

HOUSE COMMITTEE ON

HUMAN RESOURCES AND EDUCATION

February 3, 1995
8:00 a.m.

Hearing Room

Tapes 20-23

MEMBERS PRESENT:

Rep. Dennis Luke, Chair
Rep. Frank Shields, Vice-Chair
Rep. Bill Fisher
Rep. Mike Lehman
Rep. John Meek
Rep. Patti Milne
Rep. Barbara Ross
Rep. Lynn Snodgrass
Rep. Charles Starr
Rep. Terry Thompson
Rep. Sharon Wylie

STAFF PRESENT:

Jan McComb, Administrator
Tom Mann, Administrator
Shelley Jones, Assistant

MEASURES HEARD:

HB 2298 Public Hearing
HB 2313 Public Hearing
HB 2053 Work Session
HB 2112 Work Session
HB 2133 Public Hearing and Work Session
HB 2052 Public Hearing
HB 2064 Public Hearing and Work Session

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

TAPE 20, SIDE A

003 CHAIR LUKE: Opens the meeting at 8:03 a.m.

HB 2298 PUBLIC HEARING

MANN: Staff submits staff measure summary and fiscal impact. (EXHIBIT A)

005 REP. MANNIX: Submits LC amendments and reviews issues of the bill with committee. (EXHIBIT B)

035 LUKE: Announces that a work session on this bill will be scheduled at a later date.

HB 2313 PUBLIC HEARING

MANN: Staff submits preliminary staff measure summary. (EXHIBIT C)

040 MANNIX: Introduces HB 2313 and presents video taped testimony of Dr. Harrington.

057 DR. HARRINGTON, CHILD ADOLESCENT PSYCHOLOGIST, SALEM: Testifies on the psychological aspects of this bill and the sterilization process.

098 -Procedure that has a high incidence of long term effects.

142 -Reviews the stages that children and teen teenagers go through in establishing their identities.

190 -Adolescence make decisions differently than they will as they grow
older and final consequences are understood.
240 -Sterilization is a medical procedure that has long term consequences.

280 LUKE: Questions why the age of 15 was originally chosen.

330 LEHMAN: Questions the consequences of making this type of decision at
such an age.

375 -Ability to control one's random acts of violence and sexuality, and the
relationships with others were two of the significant process.

445 SNODGRASS: Is there an exception in the statute that deals with medical
emergencies if a young person should need to undergo a sterilization
surgery.

471 BOB JOONDEPH, EXECUTIVE DIRECTOR, OREGON ADVOCACY CENTER: Submits and
reviews testimony in opposition of HB 2313. (EXHIBIT D)

TAPE 21, SIDE A

040 -Explains the role of the Oregon Advocacy Center.
-Advocate against automatic sterilization on behalf of individuals with
disabilities.

103 -Opposes the bill because it changes the current policy on informed
consent and assumes that some people of this age group cannot give informed
consent.

130 ROSS: Questions if the affect of this legislation would change the
ability of a youngster to have final decision making if the parents and
child disagree over sterilization.

155 LUKE: Questions parental notification if a 15 year old goes to the
doctor and willingly signs a consent for sterilization, does the doctor
have to inform the parents.

175 SHIELDS: Questions if the doctor determines the patient cannot
understand, they doctor does not have to take any action.

200 JOONDEPH: Under the proposed law, they only situation a person could be
sterilized is if there is a medical emergency without parental consent in
which sterilization is an outcome of the surgery, and not the primary
surgery.

240 -under current law, people under 18 can make the decision regardless of
parental permission, under the proposed law that would be not allowed.

260 DAN McCULLOCH, SEVENTH DAY ADVENTIST CHURCH, SALEM: Spoke in favor of
HB 2313 and supported the information that was presented by Dr. Harrington.

323 LAURIE WIMMER, EXECUTIVE DIRECTOR, OREGON COMMISSION FOR WOMEN: Submits
and reviews testimony in opposition of HB 2313. (EXHIBIT E)

350 -Reviews history of HB 2766, the statute this bill will amend.
400 -Stump V. Sparkman, involuntary sterilization case referred to.
449 -appropriate for the state to be involved in the very intimate personal
procedures that should be made by a physician and the patient, free of
government intrusion.

460 ROSS: In your understanding of this proposed legislation, does this
stop all voluntary sterilization's for 15-18 year old, unless it is a
medical emergency.

468 WIMMER: That is my understanding.

TAPE 20, SIDE B

070 LUKE: Comments on conflict with the recent City of Silverton law passed
that holds parents responsible, and the conflicting legislation regarding
sterilization, since it currently does not require parental consent.

085 BOB CONTANGNA, GENERAL COUNSEL AND EXECUTIVE DIRECTOR, OREGON CATHOLIC
CONFERENCE: Submits and review testimony in support of HB 2313. (EXHIBIT
F)

120 -Issue of age of consent as set forth in the draft language reviewed,
support the change to age 18.

154 -Suggest that Page 1, line 31 the word "orally" be deleted, and the
words "in writing" be inserted.

198 MANN: Reviews information provided by the Oregon Advocacy Center that documented the number of sterilization's that were required to be reported under ORS 436.255 and that six were reported, and three other informally reported.

HB 2298 PUBLIC HEARING

230 CHAIR LUKE: Re-opened pubic hearing on HB 2298 for additional testimony.

235 KENDALL BARNES, ASSISTANT ATTORNEY GENERAL: Provides information to the committee on cases he has handled for the state related to HB 2298, and the

mailing of obscene or offensive material via the mail by people institutionalized. (EXHIBIT G)

295 -Reports of different cases through medical intervention, patients mail privileges were withheld and the decision was supported by the District Court.

323 Four categories are constitutional protected and allows patients to have contact with attorney, advocacy groups, public officials, and the media.

380 Court of Appeals has ruled that mail privileges cannot be withheld regardless of the medical therapeutic care plan.

HB 2053 WORK SESSION

400 McCOMB: Submits preliminary staff measure summary, LC amendments, fiscal impact and revenue analysis. (EXHIBIT I)

426 FRANK BURLESON, CHAIRMAN, GREENWAY TENANTS ASSOCIATIONS: Testifies in support of HB 2053 and the amendments to the ombudsman duties.

450 MOTION: REP. MEEK: Moves the ADOPTION of the amendment to HB 2053.

CHAIR LUKE: Hearing no objections the MOTION is ADOPTED.

MOTION: REP. MEEK: Moves that HB 2053-1, AS AMENDED, be sent to the Floor with a DO PASS recommendation.

VOTE: In a roll call, all members are present and vote AYE.

CHAIR LUKE: The motion CARRIES.

CHAIR LUKE: REP. MEEK will lead discussion on the Floor.

TAPE 21, SIDE B

HB 2112 WORK SESSION

040 McCOMB: Submits staff measure summary, fiscal impact, revenue analysis. (EXHIBIT H)

050 MOTION: REP. MEEK: Moves that HB 2112, be sent to the Floor with a DO PASS recommendation.

VOTE: In a roll call, all members are present and vote AYE.

CHAIR LUKE: The motion CARRIES.

CHAIR LUKE: REP. LEHMAN will lead discussion on the Floor.

HB 2133 PUBLIC HEARING

080 McCOMB: Submits and reviews preliminary staff measure summary and
fiscal impact. (EXHIBIT K)

100 REP. REPINE: Presents a historical perspective of the Oregon Housing
Trust Fund. Testifies in support of HB 2133.

135 -Bill will establish a separate Home Ownership Account and assist people
in home ownership.

180 -Would add to the ability of people to purchase with down payment
assistance.

200 LYNN SCHOESSLER, OREGON HOUSING AND COMMUNITY SERVICES DEPARTMENT:
Submits and reviews testimony in support of HB 2133. (EXHIBIT L)

260 -Explains the economics of home ownership versus housing in low income
apartments in the long run is more stable and cheaper to provide.

280 ROSS: Question on how much would be provided to assist a person to
purchase a home.

340 JOHN VAN LANDINGHAM, CO-CHAIR, OREGON HOUSING LOBBY COALITION: Submits
and reviews testimony in support of HB 2133. (EXHIBIT M)

-Not everybody who seeks money from the fund, will qualify. Highly
competitive.

390 -Innovated programs tied together with social services to assist in
credit repair, lease-options to lease and build up equity.

400 FRANK BRAWNER, OREGON BANKERS ASSOCIATION: Testifies in support of HB
2133. Explains the various home loan programs available for low income
people.

TAPE 22, SIDE A

HB 2133 WORK SESSION

060 MOTION: REP. SHIELDS: Moves that HB 2133, be sent to the Committee
on Ways and Means in accordance with its prior referral with a DO PASS
recommendation.

VOTE: In a roll call, all members are present and vote AYE.

CHAIR LUKE: The motion CARRIES.

HB 2064 PUBLIC HEARING

100 FRANK BRAWNER, OREGON BANKERS ASSOCIATION: Testifies in support of HB
2064.

150 -Borrower tax credit, not a lenders tax credit.

157 MARGARET VAN VLIET, EXECUTIVE DIRECTOR, NETWORK FOR OREGON AFFORDABLE
HOUSING: Submits and reviews testimony in support of HB 2064.
(EXHIBIT N)

200 -Reviews projects NOAH financed throughout the state to provide
additional low income housing.

240 -One of the most efficient affordable tools available to assist in
developing affordable housing.

300 BRAWNER: Explains the limit on the tax credit, recommends a \$3 million
limit.

327 VAN VLIET: In response to accountability of ownership and the pride the
new homeowners, the borrowers take pride in ownership.

377 LUKE: States that the Interim Committee on Fair Housing did review with
the State Treasurer the possibility of the State participating in an
affordable housing loan program.

420 JOHN VANLANDINGHAM: Testifies that this is part of a package of bills
being submitted to enhance affordable housing issues in Oregon.

TAPE 23, SIDE A

035 PETER GRUNDFOSSEN, ASSOCIATION OF OREGON HOUSING AUTHORITIES: Testifies
in support of HB 2064

HB 2064 Work Session

076 MOTION: REP. SHIELDS: Moves to amend HB 2064 on page 2 of the bill,
line 18, delete "\$_____" and insert "\$3 million".

CHAIR LUKE: Hearing no objections the MOTION is ADOPTED.

MOTION: REP. MEEK: Moves that HB 2064, AS AMENDED, be sent to the
Committee on Revenue and School Finance in accordance with its prior
referral with a DO PASS recommendation.

VOTE: In a roll call, all members are present and vote AYE.

CHAIR LUKE: The motion CARRIES.

HB 2052 PUBLIC HEARING

117 No public comments received.

HB 2133 PUBLIC HEARING

120 CHAIR LUKE: Re-opens public hearing to allow additional testimony.

126 STEVEN DENELL, LA GRANDE: Testified on HB 2133 and a proposed amendment
he would like on page 2, line 6. Questions if that section can be expanded
to individuals to provide low income or disabled lending programs.

150 SCHOESSLER: Explains the bill to the speaker, and who is eligible.

310 CHAIR LUKE: Adjourns meeting at 10:40 a.m.

Submitted by:

Reviewed by:

Shelley M. Jones
Committee Assistant

Jan Mc Comb
Committee Administrator

EXHIBIT LOG:

A- HB 2298, Preliminary SMS/Fiscal- Staff- 2 pages
B- HB 2298, LC Amendments- Mannix- 2 pages
C- HB 2313, SMS- Staff- 1 page
D- HB 2313, Testimony- Joodeph- 8 pages
E- HB 2313, Testimony- Wimmer- 2 pages
F- HB 2313, Testimony- Costagna- 22 pages
G- HB 2298, Testimony- Barnes- 8 pages
H- HB 2112, Preliminary SMS/Fiscal/Revenue- Staff- 3 pages
I- HB 2053, Preliminary SMS/LC amendment/Fiscal/Revenue- Staff- 5 pages
J- skipped
K- HB 2133, Preliminary SMS/Revenue- Staff- 2 pages
L- HB 2133, Testimony- Schoessler- 1 page
M- HB 2133, Testimony- VanLandingham- 2 pages
N- HB 2064, Testimony- VanVliet- 7 pages
O- HB 2064, Preliminary SMS/Revenue- Staff- 2 pages