

HOUSE COMMITTEE ON JUDICIARY

July 7, 1993           Hearing Room 357 1:30 p.m.   Tapes 88 - 89

MEMBERS PRESENT:   Rep. Del Parks, Chair Rep. Tom Mason, Vice-Chair Rep. Ken Baker Rep. Tom Brian Rep. Kate Brown Rep. Peter Courtney Rep. Jim Edmunson Rep. Veral Tarno Rep. Bob Tiernan

VISITING MEMBERS: Rep. Kevin Mannix

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

MEASURES CONSIDERED:           SB 575 - Relating to consignments HB 2657 - Relating to day care of children SB 295 - Relating to adoption; appropriating money

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

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 88, SIDE A

005   CHAIR PARKS:   Calls the meeting to order at 2:04 p.m.

WORK SESSION ON SB 295

007 CAROLE SOUVENIR, COMMITTEE COUNSEL: SB 295 requires that person filing petition to adopt another, person to be adopted or person consenting to adoption must be resident of state.

020 REP. EDMUNSON: Moves that the committee reconsider the vote that sent SB 295 to the floor.

VOTE:   Hearing no objections the amendments are ADOPTED. Rep. Brian, Courtney, and Tiernan are excused.

026 REP. EDMUNSON: Moves to rescind the referral of SB 295 to Appropriations.

VOTE: Hearing no objections the amendments are ADOPTED. Rep. Brian, Courtney, and Tiernan are excused.

040 MOTION: REP. BAKER: Moves SB 295 AS AMENDED TO THE FLOOR with a DO PASS recommendation.

043 REP. MASON: States concern of limiting adoptions when there

doesn't seem to be a big problem of interstate adoptions.

050 REP. BAKER: Explains the problem with the current statute, the bill as written and the amendments concerning the cost of a home study.

097 CHAIR PARKS: Asks why \$750 isn't enough money to go through with an adoption.

112 REP. BAKER: This bill is to make it illegal for people to participate in interstate, 3 state, adoptions. Explains the federal standards of

"custody".

128 CHAIR PARKS: Asks about the full faith and credit act.

135 REP. KEVIN MANNIX, DISTRICT 32: Explains and discusses the licensing issue, and fees of adoption.

161 CHAIR PARKS: Expresses concerns about how much the system of adoption is costing, especially for the lower and middle class families.

171 REP. MANNIX: The high cost wasn't in the original bill. Also expresses concern about the cost of adoption.

181 REP. BAKER: Explains that the home studies are what is expensive and that the adoption agencies have to recover their costs of doing the

study.

198 CHAIR PARKS: CSD used to do the home study. Now a specialized agency has to do it, creating a monopoly.

205 REP. BAKER: Most agencies charge a "donation" to reimburse the agencies for the background work. Discusses that there is a range of cost for an adoption.

219 REP. BROWN: Discusses that the court has the discretion of waiving the fee.

224 CHAIR PARKS: The judges don't have time to look at the discretionary problems.

230 REP. MASON: States reservations about the adoption bills.

247 REP. EDMUNSON: Agrees with reservations.

252 REP. BAKER: Explains that the bill is needed because the court of appeals has ruled that the residence requirements in Oregon on adoption is invalid.

274 REP. MANNIX: Explains what the adoption laws of Oregon are and what the statutes need. Discusses adoption advertising.

312 REP. EDMUNSON: Places an amendment referring to the -9 amendments. States amendment and what it would do.

360 REP. BAKER: Proposes a friendly amendment in Section 5 that would restore the penalty for advertising.

362 REP. EDMUNSON: Or add Section 4, that would still be a class A misdemeanor.

VOTE: Hearing no objections the amendments are ADOPTED. Rep. Brian, Courtney, and Tiernan are excused.

383 CHAIR PARKS: SB 295 will be carried over until the next full committee.

PUBLIC HEARING ON SB 575

(SB 575 specifies priorities in goods between cosignors and creditors relating to goods on consignment)

Witness: Frank Brawner, Oregon Bankers Association

402 FRANK BRAUNER, OREGON BANKERS ASSOCIATION: Testifies and submits written testimony in support of SB 575. (EXHIBIT A)

TAPE 89, SIDE A

006 REP. EDMUNSON: Asks if the language in SB 575 is in the commercial codes of any another states.

009 BRAUNER: Doesn't think so.

014 REP. EDMUNSON: Asks who this will benefit and the differences in the acts.

017 BRAUNER: Explains that the difference is the age of the act and that it is not a uniform law. 030 CHAIR PARKS: Gives example and asks about the effects under this amendment.

037 BRAUNER: Explains that the circumstance has to be specific.

046 CHAIR PARKS: Asks about the contract of the bank.

051 BRAUNER: Explains that under this specific circumstance another uniform law would apply. 067 MOTION: REP. MASON: Moves SB 575 TO THE FLOOR with a DO PASS recommendation.

VOTE: 5-1 MOTION PASSES AYE: Baker, Brown, Edmunson, Mason, Tarno  
NO: Parks EXCUSED: Brian, Courtney, Tiernan

Rep. Mason to carry to the floor

WORK SESSION ON HB 2657

078 MOTION: REP. EDMUNSON: Moves to ADOPT HB 2657-2 AMENDMENTS.

VOTE: Hearing no objections the amendments are ADOPTED. Rep. Brian, Courtney, and Tiernan are excused.

084 HOLLY ROBINSON, COMMITTEE COUNSEL: Explains HB 2657-12 amendments. HB 2657 requires all persons providing day care for compensation to obtain certificate of registration without inspection,

group child care or

child care certificate from Children's Services Division. (EXHIBIT B)

104 CHAIR PARKS: Asks about the guidelines for summer hours.

106 HOLLY ROBINSON, COMMITTEE COUNSEL: The interest is for people who provide occasional, summer care. Discusses when the act would be

enacted.

131 CHAIR PARKS: The bill states that if someone cares for children more than 70 days or for four children, then they have to register?

133 HOLLY ROBINSON, COMMITTEE COUNSEL: Yes, two families or four or more children other than your own requires child care registration.

140 CHAIR PARKS: So a person could be watching fifteen children for less than 70 days, and HB 2657 wouldn't apply?

141 HOLLY ROBINSON, COMMITTEE COUNSEL: Correct.

158 MOTION: REP. EDMUNSON: Moves HB 2657 AS AMENDED TO THE FLOOR with a DO PASS recommendation.

VOTE: 6-0 MOTION PASSES AYE: Baker, Brown, Edmunson, Mason, Tarno, Parks NO: None EXCUSED: Brian, Courtney, Tiernan

Rep. Brown to carry to the floor

185 CHAIR PARKS: Adjourns the meeting at 2:45 p.m.

Submitted by:

Reviewed by:

Sarah May  
Committee Coordinator

Anne May Committee Clerk

EXHIBIT LOG:

A - Testimony on SB 575 - Oregon Bankers Association - 3 pages B - Proposed Amendments to HB 2657 - Committee Counsel - 10 pages