM** Weatherspoon
- 8:59:11 AM {Exhibit} 20: State Board of Massage Therapists, Steven Foster-Wexler**  
**8:59:21 AM** Steven Foster-Wexler, acupuncturist, Alpine Acupuncture, LLC, Bend
- 9:02:00 AM {Exhibit} 21: Pacific Northwest Electric Power and Conservation Planning Council, Bill Bradbury**  
**9:02:06 AM** Bill Bradbury, Chair, Pacific Northwest Electric Power and Conservation Planning Council (by telephone)  
**9:08:17 AM** Chair Rosenbaum
- 9:09:12 AM {Exhibit} 22: Commission on Black Affairs, Robin Collin, Kayse Jama, Gwendolyn Trice**  
**9:09:42 AM** Robin Collin, Norma J. Paulus Professor of Law, Willamette University, Salem  
**9:11:58 AM** Kayse Jama, Center for Intercultural Organizing, Portland  
**9:14:05 AM** Gwendolyn Trice, Executive Director, Maxville Heritage Interpretive Center, Enterprise
- 9:18:30 AM {Exhibit} 23: Lane Transit District Board, Martha Reilly, Carl Yeh**  
**9:18:49 AM** Martha Reilly, physician, Oregon Medical Group, Eugene  
**9:20:13 AM** Carl Yeh, Director of Student Conduct and Community Standards, University of Oregon, Eugene  
**9:21:32 AM** Sen. Beyer  
**9:21:50 AM** Reilly  
**9:22:02 AM** Yeh  
**9:22:24 AM** Sen. Beyer
- 9:22:50 AM {Exhibit} 24: Construction Contractors Board, Sandi Warren**  
**9:22:57 AM** Sandi Warren, Owner/President, D & F Plumbing Co., Portland  
**9:23:00 AM** The following written testimony is submitted for the record without public testimony:  
**9:23:01 AM** {Exhibit} 25: Brian Krieg, Government Affairs Representative, Plumbing

and Mechanical Contractors Association & Sheet Metal, Air Conditioning  
Contractors Association

9:25:27 AM Meeting Recessed  
9:27:22 AM Meeting Reconvened

9:27:32 AM **{Exhibit} 26: Workers' Compensation Management-Labor Advisory  
Committee (MLAC), John Mohlis**

9:27:46 AM John Mohlis, Executive Secretary, Oregon State Building Trades Council

9:29:11 AM Chair Rosenbaum

9:29:20 AM Vice-Chair Ferrioli

9:29:38 AM Mohlis

9:30:45 AM Vice-Chair Ferrioli

9:31:06 AM Mohlis

9:31:48 AM Bill Kluting, Carpenters Industrial Council

9:31:49 AM **Executive Appointments - Work Session**

9:32:37 AM MOTION: CHAIR ROSENBAUM MOVES THE APPOINTMENT OF  
CAMERON SMITH AS DIRECTOR OF OREGON DEPARTMENT OF  
VETERANS' AFFAIRS TO THE SENATE FLOOR WITH THE  
RECOMMENDATION THAT HE BE CONFIRMED

9:33:05 AM VOTE: 5-0-0

9:33:08 AM AYES: BEYER, BURDICK, STARR, FERRIOLI, ROSENBAUM

9:33:11 AM CARRIER: SEN. STARR WILL LEAD DISCUSSION ON THE FLOOR

9:33:21 AM MOTION: CHAIR ROSENBAUM MOVES THE APPOINTMENT OF TOM  
BYLER AS EXECUTIVE DIRECTOR OF THE OREGON WATERSHED  
ENHANCEMENT BOARD TO THE SENATE FLOOR WITH THE  
RECOMMENDATION THAT HE BE CONFIRMED

9:33:36 AM VOTE: 5-0-0

9:33:39 AM AYES: BEYER, BURDICK, STARR, FERRIOLI, ROSENBAUM

9:33:45 AM CARRIER: SEN. BURDICK WILL LEAD DISCUSSION ON THE FLOOR

9:33:54 AM MOTION: CHAIR ROSENBAUM MOVES THE APPOINTMENT OF BILL  
BRADBURY TO THE PACIFIC NORTHWEST ELECTRIC POWER &  
CONSERVATION PLANNING COUNCIL TO THE SENATE FLOOR WITH  
THE RECOMMENDATION THAT HE BE CONFIRMED

9:34:05 AM VOTE: 5-0-0

9:34:06 AM AYES: BEYER, BURDICK, STARR, FERRIOLI, ROSENBAUM

9:34:10 AM CARRIER: SEN. BEYER WILL LEAD DISCUSSION ON THE FLOOR

9:34:26 AM MOTION: CHAIR ROSENBAUM MOVES THE APPOINTMENT OF ADAM  
RHYNARD TO THE EMPLOYMENT RELATIONS BOARD TO THE  
SENATE FLOOR WITH THE RECOMMENDATION THAT HE BE  
CONFIRMED

9:35:07 AM VOTE: 4-1-0

9:35:11 AM AYES: BEYER, BURDICK, STARR, ROSENBAUM

9:35:12 AM NAYS: FERRIOLI

9:35:14 AM CARRIER: SEN. ROSENBAUM WILL LEAD DISCUSSION ON THE  
FLOOR

- 9:35:16 AM** MOTION: CHAIR ROSENBAUM MOVES THE FOLLOWING APPOINTMENTS AND REAPPOINTMENTS TO THE FOLLOWING BOARDS AND COMMISSIONS TO THE SENATE FLOOR WITH THE RECOMMENDATION THAT THEY BE CONFIRMED EN BLOC:
- 9:35:26 AM** John Lauseng to the Oregon Board of Accountancy
- 9:35:31 AM** Robin Collin, Kayse Jama, and Gwendolyn Trice to the Commission on Black Affairs
- 9:35:33 AM** {Exhibit} 6: Daniel Cote and Jason Young to the State Board of Chiropractic Examiners
- 9:35:36 AM** Sandi Warren to the Construction Contractors Board
- 9:35:40 AM** Eric Farm and Donna Opitz to the Board of Commissioners of the Oregon International Port of Coos Bay
- 9:35:47 AM** {Exhibit} 3: Todd Beck, Jonna Hongo, James Morris, and Brandon Schwindt to the Oregon Board of Dentistry
- 9:35:53 AM** Colleen Forbes to the State Board of Direct Entry Midwifery
- 9:35:58 AM** Richard Withnell to the Oregon Education Investment Board
- 9:36:02 AM** Miranda Summer and Anthony Veliz to the State Board of Education
- 9:36:05 AM** Heather Miller to the Electrical and Elevator Board
- 9:36:10 AM** Dennis Luke to the Governing Board of the State Department of Geology & Mineral Industries
- 9:36:15 AM** {Exhibit} 27: **Leda Garside to the Health Evidence Review Commission**
- 9:36:21 AM** {Exhibit} 28: **Gregory Fraser, David Widen, Bridget Barnes Page, Ellen Larsen, and Carolyn Lawson to the Health Information Technology Oversight Council**
- 9:36:30 AM** {Exhibit} 29: **Carlos Crespo, Eric Parsons, Joe Robertson, and Lillian Shirley to the Oregon Health Policy Board**
- 9:36:37 AM** {Exhibit} 17: Andrea Cano and Cynthia Gomez to the Commission on Hispanic Affairs
- 9:36:44 AM** Steven Foster-Wexler to the State Board of Massage Therapists
- 9:36:49 AM** {Exhibit} 30: **Beckie Child and Herbert Ozer to the Oregon State Hospital Advisory Board**
- 9:36:55 AM** {Exhibit} 31: **Gregory Macpherson to the Land Conservation and Development Commission**
- 9:37:02 AM** {Exhibit} 23: Doris Towery, Martha Reilly, and Carl Yeh to the Lane Transit District Board
- 9:37:07 AM** {Exhibit} 19: Cassandra Skinner and Pamela Weatherspoon to the Oregon Liquor Control Commission
- 9:37:11 AM** {Exhibit} 32: **Arminda Ferris to the Oregon Board of Maritime Pilots**
- 9:37:15 AM** {Exhibit} 33: **William McMillen and Pamela Warren to the Board of Medical Imaging**
- 9:37:18 AM** {Exhibit} 34: **John Huffine to the Outdoor Youth Program Advisory Board**
- 9:37:24 AM** {Exhibit} 35: **Richard Rutt to the Physical Therapist Licensing Board**
- 9:37:27 AM** {Exhibit} 36: **Robert McKelvey to the Psychiatric Security Review Board**

**9:37:31 AM** John Mohlis to the Workers' Compensation Management-Labor Advisory Committee  
**9:37:42 AM** VOTE: 5-0-0  
**9:37:43 AM** AYES: BEYER, BURDICK, STARR, FERRIOLI, ROSENBAUM  
**9:37:45 AM** CARRIER: SEN. FERRIOLI WILL LEAD DISCUSSION ON THE FLOOR  
**9:38:24 AM** Meeting Adjourned by Chair Rosenbaum

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### Exhibit Summary

**8:09:23 AM** {Exhibit} 1: Executive Appointments – Executive Director of the Oregon Watershed Enhancement Board, information packet, staff and Governor's Office, 4 pp  
**8:17:48 AM** {Exhibit} 2: Executive Appointments – Director of Veterans' Affairs, information packet, staff and Governor's Office, 2 pp  
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**8:30:31 AM** {Exhibit} 7: Executive Appointments – State Board of Chiropractic Examiners, written testimony, J. Michael Burke, 3 pp  
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- written information, Andrea Cano, 2 pp
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