

HOUSE COMMITTEE ON JUDICIARY SUBCOMMITTEE ON CIVIL LAW AND JUDICIAL ADMINISTRATION

June 22, 1993 Hearing Room 357 1:00 p.m. Tapes 141 - ?

MEMBERS PRESENT: Rep. Tom Brian, Chair Rep. Ken Baker Rep. Jim Edmunson Rep. Tom Mason

STAFF PRESENT: Carole Souvenir, Committee Counsel Sarah May, Committee Clerk

MEASURES CONSIDERED: SB 295 - Relating to adoption SB 348 - Relating to adoption SB 916 - Relating to adoption HB 3184 - Relating to

[--- Unable To Translate Graphic ---]

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

TAPE 141, SIDE A

CHAIR BRIAN: Calls the meeting to order at 1:17 p.m.

PUBLIC HEARING ON SB 916

SEN. RON CEASE, DISTRICT 10: Testifies in support of SB 916. CHARLENE GRANT, CENTRAL OREGON GRANDPARENT SUPPORT GROUP: Testifies in supp

Gloria Burell: Testifies in support of SB 916. Gives example of her situation.

REP. BAKER: if the court establishes visitation rights, sometimes relationships deteriorate. This bill doesn't make any provision of that

Sen. Cease: would assume, nothing in law to preclude that.

REP. BAKER: bill says have to file within 30 days.

Sen. Cease: if court ruled that don't have a developed relationship, would be for further instances.

REP. BAKER: is there any definition of "substantial relationship"

Sen. Cease: gives examples of definitions. Has to be an emotional tying connection.

REP. EDMUNSON: if this bill becomes law, you will petition

Grant: November of 1990.

REP. EDMUNSON: Subsection 3 of section 2, could this be where an emergency clause in appropriate.

Sen. Cease:

PUBLIC HEARING ON HB 3184

REP. MANNIX: Testifies in support of HB 3184.

REP. EDMUNSON: Not comfortable with CSD involvement. Why should we involve CSD in anything.

Mannix: There are measure being changed. Need for governmental

294 REP. EDMUNSON: Why propose waiving for relatives or stepparents?

Mannix: Trying to be a considerate as possible ...

REP. EDMUNSON: Stepparent may not really be family, gives example, their backgrounds

Mannix:

REP. EDMUNSON:

Mannix: Can make a distinction.

REP. MASON:

Mannix: you have misinterpreted the listings, just terms that people need to be aware of .

REP. BAKER: when the homestudy is done

Mannix: if a person has a criminal history. REP. MASON:

Mannix:

REP. BAKER:

Mannix:

TAPE 142, SIDE A

REP. BAKER: your bill presupposes that all children, I don't find that to be the case. Most people are loving parents, there may be

Mannix:

REP. BAKER: you didn't talk with

Mannix:

048 REP. MASON: that is not what the bill says. Pg. line 1

Mannix: Subsection 2...

REP. MASON: what are they going to base their standards on?

Mannix:

REP. BAKER: we have that now. what are

REP. BRIAN:

REP. BAKER: and they still require a homestudy

Mannix: Pg. 3 of bill, line 18, cites language. it is not mandated.

094 REP. BRIAN:

Mannix:

REP. EDMUNSON: cites language. Who is going to make the list, shouldn't CSD have rule making there, and not an exclusive list, how ar

Mannix: Section 2, is a listing of information that will be disclosed. rule making athourity, they are supposed to disclose info. about

REP. EDMUNSON: Who is going to make the determination of

Mannix: REP. EDMUNSON: shouldn't that be established in rule making?

Mannix: the standards language ...

REP. BRIAN:

PUBLIC HEARING ON SB 348

Sen. Frank Roberts, District 9: Testifies and submits written testimony in support of SB 348. (EXHIBIT)

258 REP. BRIAN: regarding expenses involved in the search, did you have testimony?

Sen. Roberts:

PUBLIC HEARING ON SB 295

SEN. JEANETTE HAMBY, DISTRICT 5: Testifies in support of SB 295. Discusses issues involved with bill. Wants the referral to appropria

358 REP. BAKER: the supreme court must have a , why do ywe need this bill.

Sen. Hamby:

REP. MASON:

Sen. Hamby:

REP. MASON:

Sen. Hamby:

REP. MASON:

TAPE 141, SIDE B

Sen. Hamby:

REP. BAKER: you would like to see,

Sen. Hamby:

REP. BAKER:

Sen. Hamby: REP. BAKER: Pg. 1, lines 8-12, says:

CAROLE SOUVENIR, COMMITTEE COUNSEL: that is in reference to minors

REP. BRIAN: does a minor under 18, does it require

CAROLE SOUVENIR, COMMITTEE COUNSEL: the uccja has

REP. BAKER:

CAROLE SOUVENIR, COMMITTEE COUNSEL:

Sen. Hamby: -3 amendments deleted ...

RE-OPEN PUBLIC HEARING ON SB 916

DIANA ROBERTS, CHILDREN SERVICES DIVISION: Testifies in support of SB 916.

James Wheeler: Testifies in support of SB 916.

Roberts:

REP. BRIAN:

WORK SESSION ON SB 916

recess/ reopens at 2:30 p.m.

REP. BROWN: Testifies in support of SB 916. Discusses -6,-7,-8 amendments.

REP. EDMUNSON: psychological parents?

REP. BROWN:

REP. EDMUNSON: this wouldn't open it up to anyone?

REP. BROWN: no. Continues.

CAROLE SOUVENIR, COMMITTEE COUNSEL: Discusses -6 amendments. within 30 days of service.

REP. BROWN: concern about getting it back through Senate.

REP. EDMUNSON:

REP. BROWN: all three.

REP. EDMUNSON: what have they established to be a putative parent?

REP. BROWN: Discusses and cites statute language. Subsection 5, deals with my understanding is that it is a very difficult standar

REP. EDMUNSON: making a huge leap.

REP. BRIAN:

REP. BROWN: -7 amendments, passed out is option.

REP. EDMUNSON: -8 amendments are the refinement of the bill.

moves -8

REP. EDMUNSON: moves to full

PUBLIC HEARING ON SB 348

290 ? Diana Roberts, CSD: Testifies in support of SB 348.

REP. BRIAN: what basis do we have that \$300 is adequate for the search?

Roberts:

REP. BRIAN: how many state should have this? Was there discussion on Senate side about

Roberts: Correct, if people can get into searches,

REP. BRIAN: how many organizations do we have in Oregon that would provide that?

Roberts: Don't know,

REP. BRIAN: what is the current penalty is a CSD releases any sealed informatin?

Roberts: don't know

REP. BRIAN:

Roberts:

REP. BRIAN: concerned about

TAPE 142, SIDE B

Roberts:

REP. BRIAN:

Roberts:

REP. BRIAN:

REP. BAKER: pg. 2, line 12 someone other than would

Roberts: CSD is required to release their files.

REP. BAKER:

Roberts:

REP. BAKER:

Roberts:

REP. BAKER: do you now have an interstate compact agreement?

Roberts:

REP. BAKER:

Roberts: in Nevada there is one for the U.S.

REP. BRIAN: Pg. 3, line 30-31, return all file used in search

Roberts: line could be amended to include any type of copying.

REP. BRIAN: Pg. 3, lines 24-25, cites language.

CAROLE SOUVENIR, COMMITTEE COUNSEL: difference is on Line 4, has to do with ... line 26 says

JAN CAMPBELL, SELF: Testifies in support of SB 348. The need for

Jennifer Ball, Holt Childrens Services: Testifies and submits written testimony in support of SB 348.

140 ? Alvin Morgan, NCFA: Testifies and submits written testimony in opposition to SB 348.

224 REP. BRIAN: adjourns the meeting at 3:05 p.m.