

CONFERENCE COMMITTEE ON
HB 3180

June 9, 1995 Hearing Room 170
1:45 p.m. Tapes 1- 2

MEMBERS PRESENT:

Rep. John Meek, Chair
Rep. Kitty Piercy
Rep. Bob Repine
Sen. Gene Derfler
Sen. Brady Adams
Sen. Peter Sorenson

STAFF PRESENT:

Thomas Mann, Committee Administrator
Rita Thomas, Committee Administrator
Cindy Hunt, Legislative Counsel
Pamela Berger, Committee Assistant

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 1, A

HB 3180 - Work Session

CHAIR MEEK: Calls the meeting to order at 2:15 p.m.
-recesses the meeting the meeting until 3:15 p.m.
-re-convenes the meeting at 3:16 p.m.
-recesses the meeting until 5:00 p.m.
-reconvenes the meeting at 5:00 p.m.
-recesses the meeting at 5:00 p.m.
-reconvenes the meeting at 6:13 p.m.

Staff submits HB 3180-C32 proposed amendments (EXHIBIT A)

010 GOVERNOR JOHN KITZHABER: Am here to answer questions

MEEK: Major implications in (1993) HB 2004 which take effect July 1, 1995
-transitioning between the Department of Human Resources and the State
Commission on Children and Families
-there is language in there that CSD has abolished, there are conflicting
areas in the statutes that were missed in HB 2004 which is a major concern;

it calls for the transferring of the Title XX
-been working on HB 3180 all session without reaching agreement on some of
the philosophical differences

- HB 3180-32 deals with the courts and CSD procedures as well as planning
- HB 3180-29 includes the pilots
- would like to know what are your intentions on where are we going with the

State Commission and DHR and the planning; and the State of Oregon and children and families

036 GOVERNOR KITZHABER: Sure that all of us want to get to the same place, that we all have an overriding concern about the health and welfare of our children

- very supportive of the direction and concept of HB 2004
- refers to Children's Care Team
- rift developing between some of the elements of the Commission and CSD
- committed with or without legislation to do what I can to make sure that we get the groups back together again, pulling for the same objectives
- philosophical differences about HB 3180
- willing to support HB 3180-21 and willing to support the study that came out of Ways and Means
- not willing to commit to sign a bill with a set of amendments of such magnitude without thorough review and discussions with the affected groups

064 DERFLER: The -32 proposed amendments take out what I think are what you found to objectionable

- if we pass this out, hopefully you will study it and consider signing it

GOVERNOR KITZHABER: The policy differences are still there

- would sign -21 amendments and the ones that came out of Ways and Means
- highly unlikely that I would sign anything else

THOMAS: Explains key points of the -32 amendments (removed pilot programs, interim committee stays in, funding transfer is gone because the pilot programs are gone)

- changes on page 3 regarding protective orders and voluntary services
- changes on page 4 regarding funding considerations by the Emergency Board
- error page 12 line 31 delete "non suspect"
- amendments modify some of the definitions
- sections 35-47 basically transforms CSD into the Child Protective Services

Agency

- on July 1, 1997
- implementation of judicial pieces

125 HUNT: In response to Repine, discusses conflicts under HB 2004

- no transfer provisions
- no name change provision to change all the statutes
- under HB 2004 it is unclear, after July 1 of this year, who does child protective services (CSD or the state office); the -32 amendments resolve those issues

THOMAS: The bill does provide for comprehensive planning

- the family group coordinator has been removed, although optional

DERFLER: The local commissions will work with CSD on a with comprehensive plan

- intergovernmental agreement

199 NANCY MILLER, STATE COURT ADMINISTRATORS OFFICE: Have not taken policy position on this bill; been watching to make sure the pieces pertaining to the court in terms of the affidavits that need to be presented and the

orders that need to be issued for removal are technically correct and adequately funded

-32 take care of some of the fiscal problems with the deletion of the 90 days

-no problems with the affidavit and the removals
-in response to Derfler, discusses review process

MEEK: Asks people to review drafts

238 DOUG WILSON, LEGISLATIVE FISCAL OFFICE: In response to Repine, submits and briefly discusses the fiscal impact on HB 3180-C31 proposed amendments -- with minor changes (EXHIBIT B)

Members and audience review HB 3180-C32 proposed amendments

375 THOMAS: On page 4 line 19 delete "foster care and adoption services"
-page 29 line 23 insert "foster care"

WILSON: Concerns: page 4 "allocations to E-Board --- concerned about who controls transfer of funds; expands

-and the amount appropriated by the E-Board for purpose of that transfer --

line 31 does not reference section 5 -- intent it not clear; expands

TAPE 2, SIDE A

WILSON: Page 16 section 18 C; interagency agreement

SUE ACUFF, LEGISLATIVE FISCAL OFFICE: Specific funding reference needs to be made clear

-in response to Meek, language does not limit them from coming back and requesting funds

WILSON: Still concerned about language in section 53; depending on your intent, could be placed in section 5

MOTION: MEEK MOVES THE ADOPTION OF HB 3180-C32 PROPOSED AMENDMENTS

VOTE: NO OBJECTIONS

055 JEAN THORNE, ACTING DIRECTOR, DEPARTMENT OF HUMAN RESOURCES: Testifies on HB 3180

-the HB 3180-C32 proposed amendments are the third set of amendments I've reviewed today; still trying to figure out the specifics

-concerned about rushing into this at the end of session when you are affecting vulnerable children

-don't want to create additional problems by rushing into this

-reiterates statements made by Governor Kitzhaber (willing to support the -21 and what came out of the senate)

-objectionable pieces have been removed but there are still many concerns trying to look at it this quickly at the end of session

088 SORENSON: We are in a go or no go situation

THORNE: Reiterates statements made by Governor Kitzhaber (support the -21 or what came out of the senate)

MEEK: Removal of controversial pieces; some of the previous amendments were corrections only

THORNE: Language addressing the transfer of funds in Section 5 in new language

-most of this has been through the process

MEEK: Explains comprehensive planning; funding

120 THORNE: CSD signing off and CSD being one of the many players in the local planning process are two different concepts

MEEK: Clarifies

-language has always been in since HB 2004

-interagency agreement

THORNE: Does CSD have veto power over a transfer?

MEEK: Can't have a transfer without an interagency agreement; expands

148 THORNE: Some of these words are new

-concerned about what we are putting together at the last minute which affect vulnerable children

-in response to Repine, HB 2004 as it is written we can deal with

-if intent is to clean up HB 2004 we have amendments that do so

REPINE: HB 2004 was created over a long period of time with flaws

THORNE: Need to be careful when dealing with vulnerable children

-interim study

200 ANGELA SHERBO, JUVENILE RIGHTS PROJECT: Represents the children that are the subject of this bill

-discusses language on page 32 line 24 of Exhibit A

MEEK: Current law states that Title XX block grants transfers to the state commission

SHERBO: Subsection E of 6 applies to any agreement made; expands

-there is more than one area in the bill where there is conflict on who has

the ultimate decision making authority and what monies go from who to who

-here to ensure that as we maneuver the money, that the children continue to be served

-not sufficient assurance that when they money changes hands that the children will continue to be served

286 -section 5 does not address standards or services provided

-section 49 talks about transfer of services

-example of how it is hard to deal with amendments drafted at last minute

341 CATHY GARLAND, MARION COUNTY CHILDREN AND FAMILIES COMMISSION: Testifies

on HB 3180

-the safety of children is our primary concern

-commission makeup includes a liaison and staff member from CSD

-positive aspect of the-32 amendments is that CSD and the Commission will together develop a system of services for children and families that best supports them in the community

-continuum of care

-much of this is from HB 2004

-intent of HB 2004

-discusses county plans

TAPE 1, SIDE B

THOMAS: Reviews technical changes:

- page 4, line 19
- page 12, line 31
- page 29, line 23

MANN: Additional technical change:

- page 46, line 12

MOTION: ADOPT TECHNICAL CHANGES

VOTE: NO OBJECTIONS TO THE TECHNICAL CHANGES

DERFLER: Supports -32 amendments

- need to make changes on how we deliver services to children
- been working on this for four years, with little progress
- if there are problems that we don't address today, can do that is January

SORENSEN: Will be voting no because I need to better understand this bill

-specific interest in one version which included a Lane County pilot program, which has been deleted

074 REPINE: CSD makes headlines and people get pumped up; don't hear about all the success stories

DERFLER: Agrees that CSD does a great job, has a lot of problems and the local communities also will have a lot of problems

- need to give communities ownership of these kids

PIERCY: Have a great deal of respect for CSD, they have taken a lot of abuse

- have a lot of respect for Lane County Commission Children and Families
- my reservations are similar to the governors
- would like to carefully look at a model over an interim period
- will vote no

123 MEEK: Discusses set backs on this bill

- large amount of time spent together
- not very far apart now
- the -32 amendments allow for continuum of care as well as flexibility for CSD to work together with local communities
- not offering anything out of the ordinary
- this resolves some of the differences between CSD and the Commission

MOTION: MEEK MOVES HB 3180-32 AS AMENDED, WITH A DO PASS RECOMMENDATION

VOTE: THE MOTION PASSES 4-2. ADAMS, DERFLER, REPINE AND CHAIR MEEK VOTE AYE. PIERCY AND SORENSON VOTE NO.

MOTION: MEEK MOVES THAT THE HOUSE CONCUR IN THE SENATE AMENDMENTS DATED JUNE 8 AND THAT THE BILL BE AMENDED AND REPASSED

VOTE: THE MOTION PASSES 4-2. ADAMS, DERFLER, REPINE AND CHAIR MEEK VOTE AYE. PIERCY AND SORENSON VOTE NO.

SEE FINAL CHANGES IN HB 3180C-33 (EXHIBIT C)

CHAIR MEEK: Adjourns the meeting

Submitted by,

Pamela Berger
Committee Assistant

EXHIBIT SUMMARY:

- A - HB 3180C-32 Proposed amendments - staff - 46 pp.
- B - HB 3180C-31 (Draft) fiscal analysis - staff - 3 pp.
- C - HB 3180C-33 Proposed amendments - staff - 46 pp.