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SENATE COMMITTEE ON BUSINESS, LAW, AND GOVERNMENT

January 20, 1997 Hearing Room A

1:00pm Tapes 11 - 14

MEMBERS PRESENT:

Sen. Neil Bryant, Chair

Sen. Randy Miller, Vice-Chair

Sen. Randy Leonard

Sen. David Nelson

MEMBER EXCUSED: Sen. Kate Brown

Sen. Gene Derfler

STAFF PRESENT:

Bill Taylor, Counsel

Andrea Terry, Administrative Support

MEASURE/ISSUES HEARD:

SB 111

SB 265

SB 264

SB 263

SB 262

SB 261

SB 260

SB 259

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
Tape 11, A		
	Chair Bryant	Opens meeting at 1:15
013		Deregulation issues, we may need to add more members to this committee down the line
019		Draft rules
24	Sen. Miller	Moves adoption of rules
26	Bryant	no objections; rules are adopted; open public hearing on SB 111
<u>SB 111--PUBLIC HEARING AND WORKSESSION</u>		
35	Lucinda Potter	Exec. Dir. Oregon State Mortuary and Cemetary Board
43		asks for support of SB111
51	Bryant	what do you need to move through the apprenticeship
54	Potter	explains process
63	Sen. Miller	what is the logic in cutting the apprenticeship off at 4 years
69	Potter	explains this logic
75	Miller	what is the purpose of the time frame
81	Potter	the purpose of the time frame
90	Miller	cost consideration
92	Potter	funeral establishments want the most qualified people

113	Sen. Nelson	how many times can you take the examination
118	Potter	up to six times
128	Sen. Leonard	how many apprentices can't finish the apprenticeship in 3 years
130	Potter	about 10 requests a year
148	Sen. Leonard	MOTION: Moves SB 148 to the floor with a DO PASS recommendation.
150	Bryant	no discussion, no objections Sen. Nelson will carry this bill; close worksession on SB 111
<u>SB 265 -- PUBLIC HEARING AND WORKSESSION</u>		
156	Bryant	Opening public hearing on SB 265
168	Bob Olson	introduction of Russ Lipetzky and discussion of what he does
179	Russ Lipetzky	
184	Lipetzky	testimony on SB 265
194		EXHIBIT D
221	Lipetzky	1993 SB 77 should be 1995
229	Sen. Miller	MOTION: Moves SB 265 to the floor with a DO PASS recommendation.
231	Bryant	no objections; Bryant will carry this bill
<u>SB 264--PUBLIC HEARING AND WORKSESSION</u>		
239	Bryant	Opens public hearing on SB 264
246	Lipetzky	explains and testifies on SB 264
267	Lipetzky	proposed ammendment to SB 264
272	Bryant	going back to my days when I was doing this I can attest that it was frustrating when filing a motion and not getting it heard for months
285		EXHIBIT F
290	Leonard	the judge does have the option to make the ruling retroactive
296	Leonard	why are people dragging their feet
311	Lipetzky	usually the dockets in the courtroom are full
323	Miller	when a person files a motion, do they request a certain level of support

338	Lipetzky	spousal support example; the judge can make the payments retroactive
381		EXHIBIT G
386	Layne Barlow	Oregon Men's Association
Tape 11,B		
15	Barlow	Judges
21	Bryant	Gender Neutral
26	Jeff Edwards	Dads Against Discrimination
31	Bryant	Close public hearing on SB 264; open worksession on SB 264
33	Bill Taylor	Goes over ammendment propals
046	Sen. Bryant	MOTION: Moves SB 264 to the floor with a DO PASS AS AMENDED recommendation.
53	Bryant	close worksession on SB 264; open public hearing on SB 263
<u>SB 263--PUBLIC HEARING AND WORKSESSION</u>		
65	Lipetzky	EXHIBIT I
80		proposal of ammentment
90	David Nebel	Low Income clients of the Oregon Law Center
91		EXHIBIT J
110		explanation of ammendment proposed and is in support of SB 263
124	Leonard	question, psychological parent
134	Lipetzky	answer, grandparents and step parents
		allegding relationship with child; what the bill does is that a non biological parent is seeking "parental rights" by the court and having the court give immediate custody (temporary or status quo)
184	Lipetzky	maintains status quo
221	Miller	comment, thank you for the examples
239	Bryant	asks Lipetzky to respond to Nebel's proposed ammendments
250	Lipetzky	likes the first two sentences, and then comments on other parts
266	Bryant	asks Nebel for his response
270	Nebel	we are worried about the person who just comes in and says they are the "psychological parent"
291	Leonard	"moving party" most often would be the biological

		parent, correct
307	Nebel	"moving party" is most often the "psychological parent"
347	Bryant	comments on biological parents and scheduling of cases in courts, it is usually tried to be done in a very timely manner
Tape 11, B		
004	Nebel	look at printed bill
013		psychological parent
016	Bryant	ammendment
029	Nebel	parent/child relationship
033	Bryant	definition of psychological parent?
043	Lopetzky	yes it is defined in ORS
080	Miller	do you have comments on the proposed amendments
083	Nebel	I will leave that to Mr. Lipetzky
088	Lipetzky	just saw this on Friday
096	Layne Barlow	support SB 263 in present form before ammendments
121		case making it way through Multnomah County
145	Bryant	does that have anything to do with this bill
152	Miller	what do you think of the proposed ammendments
160	Barlow	this is the first time I have seen these ammendments
174	Victor Smith	Dads Against Discrimination
179		the bill needs some help, some doctoring
211		what about the administrative side of things
218	Bryant	you are right this bill does not address that, but this issue may need to be in another area (ie welfare reform)
232	Smith	True, but I am going to make a tie in comment; everything goes back to the court
265	Smith	there should be penalties in this bill
270	Bryant	there are penalties that do exist
292	Leonard	"Mr. Smith, can you give me an example of what you are concerned about"
302	Smith	when the child is in immediate danger; in this case you just don't go and lie in court
355	Bryant	close public hearing on SB 263
Tape 12, B		
007	Bryant	open worksession on SB 263
010	Taylor	discusses Lipetzky's amendments
		motion ammendment adding a new sub paragraph 6 to

019	Bryant	SB263 no discussion, no objections
023	Bryant	discusses Nebel's ammendments
027	Leonard	question about section 5 and section 7
035	Taylor	this would be best left to Legislative Counsel as to where they would put Mr. Nebel's amendment
037	Bryant	this will be made a conceptual amendment
039	Miller	what does "emotional ties" mean
050	Bryant	explanation of "emotional ties"; I would be cautionary and always throw this in so that the judge will see it
071	Miller	is the language necessary
072	Nelson	I would agree we don't need the language
078	Bryant	if you are a good attorney you would include the language
093	Bryant	remove conceptual amendment
094	Sen. Miller	MOTION: Moves SB 263 to the floor with a DO PASS AS AMENDED recommendation.
<u>SB 262--PUBLIC HEARING AND WORKSESSION</u>		
099	Bryant	open public hearing on SB 262
101	Lipetzky	EXHIBIT L
128	Bryant	story about intervenor; makes the case more difficult
135	Miller	what is the typical intervention
136	Lopetzky	no "typical" intervention
145	Bryant	coporate intervention story involving a divorce and husband works at the company where the stock is owned
181	Bryant	back to SB 263; Sen. Leonard will carry the bill
199	Sen. Miller	MOTION: Moves SB 262 to the floor with a DO PASS recommendation.
<u>SB 261--PUBLIC HEARING AND WORKSESSION</u>		
204	Bryant	close worksession on SB 262, open public hearing on SB 261
206	Lopetzky	SB 261; EXHIBIT N
245	Bryant	close public hearing on SB 261, open worksession on SB 261
256	Sen.	MOTION: Moves SB 261 be sent to the floor with a

	MILLER:	BE ADOPTED recommendation.
257	Nelson	will carry SB 261
290	Bryant	close worksession on SB 261; open public hearing on SB 260
<u>SB 260--PUBLIC HEARING AND WORKSESSION</u>		
296	Art Kapyne	Legislative Liaison, Dep't of Human Resources
297	Kapyne	EXHIBIT Q
Tape 13, A		
006	Kapyne	SB 260 would like to ammend this; don't have an ammendment today
011	Bryant	we will not be having a worksession on SB 260 today; I would like Mr. Kapyne and Mr. Lipetzky to get together on this bill
026	Leonard	is there a schedule as to what the wupport difference would be between one and two children and three children
030	Kapyne	it would take a separate calculation to figure that out
042	Lipetzky	support for one child is paid a different amount than two children
059	Bryant	there are also problems with special needs children
095	Taylor	question
099	Lipetzky	answer
105	Leonard	hard time understanding the difference between two and three children
122	Lipetzky	answer
135	Leonard	can we put in the bill that
149	Miller	cheeseburger comment
161	Lipetzky	past laws (session 1995) did not deal with college kids getting support
178	Leonard	example of disabled child and healthy child
205	Kapyne	we handle so many cases in our office each year
211	Leonard	who determines the amount owed
216	Lipetzky	there is a formula that is used
228	Leonard	trying to figure out the child support
239	Lipetzky	explanation
256	Bryant	discussion on administrative functions
266	Leonard	setting the stage for a horrendous legal battle

307	Bryant	end public hearing on SB 260
308	Bryant	open work session on SB 260
309	Bryant/Leonard	discussion
346	Leonard	child with disabilities
358	Lipetzky	more work for
365	Bryant	let's not move on this today, work with Mr. Taylor
373	Bryant	close worksession on SB 260;open public hearing on SB 259
Tape 14, A		
<u>SB 259--PUBLIC HEARING AND WORKSESSION</u>		
001	Lipetzky	EXHIBIT S
013	Bryant	close public hearing on SB 259 and open worksession on SB 259
014	Sen. Leonard	MOTION: Moves SB 259 to the floor with a DO PASS recommendation.
017	Miller	how was this bill omitted in the first place
026	Kopetzky	it is an expansion of the law
030	Bryant	will carry SB 259
032	Bryant	adjourns meeting at 3:40pm

Submitted By, Reviewed By,

Andrea Terry, Bill Taylor,

Administrative Support Counsel

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EXHIBIT SUMMARY

A - SMS for SB 111 - 1 page

B - Testimony from Lucinda Potter on SB 111 - introduced by Lucinda Potter - 1 page

C - SMS for SB 265 - 1 page

D - Testimony in support of SB 265 - introduced by Russell Lipetzky - 1 page

E - SMS for SB 264 - 1 page

F - Testimony in support of SB 264 - introduced by Russell Lipetzky - 2 pages

G - Oregon Men's Association testimony - introduced by Layne Barlow - 2 pages

H - SMS for SB 263 - 1 page

I - Testimony in support of SB 263 - introduced by Russell Lipetzky - 2 pages

J - Oregon Law Center Proposed Amendments - introduced by Oregon Law Center - 1 page

K - SMS for SB 262 - 1 page

L - Testimony in support of SB 262 - introduced by Russell Lipetzky - 1 page

M - SMS for SB 261 - 1 page

N - Testimony in support of SB 261 - introduced by Russell Lipetzky - 1 page

O - SMS for SB 260 - 1 page

P - testimony in support of SB 260 - introduced by Russell Lipetzky - 1 page

Q - Testimony regarding SB 260 - introduced by Art Kapteyn 6 pages

R - SMS for SB 259 - 1 page

S - Testimony in support of SB 259 - introduced by Russell Lipetzky - 2 pages
