

HOUSE COMMITTEE ON JUDICIARY

May 21, 2001
8:00 a.m.

Hearing Room 357
Tapes 63 – 64

MEMBERS PRESENT: **Rep. Wayne Krieger, Vice-Chair**
 Rep. Kathy Lowe, Vice-Chair
 Rep. Robert Ackerman
 Rep. Vic Backlund
 Rep. Jackie Dingfelder
 Rep. Charlie Ringo
 Rep. Lane Shetterly
 Rep. Cheryl Walker
 Rep. Vicki Walker
 Rep. Carl Wilson

MEMBER EXCUSED: **Rep. Max Williams, Chair**

STAFF PRESENT: **Bill Taylor, Counsel**
 Ann Martin, Committee Assistant

MEASURE/ISSUES HEARD: **SB 894 Public Hearing and Work Session**
 HB 3908 Work Session
 SB 704A Work Session
 SB 773A Work Session
 SB 713A Work Session

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 63, A		
004	Vice-Chair Krieger	Calls the meeting to order at 8:20 a.m. and opens a public hearing on SB 894.
<u>SB 894 PUBLIC HEARING</u>		
012	Lori Long	Department of Consumer and Business Services (DCBS) Testifies in support of SB 894 that requires insurance companies and health plans to pay claims for payment of health care services in timely manner.
023	Mike Becker	Regence Bluecross/Blueshield of Oregon Testifies in support of SB 894.
058	Rep. Shetterly	Says that it directs the Department (DCBS) to define "clean claim" with reference to Medicare and asks what the Medicare definition of clean claim is.
069	Becker	Answers that Medicare definition of a "clean claim" is a claim that does not require any additional information from another source for its payment.
083	Kevin Earls	Oregon Association of Hospitals and Health Systems Testifies in support of SB 894.
188	Becker	Points out that there will be changes over the definition of "clean

211	Rep. Shetterly	claim” over the next five years. Says that they they drafted this bill so that it is consistent with Federal law.
218	Earls	Asks if there is information now as to what the average length of time is for the payment of a claim.
253	Rep. V. Walker	Answers that there was broad disagreement over this issue and so they created a provision in the bill that helps all parties to agree in the future.
261	Becker	Wonders if there has been any effort to clean up the process when people are double insured.
263	Rep. V. Walker	States that the issue Rep. Walker is referring to is called coordination of benefits among two different carriers and that this is a problem area they are working on.
275	Becker	Mentions that an additional problem is that they go by the birthdate of the policyholder.
305	Vice-Chair Krieger	Responds that coordination of benefits is a very complicated area, but they are working on it.
		Closes the public hearing on SB 894 and opens a work session on SB 894.

SB 894 WORK SESSION

336 Rep. C. Walker MOTION: Moves SB 894 to the floor with a DO PASS recommendation.

337 VOTE: 9-0-2

338 Vice-Chair Krieger EXCUSED: 2 - Lowe, Williams

Hearing no objection, declares the motion CARRIED. REP. C. WALKER will lead discussion on the floor.

345 Vice-Chair Krieger Closes the work session on SB 894 and opens a work session on HB 3908.

HB 3908 WORK SESSION

370 Counsel Shartel Introduces HB 3908 that requires elected or appointed local government official to disclose conflict of interest in local land use proceeding, and discusses the –8 amendments (**EXHIBIT A**).

380 **Randy Tucker and Robert Liberty 1000 Friends of Oregon**

486 Rep. Shetterly Testify in support of HB 3908 and the –8 amendments.

TAPE 64, A
018 Rep. Shetterly Discusses bill with the inclusion of the –8 amendments.

019 MOTION: Moves to ADOPT HB 3908 amendments dated 05/21/01.

VOTE: 10-0-1

020 Vice-Chair Krieger EXCUSED: 1 - Williams

028 Tucker Hearing no objection, declares the motion CARRIED.

Adds that the other major amendment to the bill is that the bill now covers all local governments and the Land Conservation and Development Committee.

033 **Steve Kafoury Audubon Society of Portland**

Testifies in support of HB 3908 and submits testimony (**EXHIBIT B**).

048 Rep. Shetterly MOTION: Moves HB 3908 to the floor with a DO PASS AS AMENDED recommendation.

049 VOTE: 10-0-1

050 Vice-Chair Krieger EXCUSED: 1 - Williams

Hearing no objection, declares the motion CARRIED.

REPRESENTATIVES LEE/HASS will lead discussion on the

floor.

093 Vice-Chair Krieger Closes the work session on HB 3908 and opens a work session on SB 704A.

SB 704A WORK SESSION

095 Counsel Shartel Introduces SB 704A that requires clergyperson who solemnizes marriage to identify on certificate religious congregation or organization that authorized clergyperson to solemnize marriages.

100 Rep. Lowe Comments on programs that are available on the Internet where you can become a clergy of a new church and then solemnize marriages.

142 **Senator Shields** **Senate District 9**

Testifies in support of SB 704A.

203 **Rep. C. Walker** **MOTION: Moves SB 704A to the floor with a DO PASS recommendation.**

208 **VOTE: 9-0-2**

EXCUSED: 2 - Shetterly, Williams

217 **Vice-Chair Krieger** **Hearing no objection, declares the motion CARRIED. REP. LOWE will lead discussion on the floor.**

223 Vice-Chair Krieger Closes the work session on SB 704A and opens a work session on SB 773A.

SB 773A WORK SESSION

220 Counsel Shartel Introduces SB 773A that provides that notice requirements of Oregon Tort Claims Act do not apply if claimant was under age of 18 years when claim arose, claim is against State Office for Services to Children and Families or Oregon Youth Authority and claimant was in custody pursuant to specified statutes when claim arose.

270 **Rep. Ringo** **MOTION: Moves SB 773A to the floor with a DO PASS recommendation.**

271 **VOTE: 8-0-3**

EXCUSED: 3 - Shetterly, Wilson, Williams

280 **Vice-Chair Krieger** **Hearing no objection, declares the motion CARRIED. REP. RINGO will lead discussion on the floor.**

286 Vice-Chair Krieger Closes the work session on SB 773A and opens a work session on SB 713A.

SB 713A WORK SESSION

285 Counsel Shartel Introduces SB 713A that exempts international adoptions from restrictions on disclosure of confidential information when requested by adult adoptee and discusses the –4 amendments **(EXHIBIT C).**

314 **Bob Olson** **Oregon State Bar**

Testifies in support of SB 713A.

334 Rep. C. Walker Asks about the period of time allowed for counseling for the birth mother.

352 Rep. Shetterly Says that on lines 18 and 19, page 1, of the –4 amendments, that the counseling would have to be received within one year.

383 Rep. V. Walker Comments that she thinks there should be a longer period than one year for counseling.

406 Vice-Chair Lowe Says that she believes the –4 amendments will make adoption more expensive for the prospective parents and wonders if there

428	Olson	is relief available for parents of modest means. Answers that there is growing consensus that counseling be required in the course of adoption.
TAPE 63, B		
005	Rep. V. Walker	Says that counseling should be figured into the plan.
014	Rep. Lowe	Asks if there was alternative funding discussed.
018	Olson	Says that they were concerned about having a fiscal impact on this bill, so that this bill was drafted as a minimum standard.
023	Rep. Shetterly	Wonders if failure to provide counseling infers that that might be grounds for revoking the adoption.
041	Olson	Proposes that if Rep. Shetterly wants to prepare an amendment then they could work on it later this session, or during the interim.
047	Rep. V. Walker	Says that she agrees with Rep. Shetterly.
067	Vice-Chair Krieger	Tells Mr. Olson that he needs to make a couple of changes and then bring it back.
072	Todd Kwapisz	Holt International Children's Services Testifies in support of SB 713A and says that they have not looked at the -4 amendments.
082	Vice Chair Krieger	Closes the work session on SB 713A and adjourns the meeting at 9:20 a.m.

Submitted By,

Reviewed By,

Ann Martin
Committee Assistant

Bill Taylor,
Counsel

EXHIBIT SUMMARY

A – HB 3908, -8 amendments, submitted by staff, dated 5/21/01, 3 pgs.

B – HB 3908, written testimony of Mike Houck, Audubon Society of Portland, submitted by Steve Kafoury, dated 5/10/01, 1 p.

C – SB 713A, -4 amendments, submitted by staff, dated 5/21/01, 2 pgs.

D – SB 894A, written testimony of Prompt Payment Work Group, submitted by staff, dated 5/01, 3 pgs. (Submitted prior to the meeting)