

HOUSE AMENDMENTS TO HOUSE BILL 2007

By COMMITTEE ON ELECTIONS, ETHICS AND RULES

April 11

- 1 On page 1 of the printed bill, line 3, after “409.300,” delete the rest of the line and insert
- 2 “432.005, 432.235, 432.405 and 432.408.”.
- 3 In line 8, after “Constitution” insert a comma.
- 4 On page 2, line 16, delete “civil union” and insert “domestic partnership”.
- 5 In line 22, delete “civil” and insert “domestic partnership”.
- 6 In line 23, delete “union”.
- 7 In line 25, delete “civil union” and insert “domestic”.
- 8 In line 28, delete “civil union” and insert “domestic partnership”.
- 9 In line 29, delete “civil union” and insert “domestic partnership”.
- 10 In line 30, delete “union” and insert “domestic partnership”.
- 11 In line 31, delete “civil unions” and insert “domestic partnerships”.
- 12 In line 32, delete “civil union” and insert “domestic partnership”.
- 13 In line 36, delete “Civil union” and insert “Domestic partnership”.
- 14 In line 39, delete “civil union” and insert “domestic partnership”.
- 15 In line 40, delete “civil unions” and insert “domestic partnerships”.
- 16 In line 41, delete “civil union” and insert “domestic partnership”.
- 17 In line 42, delete “civil union” and insert “domestic partnership”.
- 18 In line 43, delete “civil union” and insert “domestic partnership”.
- 19 In line 45, delete the second “civil” and insert “domestic partnership”.
- 20 On page 3, line 1, delete “union”.
- 21 In line 2, delete “civil union” and insert “domestic partnership”.
- 22 In line 4, delete “civil union” and insert “domestic partnership”.
- 23 In line 5, delete “civil union” and insert “domestic partnership”.
- 24 In line 7, delete “Civil Union” and insert “Domestic Partnership”.
- 25 In line 9, delete “Civil Union” and insert “Domestic Partnership”.
- 26 In line 11, delete “Civil Union” and insert “Domestic Partnership”.
- 27 In line 12, delete “civil union” and insert “domestic partnership”.
- 28 In line 13, delete “Civil Union” and insert “Domestic Partnership”.
- 29 In line 15, delete “Civil Union” and insert “Domestic Partnership” and delete “civil union” and
- 30 insert “domestic partnership”.
- 31 In line 16, delete “Civil Union” and insert “Domestic Partnership”.
- 32 In line 18, delete “Civil Union” and insert “Domestic Partnership”.
- 33 In line 19, delete “Civil Union” and insert “Domestic Partnership”.
- 34 In line 20, delete “civil union” and insert “domestic partnership”.
- 35 In line 21, delete “civil union” and insert “domestic partnership”.

1 After line 22, insert:
2 “(4) Each person signing a Declaration of Domestic Partnership consents to the jurisdiction of
3 the circuit courts of Oregon for the purpose of an action to obtain a judgment of dissolution or
4 annulment of the domestic partnership, for legal separation of the partners in the domestic part-
5 nership or for any other proceeding related to the partners’ rights and obligations, even if one or
6 both partners cease to reside in, or to maintain a domicile in, this state. Notwithstanding ORS
7 107.086, a petition for dissolution or annulment of the domestic partnership, for legal separation of
8 the partners in the domestic partnership or for any other proceeding related to the partners’ rights
9 and obligations may be filed in the county in which either the petitioner or respondent last
10 resided.”.

11 In line 23, delete “(4)” and insert “(5)” and delete “Civil Union” and insert “Domestic Partner-
12 ship”.

13 In line 24, delete “civil union” and insert “domestic partnership”.

14 In line 26, delete “civil union” and insert “domestic partnership”.

15 In line 30, delete “civil” and insert “domestic partnership or for legal separation of the partners
16 in the domestic partnership, or for any other proceeding”.

17 Delete line 31.

18 In line 32, delete “ceases to be a”.

19 In line 33, delete “resident of” and insert “cease to reside in”.

20 In line 38, delete “(5)” and insert “(6)” and delete “Civil Union” and insert “Domestic Partner-
21 ship”.

22 In line 39, delete “Civil Union” and insert “Domestic Partnership”.

23 In line 41, delete “(6)” and insert “(7)”.

24 In line 43, delete “Civil Union” and insert “Domestic Partnership”.

25 In line 45, delete “(7)” and insert “(8)” and delete “Civil Union” and insert “Domestic Partner-
26 ship”.

27 On page 4, line 1, delete “Civil Union” and insert “Domestic Partnership”.

28 Delete lines 4 through 6 and insert:
29 “(9) Notwithstanding ORS 432.121 or any other provision of law, the registry of domestic part-
30 nerships maintained by a county clerk is a public record and subject to full disclosure.”.

31 In line 8, delete “Civil Union” and insert “Domestic Partnership”.

32 In line 12, delete “civil union” and insert “domestic partnership”.

33 In line 14, delete “civil union” and insert “domestic partnership”.

34 In line 19, delete “civil union” and insert “domestic partnership”.

35 In line 20, delete “civil union” and insert “domestic partnership”.

36 In line 25, delete “civil union” and insert “domestic partnership” in both places.

37 Delete lines 40 through 43 and insert:
38 “(6) Sections 1 to 9 of this 2007 Act do not require or permit the extension of any benefit under
39 ORS chapter 238 or 238A, or under any other retirement, deferred compensation or other employee
40 benefit plan, if the plan administrator reasonably concludes that the extension of benefits would
41 conflict with a condition for tax qualification of the plan, or a condition for other favorable tax
42 treatment of the plan, under the Internal Revenue Code or regulations adopted under the Internal
43 Revenue Code.

44 “(7) Sections 1 to 9 of this 2007 Act do not require the extension of any benefit under any em-
45 ployee benefit plan that is subject to federal regulation under the Employee Retirement Income Se-

1 curity Act of 1974.”

2 In line 44, delete “(7)” and insert “(8)” and delete “civil union” and insert “domestic
3 partnership”.

4 In line 45, delete “civil union” and insert “domestic partnership” in both places.

5 On page 5, line 4, delete “civil union” and insert “domestic partnership”.

6 In line 5, delete “civil union” and insert “domestic partnership”.

7 In line 9, delete “Civil Union” and insert “Domestic Partnership”.

8 In line 33, delete “Civil Union” and insert “Domestic Partnership”.

9 On page 6, line 7, delete “Civil Union” and insert “Domestic Partnership”.

10 On page 7, after line 11, insert:

11 **“SECTION 16.** ORS 432.005 is amended to read:

12 “432.005. As used in this chapter, unless the context requires otherwise:

13 “(1) ‘Dead body’ means a human body or such parts of such human body from the condition of
14 which it reasonably may be concluded that death occurred.

15 “(2) ‘Department’ means the Department of Human Services.

16 “(3) ‘Director’ means the Director of Human Services.

17 “(4) ‘Divorce’ means dissolution of a marriage.

18 “(5) ‘Fetal death’ means death prior to the complete expulsion or extraction from its mother of
19 a product of human conception, irrespective of the duration of pregnancy. The death is indicated
20 by the fact that after such expulsion or extraction the fetus does not breathe or show any other
21 evidence of life such as beating of the heart, pulsation of the umbilical cord or definite movement
22 of the voluntary muscles.

23 “(6) ‘File’ means the presentation and acceptance of a vital record or vital report provided for
24 in this chapter by the Center for Health Statistics.

25 “(7) ‘Final disposition’ means the burial, interment, cremation, removal from the state or other
26 authorized disposition of a dead body or fetus, except that when removal from the state is conducted
27 by the holder of a certificate of removal registration issued under ORS 692.270, the final disposition
28 may not be considered complete until the certificate of death is filed.

29 “(8) ‘Induced termination of pregnancy’ means the purposeful interruption of an intrauterine
30 pregnancy with the intention other than to produce a live-born infant and that does not result in a
31 live birth.

32 “(9) ‘Institution’ means any establishment, public or private, that provides inpatient or outpa-
33 tient medical, surgical or diagnostic care or treatment or nursing, custodial or domiciliary care, or
34 to which persons are committed by law.

35 “(10) ‘Live birth’ means the complete expulsion or extraction from its mother of a product of
36 human conception, irrespective of the duration of pregnancy, that, after such expulsion or ex-
37 traction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the
38 umbilical cord or definite movement of voluntary muscles, whether or not the umbilical cord has
39 been cut or the placenta is attached.

40 “(11) ‘Person acting as a funeral service practitioner’ means:

41 “(a) A person other than a funeral service practitioner licensed under ORS 692.045, including
42 but not limited to a relative, friend or other interested party, who performs the duties of a funeral
43 service practitioner without payment; or

44 “(b) A funeral service practitioner who files death certificates in another state if the funeral
45 service practitioner is employed by a funeral establishment licensed in another state and registered

1 with the State Mortuary and Cemetery Board under ORS 692.270.

2 “(12) ‘Physician’ means a person authorized or licensed under the laws of this state to practice
3 medicine, osteopathy, chiropractic or naturopathic medicine.

4 “(13) ‘Registration’ means the process by which vital records and vital reports are completed,
5 filed and incorporated into the official records of the Center for Health Statistics.

6 “(14) ‘State registrar’ means the State Registrar of the Center for Health Statistics.

7 “(15) ‘System of vital statistics’ means the registration, collection, preservation, amendment and
8 certification of vital records and vital reports; the collection of other reports required by this
9 chapter, and activities related thereto including the tabulation, analysis, dissemination and publica-
10 tion of vital statistics and training in the use of health data.

11 “(16) ‘Vital records’ means certificates or reports of birth, death, marriage, **declaration of do-**
12 **estic partnership**, dissolution of marriage **or domestic partnership** and data related thereto.

13 “(17) ‘Vital reports’ means reports of fetal death, induced termination of pregnancy, suicide at-
14 tempts by persons under 18 years of age and survey and questionnaire documents and data related
15 thereto.

16 “(18) ‘Vital statistics’ means the data derived from certificates and reports of birth, death, fetal
17 death, induced termination of pregnancy, marriage, **declaration of domestic partnership**, dissol-
18 ution of marriage, **dissolution of domestic partnership**, suicide attempts by persons under 18 years
19 of age and related reports.”.

20 In line 12, delete “16” and insert “17”.

21 In line 40, delete “Civil” and insert “Domestic Partnership”.

22 In line 41, delete “Union”.

23 In line 44, after “judgment” insert “or dissolution of domestic partnership judgment”.

24 On page 8, line 6, delete “17” and insert “18”.

25 In line 7, delete “civil union” and insert “domestic partnership”.

26 In line 12, delete “Civil Union” and insert “Domestic Partnership”.

27 In line 16, delete “Civil Union” and insert “Domestic Partnership”.

28 In line 19, delete “Civil Union” and insert “Domestic Partnership”.

29 In line 20, delete “civil union” and insert “domestic partnership”.

30 After line 21, insert:

31 “**SECTION 19.** ORS 432.408 is amended to read:

32 “432.408. (1) A record of each dissolution of marriage judgment **or dissolution of domestic**
33 **partnership judgment** by any court in this state shall be filed by the clerk of the court with the
34 Center for Health Statistics and shall be registered if it has been completed and filed in accordance
35 with this section. The record shall be prepared by the petitioner or a legal representative of the
36 petitioner in the form prescribed or furnished by the State Registrar of the Center for Health Sta-
37 tistics and shall be presented to the clerk of the court with the petition. In all cases the completed
38 record shall be prerequisite to the entry of the judgment. The state registrar shall design the record
39 so that, for judgments or orders issued in proceedings under ORS 107.085 or 107.485, the state
40 registrar, county clerks, county recording officers and state courts may keep Social Security num-
41 bers confidential and exempt from public inspection.

42 “(2) The clerk of the court shall complete and forward to the Center for Health Statistics on
43 or before the 10th day of each calendar month the records of each dissolution of marriage judgment
44 **or dissolution of domestic partnership judgment** granted during the preceding calendar month.
45 The clerk shall comply with procedures established under ORS 107.840 to ensure that, in the records

1 completed and forwarded under this subsection, the Social Security numbers of parties to a pro-
2 ceeding under ORS 107.085 or 107.485 are kept confidential and exempt from public inspection.

3 “(3) A dissolution of marriage record **or dissolution of domestic partnership record** not filed
4 within the time prescribed by subsection (2) of this section may be registered in accordance with
5 rules adopted by the state registrar.”

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