

SENATE COMMITTEE ON
LABOR AND GOVERNMENT OPERATIONS

APRIL 21, 1995 Hearing Room B
8:00 AM Tapes 142 - 145

MEMBERS PRESENT:

Sen. Gene Derfler, Chair
Sen. Bob Kintigh
Sen. Bill McCoy
Sen. Randy Leonard

MEMBER EXCUSED:

Sen. Neil Bryant

STAFF PRESENT:

RITA THOMAS, Committee Counsel
Glenda Fields, Committee Assistant

MEASURES HEARD:

SB 1057 WORK SESSION
SB 36 WORK SESSION
SB 26 PUBLIC HEARING / WORK SESSION
SB 867 PUBLIC HEARING
HB 2482 PUBLIC HEARING / WORK SESSION
HB 3180 PUBLIC HEARING

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 142, A

004 CHAIR DERFLER: Calling meeting to order at 8:05 AM.

005 CHAIR DERFLER: Opening WORK SESSION on SB 1057.

007 RITA THOMAS: Explaining the bill.

020 JACKIE BLOOM: Introducing amendments to SB 1057.

028 JOHN BEAULIEU: We are very please with the Amendment SB 1057-2.

033 PEGGY COLLINS: Building Codes Division, testifying regarding task force.

055 SEN. MCCOY: What is the number of years for compliance.

MOTION: SEN. LEONARD moves that the SB 1057-2 AMENDMENTS be ACCEPTED by the Committee.

HEARING NO OBJECTIONS, the SB 1057-2 AMENDMENTS are ACCEPTED by the Committee.

MOTION: SEN. LEONARD moves SB 1057 as AMENDED be moved to the Senate floor with a DO PASS recommendation.

VOTE: 4-0
AYE: Leonard, Kintigh, McCoy, Derfler
NO: None
SEN. LEONARD will carry the Bill.

073 CHAIR DERFLER: Closing WORK SESSION on SB 1057.

075 CHAIR DERFLER: Opening WORK SESSION on SB 36.

076 RITA THOMAS: Explaining the bill.

080 PEGGY COLLINS: Building Codes, explaining amendments on SB 36.

MOTION: SEN. LEONARD moves that the SB 36-2 AMENDMENTS be ACCEPTED by the Committee.

HEARING NO OBJECTIONS the SB 36-2 AMENDMENTS are ACCEPTED by the Committee.

MOTION: SEN. LEONARD moves SB 36 as AMENDED to the Senate floor with a DO PASS recommendation.

VOTE: 4-0
AYE: Leonard, Kintigh, McCoy, Derfler
NO: None
SEN. MCCOY will carry the bill.

100 CHAIR DERFLER: Closing WORK SESSION on SB 36.

103 CHAIR DERFLER: Opening PUBLIC HEARING on HB 3180.

107 REP. MEEK: Testifying on HB 3180 (EXHIBIT A).

150 REP. MEEK: When I first read this study, I was impressed that it reflected my own concerns.

200 REP. MEEK: This study is 3 years old and the problems have not yet been solved.

250 REP. MEEK: Having considered the opposition to this bill, I do not think they understand the bill.

269 SEN. LEONARD: Reading letter from constituent.

325 REP. MEEK: Responding to letter. Explaining how process would work with family group conference.

345 SEN. LEONARD: In the example of this letter, what rights would there be to remove the children from this home?

371 REP. MEEK: If a family group conference can be held, the local
commissions would enter the scene.

415 SEN. LEONARD: Who would take responsibility for the children under HB
3180?

430 REP. MEEK: The current system is not structured to help any of the
parties. We are striving for balance in this bill.

TAPE 143, A

025 SEN. LEONARD: Is it correct to say that the family should have the
right to say what direction they want for their family.

060 REP. MEEK: Explaining the changes made in the bill because of the
Whitehead incident.

072 CHAIR DERFLER: I spent 14 months as chair of the Child Care Team that
studied this issue.

076 CHAIR DERFLER: Closing PUBLIC HEARING on HB 3180.

077 CHAIR DERFLER: Opening PUBLIC HEARING on SB 867.

085 PAUL J. DE MUNIZ: Court of Appeals, testifying in favor SB 867 (EXHIBIT
B).

108 CHAIR DERFLER: How are the Hispanic groups on literacy?

114 PAUL J. DEMUNIZ: Explaining the need for Spanish translation.

133 SEN. KINTIGH: How does the employer cover himself in regards to these
languages.

140 SEN. KINTIGH: What happens when a labor contractor is used.

155 CHAIR DERFLER: If the director does not have the required posters
translated, would you extend the time on the worker's comp claim?

175 CHRIS DAVIE: SAIF, testifying on problems with the language of SB 867
(EXHIBIT C).

220 CHRIS DAVIE: The employer would only have to provide a form if the
director had prepared a translation.

240 KEVIN EARLS: AOI, testifying in opposition of SB 867.

268 CHAIR DERFLER: Closing PUBLIC HEARING on 867.

270 CHAIR DERFLER: Opening PUBLIC HEARING on HB 2482.

279 REP. SHIELDS: Presenting HB 2482 (EXHIBIT D).

325 REP. TIERNAN: Testifying in favor of HB 2482.

370 SEN. LEONARD: What about all the public employees?

376 SEN. MCCOY: Do you think this will encourage more sweeps?

388 REP. SHIELDS: The police will have to notify a social service agency when posting notice.

400 CHAIR DERFLER: Closing PUBLIC HEARING on HB 2482.

403 CHAIR DERFLER: Opening WORK SESSION on HB 2482.

MOTION: SEN. MCCOY moves HB 2482 to the Senate floor with a DO PASS recommendation.

VOTE: 4-0

AYE: Leonard, Kintigh, McCoy, Derfler

NO: None

SEN. MCCOY will carry the bill.

417 CHAIR DERFLER: Closing WORK SESSION on HB 2482.

419 CHAIR DERFLER: Opening PUBLIC HEARING SB 26.

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015 ELEANOR GUNDRAN: Landscape Architect Board, testifying in favor of SB 26 (EXHIBIT F).

028 CHAIR DERFLER: Closing PUBLIC HEARING on SB 26.

030 CHAIR DERFLER: Opening WORK SESSION on SB 26.

MOTION: SEN. KINTIGH moves SB 26 to the Senate floor with a DO PASS recommendation.

VOTE: 4-0

AYE: Leonard, Kintigh, McCoy, Derfler

NO: None

SEN. KINTIGH will carry the bill.

032 CHAIR DERFLER: Closing WORK SESSION on SB 26.

034 CHAIR DERFLER: Opening PUBLIC HEARING on HB 3180.

036 MARK GIBSON: Governors Office, testifying on HB 3180 (EXHIBIT I).

066 MARK GIBSON: Explaining concerns the Governor has with HB 3180.

110 MARK GIBSON: Continuing testimony.

140 CHAIR DERFLER: Do you feel the entire bill is junk or can this bill be built on?

155 MARK GIBSON: This is a shaking foundation at best.

162 CHAIR DERFLER: I feel very strongly that the problems should be handled at a community level.

171 MARK GIBSON: The Governor is in favor of services provided at a local level.

185 MARK GIBSON: Discussing accountability for services verses providing services.

193 SEN. KINTIGH: Does the Governor agree or disagree with the Maine study?

205 CHAIR DERFLER: Could the most recent study from Maine be provided to the Committee?

215 JEAN THORNE: Dept. of Human Resources, testifying on HB 3180 (EXHIBIT G).

260 JEAN THORNE: Cases are not directly supervised, that is done by a local level. CSD still has the responsibility for children.

300 SEN. LEONARD: Could you describe what would happen to the children in the letter I read earlier?

305 KAY TORAN: CSD, There is an example in the packet I have handed out (EXHIBIT H).

350 KAY TORAN: Describing process used by CSD for removing children.

370 CHAIR DERFLER: I don't think state agencies encourage local control.

390 JEAN THORNE: CSD needs to be involved in the planning.

400 SEN. MCCOY: What do you mean by services in the community?

410 CHAIR DERFLER: There are a lot of community services that are willing to help children at risk.

430 SEN. MCCOY: There were several experiments where groups of citizens were to assist in the discussion regarding children.

470 KAY TORAN: Clarifying current process of CSD.

TAPE 143, B

050 KAY TORAN: CSD is making the efforts and achieving the goals set out in the Executive Summary in EXHIBIT H.

071 JEAN THORNE: We will be happy to come back to later hearings.

077 ELIZABETH WELCH: Judge, Mult. County, testifying on HB 3180.

105 ELIZABETH WELCH: My main concern with this bill is Section 22.

140 ELIZABETH WELCH: Do not interfere with the Courts ability to terminate parental rights. There are a lot of legal problems with the bill from a Judges or District Attorney's stand point.

165 ELIZABETH WELCH: Question regarding Section 13 and Section 14.

191 ELIZABETH WELCH: Please address the emergency situation if you pass this bill.

200 CHAIR DERFLER: We have heard that the Court does not listen as much to the families as it does to the case worker.

225 SEN. MCCOY: Section 22 says the child should remain out of the home for 1 year, but Section 17 says you do not have a preliminary hearing for 15 days.

240 ELIZABETH WELCH: Explaining Section 17.

270 PAULINE ANDERSON: Mult. Commission on Children and Family, testifying on HB 3180 (EXHIBIT J).

320 PAULINE ANDERSON: HB 3180 mandates transferring control to a local level.

370 PAULINE ANDERSON: We heartily endorse and support local collaborative efforts between our commission and CSD.

395 CHAIR DERFLER: You have 40% of CSD cases. Is there any reason why CSD services could not be transferred to a local level?

430 PAULINE ANDERSON: CSD is working with us on a local level. They have the expertise that we will never have at a local level.

440 CAROL WIRE: Mult. Commission on Children and Family, testify on HB 3180.

TAPE 144, A

030 RITA THOMAS: Reading testimony into the record (EXHIBIT K).

040 MARY DePAIN: Legacy Emanuel, testifying against HB 3180.

075 CATHY BAKER: Legacy Hospital, testifying on HB 3180.

109 LINDA WALTER: Legacy Hospital, testifying on HB 3180.

115 ROSE OTTE: Oregon Alliance Children Programs, testifying on HB 3180.

158 CHAIR DERFLER: Taking a recess so Senators can vote on the Senate floor
10:08 AM.

159 CHAIR DERFLER: Resuming PUBLIC HEARING on HB 3180 at 10:20 AM.

160 ROSE OTTE: Continuing testimony on HB 3180. Discussing the Orange report.

190 ROSE OTTE: This is a long range plan.

220 CHAIR DERFLER: We wanted to focus at the beginning of a child's life rather than handle problems latter when problems arise.

260 CHAIR DERFLER: Many counties are ready to implement programs and others are not prepared.

275 ARNIE GREEN: OACP, testifying on HB 3180.

305 ARNIE GREEN: Reading the list of agencies you would have to collaborate with if a family has a problem such as Sen. Leonard addressed.

350 ARNIE GREEN: We are still overbalanced in trying to preserve the family.

400 ARNIE GREEN: What is more important protecting children or preserving family?

425 BOB LIEBERMAN: OACP, testifying on HB 3180 (EXHIBIT L).

TAPE 145, A

030 CHAIR DERFLER: Why do you say that more families will need assistance if this bill passes?

060 BOB LIEBERMAN: Explaining family situation he is currently dealing with in the Grants Pass area.

085 SEN. LEONARD: Is your point that the family has more input under HB 3180?

090 BOB LIEBERMAN: The family plan would have more weight under HB 3180.

105 SEN. LEONARD: How could a family possibly be brought together after a parent has threatened the life of a child?

150 BOB LIEBERMAN: With early prevention, crimes against the community by abused children can be prevented.

190 CHAIR DERFLER: Sen. Leonard is going through shock therapy.

200 SEN. LEONARD: This bill seems to be driven by the fact that the family view is paramount.

220 ROSE OTTE: It is traumatic for a child to be taken out of the home, but over time children can be helped to enter society.

244 SEN. LEONARD: Is it the same people who want to preserve family who also want to build more prison to deal with the results?

250 CHAIR DERFLER: Our job is to create the best system to deal with the issues of children.

270 BOB LIEBERMAN: I believe that the system can be fixed but I am very concerned with HB 3180.

300 CHAIR DERFLER: I have a problem with CSD being the policing agency as well as the provider.

320 ARNIE GREEN: We need to assure that there is consistency throughout the state.

350 ROBIN HOBBS: Parent, testifying on HB 3180. Telling her story of

intervention by CSD (EXHIBIT M).

400 ROBIN HOBBS: I hated CSD when they first came into my life, but now I am grateful for their intervention.

420 WILBUR WRIGHT: Testifying on HB 3180. Telling his story.

TAPE 144, B

030 WILBUR WRIGHT: CSD has changed my life. They have been teachers who taught me to respect myself.

060 WILBUR WRIGHT: Continuing testimony.

071 CAROL CHISM: Community Mental Health , testifying on HB 3180 (EXHIBIT N).

115 CAROL CHISM: 40% of children are supervised by CSD in there own homes.

122 CHAIR DERFLER: Taking a break for call on the Senate floor 11:15 AM.

124 CHAIR DERFLER: Resuming PUBLIC HEARING on HB 3180 at 11:30.

124 CHAIR DERFLER: Closing PUBLIC HEARING on HB 3180.

126 CHAIR DERFLER: Meeting is adjourned at 11:30 AM.

Submitted by, Reviewed by,

Glenda Fields RITA THOMAS
Committee Assistant Committee Counsel

EXHIBIT SUMMARY:

- A - Testimony on HB 3180 - Representative John Meek - 3 pages
- B - Testimony on SB 867 - Judge Paul DeMuniz - 5 pages
- C - Testimony on SB 867 - Chris Davie, SAIF - 2 pages
- D - Testimony on HB 2482 - Representative Frank Shields - 1 page
- E - Testimony on HB 2482 - Chuck Martin, City of Tigard - 1 page
- F - Testimony on SB 26 - Eleanor Gundran, Landscape Architect Board - 1 page
- G - Testimony on HB 3180 - Jean Thorne, Dept. of Human Resources - 3 pages
- H - Testimony on HB 3180 - Kay Toran, Children's Services Division - 26 pages
- I - Testimony on HB 3180 - Mark Gibson, Governor's Office - 4 pages
- J - Testimony on HB 3180 -Pauline Anderson, Mult. Commission on Children and Families - 3 pages
- K - Testimony on HB 3180 -Daniel W. Close, Ph.D., U of O - 10 pages
- L - Testimony on HB 3180 - Bob Lieberman, CHARPP - 2 pages
- M - Testimony on HB 3180 - Robin Hobbs, parent - 33 pages
- N - Testimony on HB 3180 - Carol Chism, Center for Community Mental Health - 3 pages
- O - Testimony on HB 3180 - Jeanne Cohen, Legacy Health - 1 page