

**HOUSE COMMITTEE ON JUDICIARY**

**SUBCOMMITTEE ON FAMILY LAW**

**April 24, 1997 Hearing Room 357**

**3:15 P.M. Tape 78**

**MEMBERS PRESENT:**

**Rep. Ron Sunseri, Chair**

**Rep. George Eighmey, Vice-Chair**

**Rep. Roger Beyer**

**Rep. Charles Starr**

**Rep. Judy Uherbelau**

**MEMBER EXCUSED:**

**Rep. Peter Courtney**

**STAFF PRESENT:**

**Bill Taylor, Counsel**

**Lisa Fritz, Administrative Support**

**MEASURE/ISSUES HEARD:**

**HB 3570 - Public Hearing**

**HB 2056 - Public Hearing**

**HB 2719 - Public Hearing**

**HB 2923 - Public Hearing**

**HB 3606 - Public Hearing**

**HB 3662 - 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.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
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<b>Tape 78, A</b>		
006	Chair Sunseri	Calls the meeting to order at 3:19 p.m.
<b><u>OPENS THE PUBLIC HEARING ON HB 3570</u></b>		
009	Rep. Jane Lokan	House District 25, Clackamas County Submits and reads aloud written testimony in favor of HB 3570 ( <b>EXHIBIT A</b> ). Suggests amendments to the bill.
054	Nancy Miller	State Court Administrator's Office Discusses HB 2716 (Rep. VanLeeuwen's bill) and HB 3750.
077	Rep. Lokan	I would wonder, if this goes into the booklet, without a bill, is it part of the other bill? How is that covered?
080	Rep. Uherbelau	I don't think Ms. Miller was asking that we don't pass this bill. She was just talking about line 15 (of HB 3570). Instead of directing The State Office for Services to Children and Families (SCF), we would direct the same people we directed in HB 2716 to give notice, and that notice goes out from the very beginning.
085	Chair Sunseri	Can we take this piece that is left out and put it in Rep. VanLeeuwen's bill?
089	Miller	I think you could put section two in Rep. VanLeeuwen's bill, or that piece about the obligation of child support. You would have section four of HB 3570 left that would still apply to the delinquency cases.
092	Chair Sunseri	What would be the effect if this bill passes, and the other one passes as well?
093	Bill Taylor	Committee Counsel There will be a conflict amendment process that would ensure that there are not two provisions in conflict. If they are contradictory, and they are passed with no conflict amendments, the last one passed would take precedence. Are HB 2716 and HB 3570 actually in conflict?
099	Chair Sunseri	I don't think so.
100	Rep. Uherbelau	What Ms. Miller is saying is that this would be more efficient. This is not a conflict; this is just an additional notice. This would be more efficient to do in one place.
105	Miller	"Conflict" wasn't the right word; "duplication" is the word I was searching for. Subsection two would have SCF and us doing the same thing.

124	Rep. Uherbelau	Suggests an amendment to HB 3570. The issue is simply: Do we need two booklets? We could change line 15, concerning who is going to give the notice (section two). That takes care of the whole issue. Is that correct?
133	Miller	That would do it, for the dependency cases.
134	Taylor	Why would this require two booklets? I assume that, by passing this law, we are delegating, to the courts, the responsibility or right of putting the material together. What would prevent you from putting them both in the same booklet?
140	Miller	Nothing would prevent us from doing that. All I am saying is that, in this bill, on lines 15-16, you're telling SCF to prepare and provide the notice.
142	Chair Sunseri	So, you just want to change that part, and if we do that, there would be no conflict. We could pass this bill out.
144	Miller	Yes.
157	Chair Sunseri	Closes Public Hearing on HB 3570.
		<b><u>OPENS PUBLIC HEARING ON HB 2056</u></b>
180	Rep. George Eighmey	House District 14 Discusses background, intent, and purposes of HB 2056. Comments that the bill still needs to be worked on.
196	Chair Sunseri	Closes public hearing on HB 2719.
		<b><u>OPENS PUBLIC HEARING ON HB 2719</u></b>
200	Rep. George Eighmey	House District 14 Discusses background, intent, and purposes of HB 2719.
229	Chair Sunseri	Closes public hearing on HB 2719.
		<b><u>OPENS PUBLIC HEARING ON HB 2923</u></b>

236	Rep. George Eighmey	House District 14 Discusses background, intent, and purposes of HB 2923.
279	Chair Sunseri	I have a note here that says to be sure that Rep. Eighmey confers with former Representative Parks.
280	Rep. Eighmey	I did, and he still wants this bill.
296	Rep. Uherbelau	I would have some problems with repealing it. A couple may have lived together for many years, and one of them dies. We may leave the other one out "in the cold," if we repeal this. They have no recourse at all.
309	Rep. Eighmey	The reason for the bill, to begin with, was for social security purposes. Discusses intestate succession, as it relates to non-married couples.
333	Rep. Uherbelau	Comments that even though a couple isn't married, they may have mutual assets. The surviving partner would have to spend a lot of time and money in court to be recognized, at all, as having interest in those assets, so I would have some trouble.
349	Rep. Beyer	I just wanted to clarify. You said former Rep. Parks was not in favor of repealing this law.
350	Rep. Eighmey	Correct.
352	Chair Sunseri	Closes public hearing on HB 2923.
<b><u>OPENS PUBLIC HEARING ON HB 3606</u></b>		
365	Timothy Travis	Juvenile Rights Project, Inc. Submits written testimony in favor of and proposed amendments to HB 3606 ( <b>EXHIBIT B</b> ).
367	Kelly Shannon	Permanency and Adoptions Program Manager for SCF Submits written testimony, regarding HB 3606 ( <b>EXHIBIT C</b> ).
380	Chair Sunseri	Closes public hearing on HB 3606.
<b><u>OPENS PUBLIC HEARING ON HB 3662</u></b>		
385	Timothy Travis	Juvenile Rights Project, Inc. Submits written testimony in favor of HB 3662 ( <b>EXHIBIT D</b> ).

390	Chair Sunseri	Closes public hearing on HB 3662.
<b><u>REOPENS PUBLIC HEARING ON HB 3662</u></b>		
398	Rep. Uherbelau	I have a problem with line five, where you say "cause the judge to appoint." We have a separation of powers issue there because of the way the language is.
407	Travis	I agree with you, and we will amend that before we come back.
413	Chair Sunseri	Adjourns at 3:45 p.m.

Submitted by, Reviewed by,

Lisa Fritz, Sarah Watson,

Administrative Support Office Manager

**EXHIBIT SUMMARY**

**A - HB 3570, written testimony, Rep. Jane Lokan, House District 25, Clackamas County, 2 pages.**

**B - HB 3606, written testimony, Timothy Travis, Juvenile Rights Project, Inc., 2 pages.**

**C - HB 3606, written testimony, Kelly Shannon, Manager of the Permanency and Adoptions Program, Oregon Department of Human Resources (State Office for Services to Children and Families), 2 pages.**

**D - HB 3662, written testimony, Timothy Travis, Juvenile Rights Project, Inc., 2 pages.**