

**HOUSE COMMITTEE ON CHILDREN AND FAMILIES**

**April 15, 1997 Hearing Room D**

**1:00 PM Tapes 67 - 69**

**MEMBERS PRESENT:**

**Rep. Liz VanLeeuwen, Chair**

**Rep. Kitty Piercy, Vice-Chair**

**Rep. Bob Jenson**

**Rep. Jeff Kruse**

**Rep. Dennis Luke**

**Rep. Kurt Schrader**

**Rep. Mark Simmons**

**MEMBER EXCUSED:**

**STAFF PRESENT:**

**Janet Carlson, Administrator**

**Berri Sellers, Administrative Support**

**MEASURE/ISSUES HEARD:**

**HB 2860 Public Hearing and Work Session**

**HB 3118 Public Hearing**

**HB 3255 Public Hearing**

**HB 3057 Public Hearing**

**HB 2169 Public Hearing**

**HB 2749 Public Hearing**

**HB 2934 Public Hearing**

**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.**

	Speaker	Comments
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<b>Tape/#</b>		
<b>TAPE 67, A</b>		
<b>002</b>	<b>Chair VanLeeuwen</b>	<b>Chair calls meeting to order at 1:06, opens public hearing on HB 2860.</b>
<b><u>HB 2860 PUBLIC HEARING</u></b>		
<b>012</b>	<b>Rep. Bob Repine</b>	<b>District 49. Explains his support for HB 2860. Provides packet of information (EXHIBIT A).</b>
<b>035</b>		<b>Explains that his constituent (Ernie Daniel) has proven that this is an issue that affects many people across the state.</b>
<b>048</b>	<b>Ernie Daniel</b>	<b>Grants Pass, OR. Explains that he is concerned about the rights of an adoptee. Comments that adoptees are deprived by law to know their medical history.</b>
<b>065</b>	<b>Daniel</b>	<b>Explains that his mother and he both suffered from cancer that is genetically inherited. His mother died last year.</b>
<b>078</b>		<b>Comments that the adoption registry is unable to inform adoptees about their medical history under current law.</b>
<b>107</b>		<b>Explains that he has collected 430 signatures on the issue from people who support changing this law.</b>
<b>114</b>		<b>Believes that no person should be denied information about their medical history just because they were adopted.</b>
<b>116</b>	<b>Rep. Schrader</b>	<b>Is large cell lymphoma genetically transmitted?</b>
<b>119</b>	<b>Daniels</b>	<b>Not necessarily, but the type of cancer we have is medically connected.</b>
<b>130</b>	<b>Rep. Schrader</b>	<b>Would you be all right with a friendly amendment that explains life-threatening illness as genetically linked?</b>
<b>132</b>	<b>Daniel</b>	<b>Yes.</b>
<b>135</b>	<b>Rep. Repine</b>	<b>We were sensitive to the language of the bill when we drafted the legislation. Comments that the representative makes a good point.</b>
<b>147</b>	<b>Chair VanLeeuwen</b>	<b>Has Rep. Schrader thought of a wording?</b>
<b>151</b>	<b>Rep. Schrader</b>	<b>Put "genetically-related life-threatening illness."</b>
<b>155</b>	<b>Vice-Chair Piercy</b>	<b>Wonders if that is too restrictive.</b>
<b>171</b>	<b>Rep. Repine</b>	<b>Comments that this can be wordsmithed.</b>
<b>178</b>	<b>Kelly Shannon</b>	<b>Permanency and adoption program manager at Services to Children and Families. Provides written testimony (EXHIBIT B). In favor of the legislation.</b>

198		Explains that he has given significant thought to the legislation. Believes that it will be advantageous for more reasons than just life-threatening illness.
215	Rep. Kruse	Are you saying that any reference to genetics would be too restrictive?
221	Shannon	Probably, because the definition of genetic condition varies from one physician to another.
228	Rep. Schrader	Believes that you have to limit it a little bit, because we're not just trying to get at any illness.
240	Shannon	Also believes that it needs to be specific to avoid confusion.
247	Rep. Jenson	Explains that the language could be simple, wherein the medical history could be important to the adopted sibling. We must place confidence in someone to make the judgment.
274	Shannon	Also believes that the physician would be the best person to make these decisions.
325	Chair VanLeeuwen	Closes public hearing on HB 2860. Opens work session on HB 2860.
<b><u>HB 2860 WORK SESSION</u></b>		
334	Virginia Vanderbilt	Office of Legislative Counsel. Asks the committee for clarification of their concerns.
347	Rep. Schrader	Explains that the goal is to get at genetic disorders in the language. Even if the disease is not life-threatening, it can have long-term damaging effects to the individual.
382	Vanderbilt	The word "potential" can be used to reach this goal. Comments that genetically-transmitted diseases and illness are broad. Suggests that we are getting at things that have a health ramification.
389	Janet Carlson	Committee Administrator. Comments that we should get at "potentially life-threatening" and "inherited."
401	Rep. Kruse	Has a problem with putting genetic in the bill, because it's implied in the context of the type of people you're seeking. Suggests that the word should be "debilitating."
420	Vanderbilt	Comments that the words in that sentence don't inherently say "biological."
432	Rep. Jenson	Comments that he is supportive of the legislation, although he thinks we should consider all sides. Also, aren't adoptions handled through the state, making medical history automatically available?
457	Vice-Chair Piercy	You don't always have complete medical histories.
<b>TAPE 68,A</b>		

039	Rep. Repine	Comments that the sense of the legislation should remain.
059	Chair VanLeeuwen	Closes work session on HB 2860. Open public hearing on HB 3118.
<b><u>HB 3118 PUBLIC HEARING</u></b>		
067	Carlson	Provides overview of HB 3118. Explains that the bill proposes a Deschutes County Family Court Advocate program. The legislation directs the Judicial Department to monitor the program.
079		Explains that HB 3255 directs state court administrator to adopt educational program so that judges can make informed decisions about child welfare.
107	Ernie Mazarol	Court Administrator for Deschutes County. Testifying in support of HB 3118.
121		Explains the policy consideration to begin family court system. Discusses the willingness of the judge to do this type of emotionally-charged work.
153	Chair VanLeeuwen	How can a judge make a good decision unless the judge knows what's going on with that person's family?
159	Judge Stephen Tiktin	Deschutes County Family Court. Believes that the judge does have to be well informed in order to make good decisions.
173		Explains that there has to be a commitment by the local judiciary to these types of programs.
196		Discusses why they began the family court: to create efficient ways of running their courts.
239		Details the time commitment involved in these cases.
252		Asks the committee for their support in passing this legislation.
264	Vice-Chair Piercy	What is the evidence of success for this program?
271	Titkin	Explains that they have been able to provide some results with the limited amount of data they have collected.
291	Mazarol	Has evaluation for the committee. Also has family court testimonials for the committee. Provides written materials (EXHIBIT C).
302		Comments that they are seeing broad-based support for this program.
427	Rep. Luke	Comments that Ernie is the Court Administrator for three counties. Explains how much money it costs to cover this program.
<b>TAPE 67,B</b>		
029	Mazarol	Discusses how much money Deschutes County provides to this program.

032	Vice-Chair Piercy	Seems like you're doing a really good job. Seems important that there is analysis of this so that we can measure the success.
049	Mazarol	Explains that it will be difficult to measure the success without the funds to do so.
053	Rep. Kruse	Supports the program. Is Deschutes County scheduled to get another judge?
060	Mazarol	Yes.
063	Rep. Kruse	Wouldn't a fully funded judge meet that need?
066	Judge Titkin	No, it would not fund the family court advocate.
090	Judge Orf	Provides written materials (EXHIBIT D). Explains that Jackson County is committed to this legislation, but has a proposed amendment to HB 3118.
122		Clarifies that they are asking for funding for their court system.
132	Jim Adams	Trial Court Administrator for Jackson county. Explains the system in Jackson County for family courts.
150	Rep. Luke	Clarifies the difference in amounts that Deschutes County and Jackson County are asking for in full-time employees.
176	Rep. Luke	Why isn't Multnomah County here?
182	Nancy Miller	Citizen Review Board Director. Multnomah County is using their money for a different kind of family court.
198	Rep. Kruse	How many support staff comes with the judge?
202	Judge Adams	Five full-time employees.
218	Chair VanLeeuwen	Closes public hearing on HB 3118. Opens public hearing on HB 3255 and HB 3057.
<b><u>HB 3255, HB 3057</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
240	Rep. Kruse	Comments that judges who deal with juvenile cases should understand them, which is the intent of the legislation.
280	Don Mills	Court Administrator for Douglas County. Comments that HB 3255 prioritizes educational training for judges to make them sensitive to juvenile court cases.
295	Kingsley Click	State Court Administrator. Comments that she is supportive of the principle(s) behind these bills.
323	Chair VanLeeuwen	We do not have a referral to Ways and Means?
332	Miller	Explains that she is the Juvenile Court Project Improvement Manager. Provides written testimony (EXHIBIT E).
353		

		Explains that their priority is for spending to be on judicial education. The Juvenile Court Improvement Projects are for comprehensive training.
393		Discusses how this goes beyond Rep. VanLeeuwen's bill.
<b>TAPE 67,B</b>		
020	Chair VanLeeuwen	Can we put both of these bills into one?
023	Miller	Yes.
025	Rep. Schrader	Are we talking general fund dollars?
028	Miller	No.
029	Rep. Schrader	Has difficulty with judges receiving free education. Explains that many other types of professions pay for their own continuing education and wonders why judges are an exception.
044	Rep. Kruse	Believes that the judges are already doing that and we need a more comprehensive approach so that we have a statewide unified approach to training.
052	Don Mills	We are committed to moving to a family court system.
069	Judge Titkin	Believes that this is a worthwhile project and that this is money that can come from the general fund.
083	Rep. Luke	Perhaps the judge could talk about continuing education.
090	Judge Titkin	Explains that they do attend seminars and other continuing education classes.
116	Chair	Closes public hearing on HB 3255 and HB 3057. Opens public hearing on HB 2169, HB 2749, HB 2934.
<b><u>HB 2169, HB 2749, HB 2934 PUBLIC HEARING</u></b>		
130	Carlson	Provides overview of confidentiality work group.
211	Cindy Hunt	Legislative Counsel. Explains HB 2749 -1 amendments. Would totally replace what was in the prior bill.
223		The -1 amends ORS 419B.035 dealing with SCF records.
253	Rep. Simmons	Comments that "reasonable amount of time" is not specific enough.
273	Hunt	Discusses the intervenor status in HB 2749. Adult is defined as someone 18 years or older.
289	Rep. Schrader	What about grandparents being listed as intervenors?
297	Hunt	Explains the intervenor status of grandparents.
312		Discusses subsection 2 of the existing statutes.
343	Rep. Kruse	Page 2 line 25, is it supposed to be report?

350	Hunt	Record is broader than report.
449		Committee needs to clarify whether or not they are concerned about the life-threatening effects on the child.
TAPE 69,A		
044	Chair VanLeeuwen	Believes that there is confusion surrounding Line 11.
049	Rep. Simmons	Depends upon the case.
059	Caleb Heppner	Deputy Director of Services to Children and Families. We already have an administrative rule that says ten days is an acceptable amount of time.
064		Seven working days would be acceptable.
068	Rep. Jenson	With all the technology, seven days seems like a long time.
073	Heppner	Yes, but some information has to be deleted because of Oregon law and to protect the child.
090	Chair VanLeeuwen	Chair adjourns meeting at 3:00 pm.

Submitted By, Reviewed By,

Berri Sellers, Janet Carlson,

Administrative Support Administrator

**EXHIBIT SUMMARY**

A - HB 2860, written materials, Ernie Daniel, 19pp.

B - HB 2860, written testimony, Kelly Shannon, 2pp.

C- HB 3118, written materials, Ernie Mazarol, 9pp.

D - HB 3118, written materials, Judge Orf, 5pp.

E - HB 3118, written materials, Nancy Miller, 5pp.