

# SENATE COMMITTEE ON RULES AND REDISTRICTING

May 10, 2001 Hearing Room C  
3:00 PM Tapes 82 - 85

**MEMBERS PRESENT:** Sen. Steve Harper, Chair  
Sen. Peter Courtney, Vice-Chair  
Sen. Jason Atkinson  
Sen. Lee Beyer  
Sen. Kate Brown  
Sen. Randy Miller  
Sen. John Minnis

**STAFF PRESENT:** Craig Allen, Committee Administrator  
Annetta Mullins, Committee Assistant

**MEASURE/ISSUES HEARD:** Redistricting  
Public Hearing  
SB 965

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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.

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| <u>TAPE/#</u>                               | <u>Speaker</u>    | <u>Comments</u>   |
|---|-------------------|---|
| <b>TAPE 82, A</b><br>004                    | Chair Harper      | Calls meeting to order at 3:03 p.m. and opens a public hearing on redistricting.  |
| <b><u>REDISTRICTING- PUBLIC HEARING</u></b> |                   |   |
| 017   | Jim Jandacek      | Washington County resident. Testifies on congressional boundaries <b>(EXHIBIT X)</b> . Adds that although his letter is addressed primarily to Washington County, believes there may be areas of Lake Oswego and West Linn for which the same points would also apply in that they also have high tech business, some professional service firms and therefore have the same commonality as Washington County as a whole specifically as it relates to I-5 and Highway 217. |
| 046   | Barbara Frederick | Washington County resident. Comments that she appeared before the committee in Beaverton and submitted a three-page letter that contained more matters than she spoke about that day with the understanding it would become part of the record but for some reason was not part of the record <b>(EXHIBIT K)</b> .  |
| 062   | Chair Harper      | Enters into record correspondence received by committee:<br>E-mail from Chuck and Katie Riley <b>(EXHIBIT A)</b> .<br>E-mail from Katy Gullette <b>(EXHIBIT B)</b> .<br>E-mail from Eileen Woodward <b>(EXHIBIT C)</b> .<br>E-mail from Craig Winchell <b>(EXHIBIT D)</b> .<br>E-mail from Peter Geiser, <b>(EXHIBIT E)</b> .<br>E-mail from James Bradfield <b>(EXHIBIT F)</b> .<br>E-mail from Margaret Philiben <b>(EXHIBIT G)</b> .                                     |

Letter from James Draznin (**EXHIBIT H**).  
 Letter from Deanna E. Berman (**EXHIBIT I**).  
 Letter from Ken Cooper (**EXHIBIT J**).  
 Letter from Judy O'Connor (**EXHIBIT L**).  
 Letter and list of recipients of mailing (**EXHIBIT M**).  
 Letter from Dick Schouten (**EXHIBIT N**).  
 Letter from Kathryn Penstone Bauman (**EXHIBIT O**).  
 Letter from Judie Hammerstad (**EXHIBIT P**).  
 Letter from William W. Mehrens (**EXHIBIT Q**).  
 Letter from Christopher K. Mathews (**EXHIBIT R**).  
 E-mail from Diane Bohle (**EXHIBIT S**).  
 Letter from Mark R. Abbott (**EXHIBIT T**).  
 E-mail from Paul Zastrow (**EXHIBIT U**).  
 E-mail from Mitch Greenlick (**EXHIBIT V**).  
 Letter from Peter Kohler (**EXHIBIT W**).  
 Closes the public hearing on redistricting and opens a public hearing on SB 965.

Chair Harper

**SB 965 - PUBLIC HEARING**

|     |                |   |
|-----|----------------|---|
| 078 | Bobbi Smith    | Lane County Birth To Three Teen Parent Group. Summarizes prepared statement asking that funding be restored for the program ( <b>EXHIBIT Y</b> ).   |
| 128 | Minalee Saks   | Executive Director, Birth To Three in Lane County. Summarizes prepared statement and asks for preservation of the original program Parents As Teachers ( <b>EXHIBIT Y</b> ).<br>Issues discussed:   |
| 173 |                | <ul style="list-style-type: none"> <li>• Funding for program.</li> <li>• Why the Governor removed the program from SB 965.</li> <li>• Whether Saks would be offended if the program were restored and SB 965 were not passed.</li> </ul>  |
| 170 |                |   |
| 187 | Dick Alexander | Chair, Citizens Crime Commission. Submits report by the commission ( <b>EXHIBIT AA</b> ).<br><ul style="list-style-type: none"> <li>• Explains purpose of the commission was to work with the different public safety agencies and try to help develop a more efficient way for them to deliver services and advocate for appropriate changes so they could better enforce the laws in the Portland area.</li> <li>• Comments on work by the commission leading to the creation of the committee to determine the best practices to reduce the likelihood of young people getting involved in crime.</li> <li>• Explains work of the committee.</li> <li>• Reviews results of studies.</li> <li>• Conclusion: no silver bullet.</li> <li>• SB 965 is excellent place to start.</li> </ul> |
| 265 |                | Issues discussed:   |
| 321 |                | <ul style="list-style-type: none"> <li>• Whether the committee had discussion with the experts about focusing on the parents.</li> </ul>  |
| 340 |                | <ul style="list-style-type: none"> <li>• Whether SB 965 does anything to bring business in.</li> <li>• Whether anything in the bill brings in the Chambers of Commerce.</li> </ul>  |
| 414 |                | <ul style="list-style-type: none"> <li>• Whether Alexander would be offended by amendments to</li> </ul>  |

bring in the business community and chambers of commerce.

419

**TAPE 83, A**

009

Sen. Courtney

- Reductions in law enforcement.
- Whether the Citizen Crime Commission report (**EXHIBIT AA**) speaks to relationship of children to mother or father who may be in jail.
- Who should be the one person in charge of a system like that proposed in SB 965.

074

Karen Van Tassell

Lane County Commission on Children and Families and Lane County Healthy Start. Testifies in support of SB 965 (**EXHIBIT BB**).

Issues discussed.

153

165

177

- Whether Together for Children should be put back in.
- Whether Healthy Start gets into teaching.
- Clarification of statistics on families having home visits.
- Status of information obtained from clients.

225

Sen. Charles Starr

District 5. States he has fundamental concerns about expanding programs.

Thinks in society today the direction we are headed is not good. We are unable to uphold the basic family—father and mother. The threat to our society is the failure of that model. Submits and reviews points of concern in SB 965 (**EXHIBIT CC**).

384

Believes SB 965 is a lofty goal that has unintended consequences, has huge costs, and no determinate outcomes that would be of any major benefit. Adds that if it can be made clear that this is a voluntary program it would be more acceptable. Comments on establishment of the Oregon Health Plan, having to cut off services, and the growth of the program being beyond the ability of the state to fund and support.

**TAPE 82, B**

006

021

050

051

086

Craig Campbell

Issues discussed:

- Database.
- At what point the state should get involved.
- Whether the state should get involved in pregnancy testing.
- Language on page 2, line 1, "Support parents in providing the optimum environment for their young children".

Chair, State Commission on Children and Families. Comments that:

- The policy statement in SB 965 is the most important to the commission.
- SB 965 carries on from SB 555 that directed the commission working with its local commissions to coordinate comprehensive local plans and a local early childhood plan.
- SB 965 takes the next step and brings in the Department of Education and the Department of Human Services who have been partners but have not been directed to do that.
- SB 965 is an important bill but cannot speak to the funding because no one knows what will be funded until after May 16 and Ways and Means has had a chance to talk about it.

Issues discussed:

|                   |                 |   |
|-------------------|-----------------|---|
| 125               |                 | <ul style="list-style-type: none"> <li>• What is in the bill that cannot now be done.</li> </ul>  |
| 125               |                 | <ul style="list-style-type: none"> <li>• If these are not the same agencies who have the best interest of children in mind.</li> </ul>  |
| 150               |                 | <ul style="list-style-type: none"> <li>• Why Campbell thinks SB 965 is not too intrusive.</li> </ul>  |
| 165               | Donna Middleton | Executive Director, Office for Commission on Children and Families. Presents prepared statement ( <b>EXHIBIT DD</b> ).<br>Issues discussed:   |
| 201               |                 | <ul style="list-style-type: none"> <li>• Whether language on page 8, Section 14(2) says, "shall" which reverses the voluntary part and makes it mandatory.</li> </ul>   |
| 216               |                 | <ul style="list-style-type: none"> <li>• Whether the intent is to allow the screening to be voluntary.</li> </ul>   |
| 271               |                 | <ul style="list-style-type: none"> <li>• Whether there are suggestions on how to put back in Together for Children program.</li> </ul>  |
| 318               |                 | <ul style="list-style-type: none"> <li>• Participation in programs by faith-based organizations.</li> </ul>   |
| 416               | Bob Liebermann  | Member, State Commission on Children and Families and chair of the Emerging Issues Committee for the commission. Explains background.   |
|                   |                 | <ul style="list-style-type: none"> <li>• Explains his professional background.</li> <li>• There is always a dynamic between what the state mandates and what is locally determined.</li> <li>• In Josephine County, the vice-chair is a pastor and sits in that capacity.</li> <li>• From the state commission viewpoint the idea of local coordinated comprehensive planning as mandated in SB 555 and carried forward in SB 965 is that local communities bring a broad, diverse representation to the planning table in developing their systems of care for children and family.</li> </ul> |
| 464               |                 | <ul style="list-style-type: none"> <li>• Has worked with kids at the very high, very intensive end for about 25 or 30 years.</li> <li>• The genesis for the problems is in the first few years of life.</li> </ul>  |
| <b>TAPE 83, B</b> |                 |   |
| 016               |                 | <ul style="list-style-type: none"> <li>• For a state to say we are going to look at the front end is a "bold move".</li> </ul>  |
| 028               |                 | <ul style="list-style-type: none"> <li>• Many parents say they could not get help.</li> <li>• From a clinical perspective, universal aspect means that if one is in a hospital and having a child and a family that is more at-risk is also having a child and they see the same approach is being made to both, they don't feel blamed.</li> </ul>   |
|                   |                 | Issues discussed:   |
| 058               |                 | <ul style="list-style-type: none"> <li>• What efforts have been made to get input from the local community leaders and pastors.</li> <li>• Whether it is wise to spend money on families that are not at risk.</li> </ul>   |
| 151               | Kathleen Heath  | Coalition of County Children and Families Commissions. Summarizes statement for Randy Franke ( <b>EXHIBIT EE</b> ).   |
| 203               | Chair Harper    | Recesses meeting at 4:41 p.m. until 5:30 p.m.   |
| 203               | Chair Harper    | Reconvenes meeting at 5:34 p.m.   |
| 213               | Sue Miller      | President, Board of Directors, Family Building Blocks. Explains that Family Building Blocks is the "relief nurseries" serving Marion and Polk Counties. Testifies in support of SB 965 and the -3 and -4 amendments ( <b>SEE EXHIBITS D &amp; E RESPECTIVELY OF COMMITTEE MINUTES DATED MAY 8, 2001</b> ).  |

|     |                       |   |
|-----|-----------------------|---|
| 225 |                       | <ul style="list-style-type: none"> <li>• Presents report “Relief Nurseries in Oregon”. <b>(EXHIBIT FF)</b>.</li> </ul>  |
| 261 |                       | <ul style="list-style-type: none"> <li>• Reviews fundraising <b>(EXHIBIT FF, page 5)</b>.</li> </ul>  |
| 272 |                       | <ul style="list-style-type: none"> <li>• Evaluation and Training is a replication of the Eugene Relief Nursery.</li> </ul>  |
| 289 |                       | <ul style="list-style-type: none"> <li>• Comments that Section 12 paragraph 3 mandates local match for state moneys. It is an example where the mandate is in legislation.</li> </ul>   |
| 315 |                       | <p>Issues discussed:</p> <ul style="list-style-type: none"> <li>• Whether the proposed budget includes all counties with relief nurseries.</li> </ul>   |
| 342 | James K. Lace, M.D.   | <p>Testifies on behalf of the Oregon Pediatric Society and Oregon Medical Association. Submits prepared statement <b>(EXHIBIT GG)</b>.</p> <p>Explains process of viewing of records by Healthy Start and explains how risk factors are identified.</p> <p>Issues discussed:</p> <ul style="list-style-type: none"> <li>• Use of information received from women during pregnancy.</li> </ul>                   |
| 401 |                       |   |
|     | <b>TAPE 84, A</b>     |   |
| 027 |                       | Discussion continues on assessment and use of information.  |
| 029 | Lace                  | <p>Comments that coordination must be at the highest level and there must be a system of measuring the outcomes and involving the Health Division. States this is a bold attempt to restructure what we are doing. It meshes the existing services without duplication and hopefully produces better children. The idea of screening is to get the kids identified early and get them involved in services.</p> |
| 073 | Kelly Houtari         | <p>Communication Director, Commission on Children, Families and Community of Multnomah County. Reads prepared statement in support of SB 965 <b>(EXHIBIT HH)</b>.</p>   |
| 142 | Dr. Rick Bingham M.D. | <p>Stand for Children. Testifies in support of SB 965 <b>(EXHIBIT II)</b>.</p> <p>Issues discussed:</p> <ul style="list-style-type: none"> <li>• Strategies or programs for improving child care.</li> <li>• Income tax credits.</li> </ul>   |
| 252 |                       |   |
| 266 |                       |   |
| 303 | Sen. Brown            | <p>Asks that Dr. Bingham provide to her any suggestions for language regarding childcare.</p>   |
| 316 | Deborah Knapp         | <p>Submits and summarizes a prepared statement in opposition to SB 965 <b>(EXHIBIT JJ)</b>.</p> <p>Issues discussed:</p> <ul style="list-style-type: none"> <li>• How to amend SB 965 to include suggestions by Knapp.</li> </ul>   |
| 420 |                       |   |
| 470 | Rodger Williams       | <p>Home school dad. Testifies in opposition to SB 965:</p> <ul style="list-style-type: none"> <li>• Asks committee to look at vision of the plan.</li> </ul>  |
|     | <b>TAPE 85, A</b>     |   |
| 021 | Williams              | <ul style="list-style-type: none"> <li>• 60 percent of families would have deficiencies that the state could come in and look at.</li> </ul>  |
| 033 |                       | <ul style="list-style-type: none"> <li>• Scope of proposal seems to be about state agents influencing 60 percent of Oregon families and tracking 100 percent of Oregon families with a statewide database.</li> <li>• It is laudable to prevent bad outcomes. But we should not strike at the heart of American privileges.</li> <li>• The screening tool is intrusive and goes too far.</li> </ul>             |

- 071
- There is a big difference in mother telling her doctor and having that information put into a statewide database so others outside the doctor's office see it.
  - Thinks the program undermines parents' sense of responsibility for their children.
- 103
- Issues discussed:
- How to distinguish who may need services.
  - Whether Williams would object to tracking clients on an anonymous basis if it were for the purpose of accountability of use of state dollars.
- 168
- Kevin Starrett
- Testifies in opposition to SB 965:
- If 60 percent of the people having children are deficient in some way, there is a problem.
  - Supporters suggested that over 90 percent of the people agree to take part voluntarily of the services this bill proposes to expand. That indicates to him that drunks, drug addicts, felons, and unwed mothers are responsible people.
- 215
- Is offended when his children are referred to as resources.
  - Believes witness meant loving "adults" as she said and not loving "parents."
  - Believes there will always be children who suffer from unfortunate circumstances, but there is nothing to indicate the "nanny state" would do any better job of taking care of them.
  - It is a quantum leap between a pediatrician having a discussion with the pregnant mother and other people in the family than having the state come in and do an assessment with or without consent.
  - Doubts bill could be amended into anything workable; it is dangerous and outrageously intrusive in its current form.
- 285
- Issues discussed:
- Mandatory versus voluntary program, page 3, line 19, page 8, line 39, relating to screening all newborn children and their families.
  - Percentage of families with risk factors.
- 340
- Kristina McCall
- Testifies in opposition to maintaining database of information obtained in screening without knowledge and consent **(EXHIBIT KK)**.
- 411
- McCall
- Believes committee should consider amending SB 965 to protect the privacy of Oregon's women. Women should have the right to opt out and if they choose to opt out, no information should be given to the program. Adds that Healthy Start programs that are currently keeping information should be required to get rid of the information because there is no logical reason to keep files on the women who chose not to participate.
- TAPE 84, B**
- 001
- Dorothy Karman
- OCEANetwork. Presents statement in opposition to SB 965 **(EXHIBIT LL)**.
- 150
- Richard Karman
- Reads prepared statement for Crystal Sparkowich in opposition to SB 965 **(EXHIBIT MM)**.
- Issues discussed:

|                   |                  |  |
|-------------------|------------------|--|
| 205               |                  | <ul style="list-style-type: none"> <li>• Whether civil penalties should be imposed on Healthy Start for not identifying themselves when collecting data.</li> </ul>  |
| 230               |                  | <ul style="list-style-type: none"> <li>• Identification of risk factors.</li> </ul>  |
| 360               | Mike Marsh       | <p>Resident of Salem. Testifies in opposition to SB 965:</p> <ul style="list-style-type: none"> <li>• SB 965 is intrusive and is done by an agency that has misused the power they already have.</li> <li>• Comments on case in Polk County in which the children were taken from their mother because she allowed them to get dirty when playing outside.</li> <li>• Comments on Benton County case which involved a 4-year old taking toys away from his two-year old sister and they had to take the children away from the mother. Then they had to terminate visitation rights because the son threw fits because he wanted to stay with his mother.</li> </ul>   |
| <b>TAPE 85, B</b> |                  |  |
| 016               | Sandra Bolton    | <p>Parent of three boys. Testifies in opposition to having government intervention program.</p> <ul style="list-style-type: none"> <li>• Comments on moving back to Oregon where she had strong family and friend support but it did not counter the risk of being a single parent. States she is learning in her college courses that Healthy Start and Head Start programs do not give a child a better start than a child who does not go through either of the programs; being home with their loving family is the best start a child can have.</li> <li>• Comments on separation from her two children due to the "voluntary government program."</li> <li>• Comments negatively on actions of Services to Children and Families (SCF).</li> </ul> |
| 074               |                  | <ul style="list-style-type: none"> <li>• States that SB 965 will become as intrusive as SCF.</li> </ul>  |
| 119               | Yvonne Heinrichs | <p>Salem resident. Testifies in opposition to SB 965:</p> <ul style="list-style-type: none"> <li>• Questions whether the bill allows voluntary assessment.</li> <li>• Questions whether parents have an inherent right to their children in Oregon.</li> </ul>   |
| 165               |                  | <ul style="list-style-type: none"> <li>• Questions whether the parent or the state pays for the risk assessment.</li> </ul>  |
| 181               |                  | <ul style="list-style-type: none"> <li>• Asks if people from other states have to have a risk assessment with state funds if they have a child born in Oregon.</li> <li>• Has heard that some hospitals in Oregon will not release a baby until SCF has given approval to release the baby.</li> </ul>   |
| 212               |                  | <ul style="list-style-type: none"> <li>• Comments on abuse of children when they are in care of the state.</li> <li>• Does not believe the state has any business interfering with families.</li> </ul>  |
| 237               | Daniel Chapin    | <p>Gervais resident. States he realizes a lot of the issues can be changed through amendments, but he is most concerned about the ability to opt out of the registration system. Asks if a person who refuses to fill out the form would be subject to an investigation--would it put a sigma next to your name in the eyes of the social service division. Also has concern for having social services define the at-risk factors. Suggests the state can get involved when there is probable cause of abuse or attention to</p>  |

|     |              |   |
|-----|--------------|---|
| 270 | Sen. Brown   | abuse.<br>Comments on working in juvenile courts and states that SCF does not have the resources to get involved in every little case.  |
| 294 | Chair Harper | Advises members that the committee has received four letter that will be distributed to them:<br>Letter from Sarah Elizabeth Cowie ( <b>EXHIBIT NN</b> ).<br>Letter from Liz Smith ( <b>EXHIBIT OO</b> ).<br>Letter from Richard Butrick ( <b>EXHIBIT PP</b> ).<br>Letter from Jean Franklin ( <b>EXHIBIT QQ</b> ). |
| 29  | Chair Harper | Adjourns meeting at 7:33 p.m.   |

Submitted By,                      Reviewed By,

|   |   |
|---|---|
| Annetta Mullins,<br>Committee Assistant | Craig Allen,<br>Committee Administrator |
|---|---|

**EXHIBIT SUMMARY**

- A - Redistricting, e-mail, Chuck and Katie Riley, 1 p**
- B - Redistricting, e-mail, Katy Gullette, 2 pp**
- C - Redistricting, e-mail, Eileen Woodward, 1 p**
- D - Redistricting, e-mail, Craig Winchell, 1 p**
- E - Redistricting, e-mail, Peter Geiser, 1 p**
- F - Redistricting, e-mail, James Bradfield, 1 p**
- G - Redistricting, e-mail, Margaret Philiben, 1 p**
- H - Redistricting, letter, James Draznin, 1 p**
- I - Redistricting, letter, Deanna E. Berman, 1 p**
- J - Redistricting, letter, Ken Cooper, 3 pp**
- K - Redistricting, e-mail, Barbara Fredericks, 3 pp**
- L - Redistricting, letter, Judy O'Connor, 1 p**
- M - Redistricting, letter and mailing list, staff, 4 pp**
- N - Redistricting, letter, Dick Schouten, 2 pp**
- O - Redistricting, letter, Kathryn Bauman, 1 p**
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- U - Redistricting, e-mail, Paul Zastrow, 1 p**
- V - Redistricting, e-mail, Mervyn Greenlick, 1 p**
- W - Redistricting, letter, Peter Kohler, 2 pp**
- X - Redistricting, letter, James Jandacek, 8 pp**
- Y - SB 965, prepared statement, Bobbi Smith, 1 p**
- Z - SB 965, prepared statement, Minalee Saks, 3 pp**
- AA - SB 965, Citizen Crime Commission report, Dick Alexander, 49 pp**
- BB - SB 965, prepared statement, Karen VanTassell, 6 pp**
- CC - SB 965, prepared statement, Sen. Charles Starr, 1 p**
- DD - SB 965, prepared statement, Donna Middleton, 9 pp**



**EE - SB 965, prepared statement, Kathleen Heath, 2 pp**  
**FF - SB 965, Relief Nurseries in Oregon report, Sue Miller, 13 pp**  
**GG - SB 965, prepared statement, Dr. James Lace, 2 pp**  
**HH - SB 965, prepared statement, Kelly Huotari, 1 p**  
**II - SB 965, prepared statement, Dr. Rick Bingham, 2 pp**  
**JJ - SB 965, prepared statement, Deborah Knapp, 2 pp**  
**KK - SB 965, prepared statement, Kristina McCall, 2 pp**  
**LL - SB 965, prepared statement, Dorothy Karman, 2 pp**  
**MM - SB 965, prepared statement, Crystal Sparkowich, 6 pp**  
**NN - SB 965, prepared statement, Sarah Elizabeth Cowie, 3 pp**  
**OO - SB 965, prepared statement, Liz Smith, 1 p**  
**PP - SB 965, prepared statement, Richard Butrick, 2 pp**  
**QQ - SB 965, prepared statement, Jean Franklin, 8 pp**