

SENATE COMMITTEE ON JUDICIARY

February 14, 2001 Hearing Room 343
1:00 P.M. Tapes 34 – 36

MEMBERS PRESENT: **Sen. John Minnis, Chair**
 Sen. Peter Courtney, Vice-Chair
 Sen. Roger Beyer
 Sen. Ginny Burdick
 Sen. Verne Duncan
 Sen. Steve Harper
 Sen. Rick Metsger

STAFF PRESENT: **Bill Taylor, Counsel**
 Jane Bodenweiser, Committee Assistant

MEASURE/ISSUES HEARD: **SB 340 Public Hearing**
 SB 337 Work Session
 SB 338 Work Session
 SB 339 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 34, A		
004	Chair Minnis	Calls the meeting to order at 1:10 p.m. and opens a public hearing on SB 340.
<u>SB 340 PUBLIC HEARING</u>		
007	Brian Brown	Submits testimony on behalf of Kurt Jaeger (EXHIBIT A).
019	Layne Barlow	Oregonians For Family Law Reform Submits testimony and testifies as neutral on SB 340 relating to license suspension based on child support. (EXHIBIT B). Comments that the State is using its "awesome" power to extract money from citizens who are doing the best they can. Suggests that a "gatekeeper clause", a hardship exception and built-in grievance process need to be inserted into the law, and proposes amendments (Exhibit B) which have been reviewed with the Department of Child Services (DCS) and Department of Motor Vehicles (DMV). Introduces Anthony Renaldo who has had his license suspended.
078	Anthony Renaldo	Explains what it is like to have his license suspended. Discusses the difficulty paying the amount of support that the court imposed.
162	Chair Minnis	Asks why his license was suspended.
173	Barlow	Replies that it was because Mr. Renaldo would not sign an agreement to pay an increased amount. Maintains the need for the above- mentioned amendments.
225	Sen. Burdick	Asks which county this case was tried in.

227	Barlow	Replies, Clackamas County.
237	Sen. Burdick	Asks which District Attorney issued the order.
238	Barlow	Replies, John Foote.
251	Ron Strasser	Non-Custodial Parent Submits testimony and testifies in opposition to SB 340 (EXHIBIT C) . Explains that he believes that there is a “parental alienation syndrome” perpetuating in the state, and that his children are being used as “pawns” in this issue. Advises that he cannot get credit for money he has paid directly to his former wife.
350	Sen. Duncan	Asks if he has had his license revoked for non-payment.
358	Strasser	Replies, yes. Explains his understanding of the situation.
TAPE 35, A		
010	Sen. Duncan	Asks if he is not paying because he cannot see his children.
014	Strasser	Explains he has felt alienated from his children and that they were learning from the other parent that money was his only purpose in their lives.
045	Sen. Duncan	Asks if this particular bill deals with Mr. Strasser’s concerns.
048	Strasser	States that having his license revoked is making him have to rethink his employment options.
097	Summer Gleason	Deputy District Attorney, Clackamas County Submits testimony and testifies in support of SB 340 (EXHIBIT D) . States that she is the program manager for the Child Support Division (CSD). Explains the other side of the Anthony Renaldo child support case and how it has affected the child’s mother.
193	Chair Minnis	Asks if it is possible to look into someone’s bank account.
195	Gleason	Replies that the Child Support Program does have authorization.
215	Barlow	Declares that he objects to Ms. Gleason taking time on the state’s payroll to provide testimony on an individual case, and states that her testimony has omitted some information.
236	Chair Minnis	Replies that it is reasonable to have someone from the District Attorney’s office explain their process.
282	Dale Andrus	Multnomah County Testifies that his family feels threatened by the support enforcement division. Offers a brief overview of his situation, including the fact that his son was taken from his home by CSD.
335	Chair Minnis	Asks why his son was taken out of the home.
336	Andrus	Explains that he was investigated because his son felt threatened in his own home, and eventually was put into foster care.
366	Chair Minnis	Asks if he has had his license suspended because of an arrearage.
367	Andrus	Replies, not yet.
373	Sen. Beyer	Asks counsel if this bill addresses this situation.
377	Counsel Taylor	Replies that under certain circumstances such as a dependence or juvenile delinquency matter, yes.
421	Roger Stolley	Salem, Oregon Submits testimony and testifies as neutral on SB 340 (EXHIBIT E) . Contends that the Oregon legislature has created a monster in Children Services and that it needs reform. Discusses the child custody case of Dale Andrus.
TAPE 34, B		
208	Chair Minnis	Responds that the committee will look at some of the issues brought up regarding the court and procedure issues.

235	Joseph Lavery	Relates his story with regard to his children and working with the states of Oregon and Alaska in trying to get custody. States that he has not gotten any help from the State of Oregon and in the meantime, the State of Alaska has taken his children.
304	Chair Minnis	Concedes that there is a lack of coordination between states.
335	Sen. Harper	Asks if he has been in contact with his state legislator.
339	Lavery	Replies, no.
340	Sen. Harper	Advises him to contact his state legislator and ask him to make some inquiries for him.
359	James Newland	States that he is testifying on behalf of himself, his daughter and son. Explains that he will begin a new job next week as a driver and wonders what will happen if his license is suspended. Says that the State of Oregon has not agreed to modify his support even though his daughter is now living with him. Notes that he deals with Washington County and has not been able to get help.
TAPE 35, B		
131	Jim Whinston	National Center for Men, Oregon Chapter Submits a newspaper reprint regarding divorce, and testifies in opposition to SB 340 (EXHIBIT F).
237	Chair Minnis	Closes the public hearing on SB 340 and opens a work session on SB 337.
<u>SB 337 WORK SESSION</u>		
240	Counsel Taylor	Introduces SB 337 relating to license suspension based on child support, and explains the –2 amendments which redefine child support rights, and adds the word “child” in front of support for clarification (EXHIBIT G).
287	Sen. Burdick	MOTION: Moves to ADOPT SB 337-2 amendments dated 2/12/01. VOTE: 5-0-2 EXCUSED: 2 - R. Beyer, Duncan
289	Vice Chair Courtney	Hearing no objection, declares the motion CARRIED.
302	Sen. Burdick	MOTION: Moves SB 337 to the floor with a DO PASS AS AMENDED recommendation. VOTE: 5-0-2 EXCUSED: 2 - R. Beyer, Duncan
308	Vice Chair Courtney	Hearing no objection, declares the motion CARRIED. BURDICK will lead discussion on the floor.
310	Chair Minnis	Closes the work session on SB 337 and opens a work session on SB 338.
<u>SB 338 WORK SESSION</u>		
320	Counsel Taylor	Introduces SB 338 relating to contact with represented parties in child support cases, and explains that the –1 amendments clarify that the administrator is not limited by this provision in supplying information to parties not represented by an attorney (EXHIBIT H).
338	Vice Chair Courtney	Asks for clarification of this provision.
349	Ronelle Shankle	Department of Justice, Division of Child Support Responds that if a person calls in to ask about their case and is not represented by an attorney, they will speak to them.
354	Vice Chair Courtney	Asks if the question has to be in writing.
359	Shankle	Replies, no.
376	Sen. Metsger	MOTION: Moves to ADOPT SB 338-1 amendments dated

2/12/01.

VOTE: 4-0-3

EXCUSED: 3 - Minnis, R. Beyer, Duncan

381 Vice Chair Courtney **Hearing no objection, declares the motion CARRIED.**

383 Sen. Metsger **MOTION: Moves SB 338 to the floor with a DO PASS AS AMENDED recommendation.**

VOTE: 4-0-3

EXCUSED: 3 - Minnis, R. Beyer, Duncan

385 Vice Chair Courtney **Hearing no objection, declares the motion CARRIED. METSGER will lead discussion on the floor.**

388 Vice Chair Courtney Closes the work session on SB 338 and opens a work session on SB 339.

SB 339 WORK SESSION

407 Counsel Taylor Introduces SB 339 relating to the administration of the child support program. Explains the changes as provided in the -2 amendments (**EXHIBIT I**).

TAPE 36, A

017 Sen. Burdick **MOTION: Moves to SUSPEND the rules for the purpose of considering conceptual amendments to the -2 amendments.**

VOTE: 5-0-2

EXCUSED: 2 - R. Beyer, Duncan

019 Vice Chair Courtney **Hearing no objection, declares the motion CARRIED.**

020 Vice Chair Courtney Explains the change to the -2 amendments.

026 Sen. Harper **MOTION: Moves to ADOPT SB 339-2 amendments dated 2/6/01 and that the measure be FURTHER AMENDED on page 7, line 22, by inserting "'A'" before "prize" and on page 7, line 23, by deleting "'money'" before "shall".**

VOTE: 5-0-2

EXCUSED: 2 - R. Beyer, Duncan

029 Vice Chair Courtney **Hearing no objection, declares the motion CARRIED.**

035 Vice Chair Courtney Asks counsel who the parties to these amendments are.

037 Counsel Taylor Replies they are the Support Enforcement Division and the Lottery Commission.

042 Sen. Metsger **MOTION: Moves SB 339 to the floor with a DO PASS AS AMENDED recommendation.**

VOTE: 5-0-2

EXCUSED: 2 - R. Beyer, Duncan

047 Vice Chair Courtney **Hearing no objection, declares the motion CARRIED. HARPER will lead discussion on the floor.**

050 Vice Chair Courtney Closes the work session on SB 339 and adjourns the meeting at 3:00 p.m.

Submitted By,

Reviewed By,

Jane Bodenweiser,
Committee Assistant

Bill Taylor,
Counsel

EXHIBIT SUMMARY

- A – SB 340, written testimony by Kurt Jaeger, submitted by Brian Brown, dated 1/29/01, 2 pp**
- B – SB 340, written testimony submitted by Layne Barlow, 2 pp**
- C – SB 340, written testimony submitted by Ronald Strasser, Jr., 2 pp**
- D – SB 340, written testimony submitted by Summer Gleason, dated 2/14/01, 8 pp**
- E – SB 340, written testimony submitted by Roger Stolley, 2 pp**
- F – SB 340, newspaper reprint submitted by James Whinston, dated 2/4/01, 3 pp**
- G – SB 337, proposed –2 amendment, submitted by staff, dated 2/12/01, 3 pp**
- H – SB 338, proposed –1 amendment, submitted by staff, dated 2/12/01, 1 p**
- I – SB 339, proposed –2 amendment, submitted by staff, dated 2/6/01, 4 pp**