

HOUSE COMMITTEE ON CHILDREN AND FAMILIES

May 8, 1997 Hearing Room D

1:00 PM Tapes 99 - 101

MEMBERS PRESENT:

Rep. Liz VanLeeuwen, Chair

Rep. Kitty Piercy, Vice-Chair

Rep. Bob Jenson

Rep. Dennis Luke

Rep. Jeff Kruse

Rep. Kurt Schrader

Rep. Simmons

MEMBER EXCUSED:

STAFF PRESENT:

Janet Carlson, Administrator

Berri Sellers, Administrative Support

MEASURE/ISSUES HEARD:

HB 3050 Work Session

HB 2543 Work Session

HB 2504 Work Session

HB 2708 Work Session

HB 2494 Work Session

HB 3726 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
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TAPE 99, A		
003	Chair VanLeeuwen	Chair calls meeting to order at 1:13 pm. Opens work session on HB 3050.
<u>HB 3050 WORK SESSION</u>		
010	Chair VanLeeuwen	Explains that this bill will be put aside until their next meeting.
031		Closes work session on HB 3050. Opens work session on HB 2543.
<u>HB 2543 WORK SESSION</u>		
033	Janet Carlson	Committee Administrator. Explains -1 amendments (EXHIBIT A) to HB 2543. Explains that the only part left of the bill is to allow Adult and Family Services to withhold money from recipients if their children are not attending school.
045	Jim Neely	Deputy Administrator, Adult and Family Services Division. Comments that the HB 2543-1 amendments concur with the beliefs of the agency. Would include this in their family self-sufficiency plans.
065	Rep. Schrader	Didn't we decide that this had already been done?
071	Carlson	Explains that the closest thing in the statutes is the Silverton ordinance that convicts parents for actions of their children.
082	Rep. Schrader	MOTION: Moves to ADOPT HB 2543-1 amendments dated 05/08/97.
085	Chair VanLeeuwen	Hearing no objections, declares the motion CARRIED .
087	Rep. Schrader	MOTION: Moves HB 2543 to the floor with a DO PASS AS AMENDED recommendation.
093	Rep. Luke	Will be voting no and explains that there is no appeal process for people who have problems with Adult and Family Services.
100	Neely	If the individual does not agree with the hearing, they can appeal with the appeals board. Adds that they are not interested in punishing a family who cannot force their children to go to school.
111	Vice-Chair Piercy	Opposes bill because she sees other family members being persecuted for the actions of one member.
115	Chair VanLeeuwen	Comments that she thinks this will do more good than harm.
120	Rep. Jenson	Is concerned about Rep. Luke's concern regarding families being able to appeal decisions. Adds that appeals courts are intimidating and confusing for families to understand. Would be more comfortable with the bill if it added another process.

137	Chair VanLeeuwen	Closes work session on HB 2543. Opens work session on HB 2504.
<u>HB 2504 WORK SESSION</u>		
210	Carlson	Provides overview of -4, -5, and -6 amendments (EXHIBIT B) and discusses the pieces that the Association of Oregon Counties and the Governor's Office agree and disagree on.
223		Explains how the different options vary in appointing state team members.
240	Carlson	Discusses the definition of population served and how this definition varies between the three options.
254		Explains that option 3 discusses the definition of "target group." The amendments use this explanation.
286		Explains that both options one and two provide for an "opt out" clause. Option 3 explains that the State Team will decide what happens to the money if a county chooses to "opt out."
303		Discusses where the money is coming from for these plans.
318	Chair VanLeeuwen	Where are the funds listed in here coming from?
322	Carlson	These are all general fund dollars.
333	Rep. Jenson	Does staff have the general fund dollars information?
340	Carlson	Could provide it later, but it is quite extensive at this time.
248	Rep. Luke	Is concerned that SB 1145 money is not being allocated to the county? Are there any guarantees here?
386	Mark Gibson	Statutorily this forms a long range relationship with the counties. Each biennium establishes a new funding process. If we are successful in reducing Oregon Youth Authority commitments, those dollars saved will be budgeted for reinvestment at the local level.
414		Explains that the -6 amendments allow the counties to "opt out" if they don't want to participate in the planning process.
TAPE 100, A		
018	Rep. Luke	Will counties have flexibility in this decision-making process?
033	Gibson	The counties will have control to plan services. Explains that they want to provide local control and a "safety valve," if counties feel hemmed in by the process.
048	Rep. Luke	The State Team seems heavy on state players and light on locals, how can we even that up?
053	Gibson	The team is weighted in -6 amendments towards the state. It has two purposes, to bring executive leadership to the table so that they are coordinating their efforts.

067		This is a combination local and state project, they want to work out the best way to meet both the state and the county objectives.
087	Rep. Luke	If Linn County brings you a proposal that they are excited about and the State Team says no, who wins?
094	Gibson	We cannot commit future administrations. We don't see this as a win/lose process, but as a way for both perspectives to be brought to the table.
108	Chair VanLeeuwen	Why were you only willing to agree to three local members?
113	Gibson	If you make the state team the same as the county, it would be analogous of the state coming down and sitting on a county commission meeting. This revolves around the approval of how the state acts on local plans.
153	Rep. Kruse	Comments that he objects to any version of this bill. Comments that he believes this should be a local plan and not a state plan.
176		Comments that we started out with runaway and homeless issues and now we have a state team.
297	Gibson	Explains how the Governor is trying to create a coordinated local plan.
306	Rep. Kruse	Is it possible for the Human Resources Director to talk with the Director of the Oregon Youth Authority?
313	Gibson	Yes.
319	Rep. Kruse	Who hires those people?
321	Gibson	The governor.
324	Rep. Kruse	Is it possible for the Oregon Youth Authority to be in contact with county people?
329	Gibson	Correct.
361	Rep. Kruse	Why do we need this?
364	Gibson	Explains that the Governor does not have control over some of the department heads. The Superintendent of Public Instruction is one example.
397	Rep. Kruse	Comments that they need to increase the connection with the communities.
423	Rep. Schrader	Are the -6's the ones that the Association of Oregon Counties and the Governor have agreed on?
439	Gibson	No.
TAPE 99, B		
035	Linda Waggoner	Research and Development Coordinator for the Lane County Juvenile Department
050		Explains that targeting youth most likely to offend is the best way to reduce juvenile crime.
075		

		We already know the youth who are committing crimes (referring to the color chart). The second group is youth with multiple risk factors, problems at home, abuse and neglect backgrounds.
096	Vice-Chair Piercy	Are most of runaway/homeless in the OK as-is category?
100	Wagonner	Yes.
134		Research studies have shown high rates of success with the youth in red category.
157	Vice-Chair Piercy	If we dealt with the blue wouldn't that keep them from becoming the green.
172	Waggonner	Yes.
184	Gibson	Explains that this illustrates the target population. They want to focus on kids who haven't already offended.
246	Chair VanLeeuwen	Closes work session on HB 2504. Opens work session on HB 3323.
<u>HB 3323</u> <u>WORK</u> <u>SESSION</u>		
271	Brad Swank	State Court Administrator's office. Explains both the -2 and -3 amendments (EXHIBIT C). Discusses the differences between them.
300		Explains that the previous language caused some confusion.
315	Rep. Luke	Why do we need a special statute, for one county, for teen courts?
324	Chair VanLeeuwen	I hoped that once my county got this started that other counties would take notice and begin their own programs.
337	Rep. Luke	Does not want other counties to have to do things in statute.
359	Rep. Jenson	MOTION: Moves to ADOPT HB 3323-3 amendments dated 05/08/97.
385	Carlson	Explains how this does not mandate other counties to change their programs, but rather only applies to the pilot program in Linn County.
398	Rep. Luke	I'm not sure that you need section 4.
418	Rep. Schrader	Comments that if you look at section 4, the things under the "shall" categories are good ideas. In subsection (6) it says "may include" and is permissive.
440	Don Darland	Linn County Commission on Children and Families.
TAPE 100, B		
024		Comments that they have five communities which are ready to go forth with the project.
031		Does not want to jeopardize other teen courts, but Linn County is ready to move forward.
064	Rep. Jenson	

		MOTION: Moves HB 3323 to Ways and Means without recommendation.
080	Rep. Kruse	Comments that he would prefer a bill that allowed every county the opportunity to have a teen court.
		VOTE: 5-1, Luke EXCUSED: 1 - Piercy
084	Chair VanLeeuwen	Declares the motion CARRIED.
090		Closes work session on HB 3323. Opens work session on HB 2708.
<u>HB 2708</u> <u>WORK</u> <u>SESSION</u>		
120	Gary Weeks	Director of the Department of Human Resources. Comments that he shares Rep. VanLeeuwen's concerns about the parenting education programs.
137		Comments that there will be a fiscal impact.
159	Rep. Luke	MOTION: Moves to ADOPT HB 2708-1 amendments dated 05/08/97.
161	Chair VanLeeuwen	Hearing no objections, declares the motion CARRIED.
163	Rep. Luke	MOTION: Moves HB 2708 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-0 EXCUSED: 1 - Piercy
170	Chair VanLeeuwen	Declares the motion CARRIED.
180		Closes work session on HB 2708. Opens work session on HB 2494 and HB 3726.
<u>HB 2494,</u> <u>HB 3726</u> <u>WORK</u> <u>SESSION</u>		
190	Carlson	Explains HB 3726, HB 2494 -2 amendments.
202		Explains that HB 2494 creates the Department of Human Resources Ombudsman.
213		Explains that HB 3726 divides the money between the two positions at the Department of Human Resources and Legislative Counsel.
233	Rep. Luke	MOTION: Moves to ADOPT HB 2494-2 amendments dated 05/08/97.

244	Rep. Kruse	Are we sending both bills to Ways and Means?
254	Rep. Luke	There is no impact on HB 2494, it does not need to go to Ways and Means.
261	Weeks	Explains that the money currently being used at the Commission on Children and Families would be transferred to the Department of Human Resources.
288		Explains that these bills are separate. One bill maintains the Children's Ombudsman and one bill creates a Legislative Specialist and abolishes the Children's Ombudsman.
309	Marie Bell	Eugene, OR. Explains that these two bills should both go to Ways and Means. Comments that we should convince Ways and Means that both of these bills are good.
322	Rep. Jenson	Comments that he does not want Ways and Means deciding what bills are deserving to go forward.
340	Chair VanLeeuwen	Comments that Marie Bell was on the Task Force that submitted SB 1042 (1993).
360	Bell	Explains that the main purpose of having this bill outside of the Department of Human Resources is to help people feel comfortable in going to complain about the agency.
385	Cindy Hunt	Legislative Counsel. Yes, the two bills are conflicting with one another. On the Children's Ombudsman conflict. You have a couple of options, first your committee could chose to resolve that conflict and decide which of these new entities is going to get the filing fee or if the fee is going to get split between them. You could pass both of these bills on to Ways and Means and presumably they would solve this down there.
420		If both bills proceed. The second bill that goes through the second house, it would come up as conflicting with the first bill and a conflicts amendment would be done. It would be up to the committee of the second house. For example, if the legislative specialist went through both houses and was on the way to the Governor, it would pass through without a conflicts amendment. Then for the second bill, when it was in the second house, the staff of the second house would call down for a conflicts check and then a set of amendments would be developed.
TAPE 101, A		
027	Chair VanLeeuwen	Comments that in her opinion both bills have a budget impact.
061	Hunt	The fact that they are using the same money is the problem.
070	Weeks	Comments that this position was created at the urging of the Children's Justice Act Task Force (CJA Task Force).
086	Bell	Comments that Rep. Luke had previously become upset when she had mentioned that this legislation was sponsored at the urging of

		the CJA Task Force. Is confused as to why Mr. Weeks is now saying that it is at the urging of CJA?
106	Bell	Comments that HB 3726 is funded by the dollar fee on the filings of birth certificates, divorces and adoptions.
120	Weeks	Comments that HB 2494 is funded by fees also.
129	Rep. Schrader	Concerned about having the Governor's Advocacy Office also in addition to these bills.
157	Chair VanLeeuwen	Comments that because of the late hour, she is going to close the work session.
158	Rep. Luke	Comments that there is a motion on the floor and that the Chair cannot close a work session with a motion on the floor.
159	Chair VanLeeuwen	Closes work session on HB 2494 and HB 3726.
161	Rep. Luke	Objects to the Chair's decision and asks to have someone from the Chief Clerk's office deliberate on the disagreement.
165	Chair VanLeeuwen	Asks if we accepted HB 2494 -2 amendments?
166	Rep. Schrader	Comments that it was understood that the amendments were accepted.
170	Rep. Luke	Expresses frustration after having sat on the work group and having elicited support from various parties. Would like the committee to vote on this issue.
180	Chair VanLeeuwen	Comments that we will not be hearing any more on these bills today.
188		Adjourns committee at 3:15 pm.

Submitted By, Reviewed By,

Berri Sellers, Janet Carlson,

Administrative Support Administrator

EXHIBIT SUMMARY

A - HB 2543, proposed amendments, staff, 1pg.

B - HB 2504, proposed amendments, staff, 26 pp.

C - HB 3323, proposed amendments, staff, 3pp.