

HOUSE COMMITTEE ON JUDICIARY SUBCOMMITTEE ON CIVIL LAW AND JUDICIAL  
ADMINISTRATION

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

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

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

MEASURES CONSIDERED:                  HB

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

TAPE 145, SIDE A

CHAIR BRIAN:    Calls the meeting to order at 2:30 p.m.

workes 348

workses 334

Sen. Hamby:    testifies and submits written testimony in support of SB  
334.

baker the recourse the school is required to provide them with ,, then  
they come back to the school

hamby:    yes. continues with testimony and cites exhibits

baker: asks about an exhibit and if they relate to the schools

hamby:    no. continues with testimony. cites bill and amendments.

starts over when turning off machine

SB 334

hamby:    continues discussing the machine engrossed amendments.

brian: there are other things that shouldn't be at the school,  
should we have signs, should it be posted?

hamby: recalls language from a previous session about a 1,000 foot

zone. only 1 school has posted a zone. continues with engrossed amendments.

baker: generic terms as schools? what are those specifically?

hamby: wants to be generic and to warn people what is off limit and what is not. continues.

baker:

hamby: yes. continues.

brian: what rules

hamby:

brian: they are

hamby: correct a 21.

brian: if sub 4a comes out, it would decrease the need for section 6.

hamby: that is the

brian: do you think

hamby: I would hope so. continues.

baker: are they already in engrossed.

hamby: continues.

brian:

hamby: gives her opinion

baker: what s the penalty for a child taking a gun

hamby:

baker: what is the difference

hamby:

baker: cna a child be charged with crime. the answer is no. so what difference does it make?

hamby:

baker:

hamby: a misdemeanor,,, under a felony

baker: if a child has , a district attorney can charge, it makes no difference to

brian: section 1 would cover an adult who is not a conceled weapons holder

baker: it would make no difference for children

hamby: the courts are clear of their dockets. the hillSB or police had questions. john nickles: testifies in support of SB 334.

bob kaiser: testifies in support of SB 334.

ron harder: testifies in support of SB 334. suggests amendments.

brian: asks about section 6, do you want section 6 in there? what sections?

harder: would prefer to delete section 6.

brian: if checking in with the principal was deleted

harder:

Bill Linden: that would be unworkable, to limit it to court rooms, etc. explains. suggests original language about language that deals with the courts.

brian: asks about language. could it depend on the architecture of the building?

linden: a judge doesn't have the ability to

brian: even with this statute?

linden: with amended language would allow it ... have doubts.

baker: gives example ... and asks question about restrictions of guns in certain parts of a building.

linden: the rules would be for part ... same rules for county and federal courts.

karen jones keen: testifies in support of SB 334.

brian: the bill would prohibit minors bringing ...

keen: wants same safety standards in the schools as in the courts.

ken evens: testifies in support of -15 amendments .

baker closes

pubher on SB 295

TAPE 146, SIDE A

john chally, attorney: testifies for SB 295. cites what he feels is most important. cites example of interstate adoptions and how he

baker: she'd have

chally: continues with testimony and what he wants passed as law.

baker: if you sign the consent waiver, and they

chally: wants it amendment so tha

baker: can you have concurrent jurisdiction?

chally: yes.

baker: any specific language?

chally: cites suggested language. that is the language that the judge wanted excluded.

cs: asks about teh possiblity that three state could have jurisdiction?

chally: yes. cites example. how does the state have jurisdiction and for whom? it is appropriate to extend

baker: do you have an a engrossd? cites pg. 8, line 1, cites wording. is it restricted, can it be filed somewhere else?

chally: yes, it can be filed somewhere else. cites section 2. does that language without sub 7, can the people who don't have any contact with the state, use

baker: cites cases that dont have to do with state of Oregon.

chally: contact is with an agency.

baker: the participants ar out of state but they use.

chally: yes.

baker:

chally: it should take palce in ... cites example they did they interstate compact, and that is what will need to be done.

baker: cites example chally: gives holt example

baker: what is the fee being charged for?

chally: basically for doing a placement.

baker: taht is prohibited in NEw york?

chally: if you could do an oregon adoption, new york would allow that. wants birth ... for an oregon adoption.

recess for five minutes

Diana Roberts, CSD: Testifies in support of SB 205. Discusses clarifying Oregon's adoption law. Discusses amendments to the bill. section 6C, pg. 2, line 22-27 of a engrossed

baker: who made the -6 amendments?

cs:

Peggy Rabin, Department of Justice: testifies in support of SB 295. cites sources of the amendments.

cs: also defines home study

baker: by rule

rabin: there is a -7 ame

cs: -7 are the conflict amendments. they don't deal with

rabin: cites the proposed amendments by chally. caution in departing from the ... the uccja

baker:

rabin: continues.

baker: what if the fraud on the parent, how do you

rabin: that isn't a problem. cites example.

baker: cites chally's case ... how do we keep that from happening, how do we stop this?

rabin: compliance with the uccja,

baker: can the birth mother require that those issues be litigated in her own state?

rabin: don't know. if there is an ORegon consent. continues

tape change, side b

baker: are yo aware of the number of interstate compact agreements?

rabin: they think that they are bieng violated by the

baker: the documents are being filed though?

rabin: yes.

roberts:

baker: if

roberts: it is a violation

rabin:

baker:

rabin:

baker:

rabin: the problem is that the family really loves the child. bill

linden: testifies in support of SB 295 along with amendments.

baker: would delete

rabin: what was changed in teh -6 amendments.

linden: cites second amendment.

cs: in the -6 it is not clear that the

rabin: no

cs: pg. 1, line 6-7 cites wording.

warren deras, attorney: testifies in support of SB 295 along with amendments. discusses two types of adoptions. doesn't like this because it makes it too expensive for middle income people to adopt. cites what he would liked deleted. 184 baker:

deras: continues with second deletion. discussed suggestions of returning to the original bill.

baker: you would add

deras: suggests that the new bill languge replace ... and ...

recess for five

fern ringering: testifies in support of SB 295 with amendments. discusses concerns. reviews written testimony .

baker: you are seeking clarification of where your boundries lie?

ringering: no we are not. law's vary. some states want us, some states don't. continues with questions on what her agency will be able to do.

baker: cites current langauge.

ringering: it makes it unclear. previously it was stated under the statute that ... we could file in the state of oregon. cites an example.

tape 147, side a

baker: any suggested language?

ringering: cites wording. refferring to an ORS statute. discusses the cap of adoption and cites an example.

james wheeler, columbia counseling inc.: testifies in support of SB 295 with amendments.

baker: is there any arguement?

wheeler: we do anything we can to get a homestudy done.

baker:

wheeler:

baker: what do you do in the emergency situation?

wheeler: it say's that they cannot file a

baker: in the interstate compact you can't

wheeler: can notify . don't see the problem of families continuing ... hopefully families will have homestudies already done so certain situations won't happen. cites deras's testimony, and explains.

baker: so you are generally supportive?

wheeler: cites his testimony.

baker: you don't see it as a bar?

wheeler: it could be. it applies, but what does it mean?

baker:

wheeler:

baker: I understand ... I don't have a problem eliminating that.

wheeler: the private agencies

baker: they are subsidizing

wheeler: states concerns.

adjourns at 5:00 p.m.