

MINUTES
SENATE FINANCE COMMITTEE
February 13, 2001
9:04 AM

TAPES

SFC-01 # 14, SIDE A

CALL TO ORDER

Co-Chair Pete Kelly convened the meeting at approximately 9:04 AM.

PRESENT

Senator Dave Donley, Co-Chair
Senator Pete Kelly, Co-Chair
Senator Jerry Ward, Vice Chair
Senator Lyda Green
Senator Gary Wilken
Senator Alan Austerman
Senator Lyman Hoffman
Senator Donald Olson
Senator Loren Leman

SUMMARY INFORMATION

SB 16-OIL DISCH PREVENTION: NONTANK VESSELS/RR

The Committee moved the bill from the Committee.

SB 21-FINES BY THE STATE MEDICAL BOARD

The Committee adopted a Letter of Intent and moved the bill from Committee.

SB 53-EXTENDING THE BD. OF BARBERS/HAIRDRESSERS

The Committee adopted a Letter of Intent and moved the bill from Committee.

#SB16

SENATE BILL NO. 16

"An Act regarding oil discharge prevention and cleanup involving self-propelled nontank vessels exceeding 400 gross

registered tonnage and railroad tank cars and related facilities and operations and requiring preparation and implementation of oil discharge contingency plans for those nontank vessels and railroad tank cars; amending the definition of 'response action' that relates to releases or threatened releases of oil and thereby amending the duties and liabilities of response action contractors; and authorizing compliance verification for nontank vessels and for trains and related facilities and operations; and providing for an effective date."

This was the third hearing for this bill in the Senate Finance Committee.

Co-Chair Kelly drew member's attention to the sponsor statement from the Taskforce on Motorized Oil Transport that was prepared since the previous hearing.

Co-Chair Donley expressed that his lack of further questions at this time should not be mistaken for support of the fiscal notes. He stated that while concerns were raised at the previous hearing he had yet to find solutions.

Senator Ward offered a motion to move from Committee, SB 16 with Department of Transportation and Public Facilities zero fiscal noted, dated February 7, 2001, and \$78,000 fiscal note from the Department of Environmental Conservation dated February 9, 2001.

Co-Chair Donley requested the motion be severed to exclude fiscal notes.

Senator Ward restated the motion as to apply to the bill only.

Without objection, SB 16 MOVED from Committee.

Co-Chair Donley moved for adoption of the aforementioned fiscal notes. He spoke against the addition of four positions to state government that these fiscal notes provide. He stressed that he hoped future finance committees would reexamine the situation in the event that the Department of Environmental Conservation requests even more positions to perform the prescribed duties. He opined that the department should be able to accomplish the duties with existing staff. He qualified that the legislation itself is important and suggested designating the added positions toward the accomplishment of the goals of this legislation. At the same time, he continued, the adoption of the fiscal note should not be construed as an endorsement for an increased level of funding for the department. He explained that if the budget subcommittee is

able to identify how this job could be done using existing staff, adjustments should be made. He summarized that while the fiscal note creates four additional positions, by the end of the legislative session, there may not actually be four new employees depending upon the merits of the existing positions.

Co-Chair Donley commented that the sponsor statement was well prepared.

There was no objection and the fiscal notes MOVED from Committee with the bill.

#SB21

SENATE BILL NO. 21

"An Act increasing the maximum civil fine that may be imposed by the State Medical Board as a disciplinary sanction."

This was the second hearing for this bill in the Senate Finance Committee.

Senator Olson relayed that since the last hearing he had spoken with each member of the Committee addressing the concerns voiced earlier.

Senator Olson proposed a Letter of Intent that reads as follows.

It is the intent of the legislature that the State Medical Board apply increased fines for serious and consequential violations of ethical and professional misconduct. The size of fines that are typically imposed for minor, noncompliance infractions should remain unaffected by the enactment of SB 21.

Senator Leman felt the language was unclear in stipulating which violations would be affected.

Senator Olson responded that the increased fines would be imposed for ethical and professional misconduct.

Co-Chair Kelly interjected that the Committee intended to not raise the fines for those smaller infractions. He asserted that the language was clear on this matter.

Senator Leman stated he understood.

Senator Olson moved to adopt the Letter of Intent. Without

objection, it was ADOPTED.

Co-Chair Donley offered a motion to move SB 21 from Committee with accompanying zero fiscal note from the Department of Environmental Conservation and the adopted Letter of Intent.

There was no objection and the bill MOVED from Committee.

#SB53

SENATE BILL NO. 53

"An Act extending the termination date of the Board of Barbers and Hairdressers."

This was the second hearing for this bill in the Senate Finance Committee.

Senator Green noted that she no longer had an objection to this legislation, which she questioned at the previous hearing.

Co-Chair Donley stated that he wished to draft Letter of Intent to accompany this legislation.

AT EASE 9:13 AM / 9:21 AM

Co-Chair Donley spoke to a proposed Letter of Intent that reads as follows.

The legislature requests that the Board of Barbers and Hairdressers carefully consider the option of self-testing by various vocations regulated by the Board and that it consider a pilot program of self-testing. The legislature specifically requests the board to research and investigate the results of self-testing in Washington and Oregon.

Co-Chair Donley shared that the Division of Legal and Research Services identified that both Washington and Oregon provide self-testing options and that some other states do no testing. He explained that in Alaska there are limited locations that offer the necessary testing and that parties sometimes must wait months before testing. This letter, he stated, asks the board to consider the merits of self-testing and its success in Washington and Oregon.

Co-Chair Donley moved for adoption.

There was no objection and the Letter of Intent was ADOPTED.

Co-Chair Donley offered a motion to report from Committee, SB 53 with accompanying zero fiscal note from the Department of Community and Economic Development and the Letter of Intent.

There was no objection and the bill MOVED from Committee.

#SB21

SENATE BILL NO. 21

"An Act increasing the maximum civil fine that may be imposed by the State Medical Board as a disciplinary sanction."

Co-Chair Donley moved to rescind the Committee's action to report the bill from Committee.

There was no objection and the Committee's action was RESCINDED.

Co-Chair Donley moved to rescind the Committee's action to adopt the letter of intent submitted by Senator Olson.

Without objection, the Committee's action was RESCINDED.

Senator Leman moved to amend Senator Olson's Letter of Intent.

AT EASE 9:25 AM / 9:28 AM

Senator Leman WITHDREW his motion.

Senator Green moved to adopt the Letter of Intent she authored, which reads as follows.

It is the intent of the Legislature that the size of fines typically imposed for minor, noncompliance infractions remain unaffected by the enactment of SB 21.

It is the intent of the Legislature that the size of fines typically imposed for serious and consequential violations of ethical and professional misconduct be increased.

There being no objection, Senator Green's letter of intent was ADOPTED.

Senator Green offered a motion to report from Committee, SB 21 SB 21 with accompanying zero fiscal note from the Department of Environmental Conservation and the Letter of Intent submitted by Senator Green.

There was no objection and the bill MOVED from Committee.

Co-Chair Kelly pointed out that some Committee members had signed the Committee Report before Senator Green's Letter of Intent replaced Senator Olson's. He stated that if any member wished to change the recommendation he or she indicated on the report a new form would be created; it was determined that this would not be necessary.

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ADJOURNMENT

Co-Chair Kelly adjourned the meeting at 9:30 AM.