

CONFERENCE COMMITTEE ON HB 2697

July 2, 1997 Hearing Room

357

3:30 Tape

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MEMBERS PRESENT: Rep. **John Minnis, Chair**

Sen. Avel Gordly

Sen. Shirley Stull

Rep. Judith Uherberlau

Rep. Larry Wells

EXCUSED MEMBER: Sen. **Jeannette Hamby**

STAFF PRESENT: **Nikki Jones, Counsel**

Marjorie Taylor, Administrative Assistant

MEASURE/ISSUES HEARD: Conference Conunittee on HB 2697

These minutes are in compliance with Senate and House Rules. Only text enclosed m quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

Tape/# Speaker Comments

TAPE 1, A

002 Chair Minnis Calls the meeting to order at 3:40 p.m. and opens the work session on

HB 2697.

HB 2697 WORK SESSION

011 Diane Lancaster Representative, Services to Children and Families (SCF).

Explains provisions of the bill. Suggests that current law is too narrow.

Indicates that language passed in SB 643 included language that addressed the "best interest of the child." Explains that SCF has the

ability to direct a specific type of placement. Indicates that language in

line 12 of the bill now gives the court the ability to direct a specific type

of placement. There are 1 2-1 5 cases per year where a judge makes a

decisions that is too directive or specific. SCF encourages clarification

on what type of placements the courts can make.

048 Connie Gallagher Representative, Services to Children and Families.

Suggests that the amendments with the inclusion of language addressing

"the best interest of the child" provide a win-win situation for both sides.

055 Chair Minnis Verifies that the intent of the amendments is to provide flexibility to

Services to Children and Families.

058 Lancaster Answers affirmatively.

060 Chair Minnis Asks why flexibility is a good thing.

061 Lancaster The amendments provide clarification as to what the individual roles of

SCF and the courts are.

066 Sen. Gordly Asks for a specific example of a judge's order that was too directive or

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specific such that it was not in the best interest of the child.

073 Gallagher Explains that there was an order from a judge that directed SCF not to

change a placement from a particular relative. Indicates that there are

times when judges are not attentive to nuances of the law.

085 Sen. Gordly Verifies that discussion is centering on flexibility for SCF.

088 Gallagher Indicates that SCF is not seeking a change in the existing law, merely

clarification for all parties.

092 Rep. Uherberlau Describes concerns about originally using a standard that is not well

known and also allowing the courts to make inappropriate placements of

children. Expresses support for allowing flexibility.

114 Nancy Miller Administrator, Citizen Review Board Program.

Explains that the bill dealt with more than agency flexibility. Indicates that the standard that courts were working under was too high and that they were resistant to placement suggestions from SCF. States that Rep. Kruse, the sponsor of the bill, supports the changes being made.

144 Rep. Wells Asks why specific language, "does not address the child's present needs," is being removed.

147 Gallagher Indicates that it would be ok to have the language remain.

149 Rep. Uherberlau Explains that "does not address the child's present needs" is redundant

language for "not in the best interest of the child."

153 Chair Minnis Indicates that the standard of "best interest of the child" is well defined

in Oregon.

160 Rep. Wells Verifies which amendments are being discussed and that the conference

committee's purpose is to remove language.

170 Rep. Uherberlau Explains that a related Senate Bill includes "does not address the

child's

current needs" language.

179 Rep. Wells Verifies that the bill was passed by the House, sent to the Senate, amended in the Senate, and then brought back to the House where the

Senate amendments were not concurred upon.

187 Chair Minnis Answers affirmatively.

189 Rep. Wells Asks if the -B5 amendments need to be adopted.

191 Chair Minnis Explains that Rep. Kruse no longer needs the bill, however SCF wanted

to add the proposed language.

200 Rep. Wells Asks how Rep. Kruse got involved with the bill.

201 Miller Says that Judge Poole, the juvenile court judge in Douglas County got him involved.

206 Rep. Wells MOTION: Moves to ADOPT HB 2697-B5 amendments dated 7/2/97.

220 Minnis Hearing no objections, declares the motion CARRIED.

227 Sen. Stull MOTION: Moves HB 2697 to the floor with the recommendation

that the House and Senate concur in amendments dated

7/2/97 and repass the Measure.

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VOTE: 5-0

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 1- Sen. Hamby

235 Chair Minnis The motion CARRIES.

REP. UHERBERLAU AND SEN. GORDLY will lead discussion on

the floor.

239 Chair Minnis Adjourns the meeting at 3 57 p.m.

Submitted By, Reviewed By,
Marjorie Taylor, Sarah Watson,
Administrative Support Office Manager

EXHIBIT SUMMARY

A - HB 2697, -B5 amendments, Legislative Counsel, 1 p.

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