

70th OREGON LEGISLATIVE ASSEMBLY--1999 Regular Session

NOTE: Matter within { + braces and plus signs + } in an amended section is new. Matter within { - braces and minus signs - } is existing law to be omitted. New sections are within { + braces and plus signs + } .

LC 553

(Including Amendments To Resolve Conflicts)

C-Engrossed

Senate Bill 555

Ordered by the House July 22

Including Senate Amendments dated June 4 and July 13 and House
Amendments dated July 22

Sponsored by Senator YIH; Senators BEYER, BROWN, BRYANT, BURDICK, CASTILLO, CORCORAN, COURTNEY, DERFLER, DUNCAN, FERRIOLI, FISHER, GEORGE, GORDLY, LIM, METSGER, NELSON, QUTUB, SHANNON, SHIELDS, STARR, TARNO, TIMMS, TROW, WILDE, Representatives BECK, BUTLER, KROPF, LEONARD, LEWIS, LOKAN, MESSERLE, MINNIS, MORRISETTE, PATRIDGE, ROSS, SCHRADER, SHETTERLY, STARR, THOMPSON, WELSH

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Changes duties of state and local agencies that provide services to children and families. Changes process for creation of local coordinated comprehensive plan for children and families. Abolishes Oregon Coordinating Council for Children and Families. Establishes Juvenile Crime Prevention Advisory Committee within Oregon Criminal Justice Commission. Expands

Healthy Start Family Support Services programs statewide. Allows waiver of program.

Requires Joint Legislative Audit Committee to direct Legislative Fiscal Officer to conduct performance audit of state and local agencies that provide services for children and families. Creates Joint Interim Task Force on Children and Families. Allows Oregon Military Department to adopt policies and procedures for at-risk youth programs.

Appropriates moneys from General Fund for designated purposes to Oregon Youth Authority.

Declares emergency, effective July 1, 1999.

A BILL FOR AN ACT

Relating to juveniles; creating new provisions; amending ORS 137.656, 329.155, 329.237, 417.300, 417.305, 417.705, 417.710, 417.730, 417.735, 417.747, 417.750, 417.755, 417.760, 417.765, 417.775, 417.780, 417.785, 417.787, 417.795, 418.191, 418.193, 430.250, 430.255 and 430.257; repealing ORS 417.310, 417.315, 417.320 and 417.325 and sections 41 and 54, chapter ____, Oregon Laws 1999 (Enrolled Senate Bill 1127); appropriating money; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 417.300 is amended to read:

417.300. The purpose of ORS { - 417.300 to 417.325 - } { + 417.305 + } is to establish a state policy for serving Oregon's children and families, in recognition that addressing the needs { + , strengths and assets + } of children necessarily requires addressing the needs { + , strengths and assets + } of families { + and communities + }, and to direct state agencies to { - coordinate state - } { + work in partnership with local communities to plan, coordinate and provide + } programs accordingly.

SECTION 2. ORS 417.305 is amended to read:

417.305. (1) The Legislative Assembly finds and declares that:

- (a) Children are our future;
- (b) Healthy children and families are of fundamental importance to the vitality of Oregon;
- (c) Children are entitled to safety and health;
- (d) All children deserve love, respect and guidelines for responsible behavior; { - and - }
- (e) Families should be supported and strengthened { + ; and

(f) Communities provide the context for healthy children and families, and strong families and healthy communities are interdependent + }.

(2) The Legislative Assembly recognizes that demands on families, created in part by changes in family structures and relationships, intensify the need for Oregon to support children and families toward the goals of family stability and broader access for children, youth and families to:

- (a) The best possible physical and mental health;
- (b) Adequate food and safe physical shelter;
- (c) A safe and healthy environment;
- (d) The highest quality of educational opportunity;
- (e) Quality education;
- (f) Effective training, apprenticeship and productive employment;
- (g) A range of civic, cultural, educational { - and recreational activities which - } { + , family support and positive youth development programs and activities that + } promote self-esteem { + , involvement + } and a sense of community;
- (h) Community services { - which - } { + that + } are efficient, coordinated and readily available; and
- (i) Genuine participation in decisions concerning the planning and managing of their lives and respect for such decisions.

(3) In the interest of assuring coordination of all children and family services and education programs provided by or funded by the state and the effective use of state resources, the state shall:

- (a) Develop a plan for appropriating adequate funds;
- (b) Develop a cooperative partnership among state agencies that serve children, youth and families;
- (c) Establish state priorities; develop and implement service standards that reflect a balanced and comprehensive range of services for all children, youth and families; monitor and evaluate services and { - insure - } { + ensure + } accessibility of services for all children, youth and families; and
- (d) Actively seek the advice of local governmental jurisdictions, providers of services, educators, the private business sector, citizens and youth in effecting this subsection.

(4) The Legislative Assembly finds that, in order to fulfill the purposes of { - ORS 417.300 to 417.325 - } { + this

section + }, service delivery systems for children and families shall include:

(a) Cooperative partnerships among state agencies that serve children, youth and families;

{ - (b) Family client-centered service systems described in ORS 417.310 (6)(L); - }

{ - (c) - } { + (b) + } Methods of accountability to measure effectiveness of state-funded programs; and

{ - (d) - } { + (c) + } Use of public resources for programs and services that move the state toward meeting the goals described in subsection (2) of this section and the benchmarks adopted by the Oregon Progress Board.

SECTION 3. ORS 417.705 is amended to read:

417.705. As used in ORS 417.705 to 417.790 { - and 419A.170, - } { + :

(1) 'Community mobilization' means government and private efforts to increase community awareness and facilitate the active participation of citizens and organizations in projects and issues that will have positive impact on the well-being of children, families and communities.

(2) 'Local commission' means a local commission on children and families established pursuant to ORS 417.760.

(3) 'Local coordinated comprehensive plan' or 'local plan' means a local coordinated comprehensive plan for children and families that is developed pursuant to ORS 417.775 through a process coordinated and led by a local commission and that is the single plan for:

(a) Creating positive outcomes for children and families;

(b) Community mobilization; and

(c) Coordinating programs, strategies and services for children who are 0 to 18 years of age and their families among community groups, government agencies, private providers and other parties.

(4) + } ' Services for children and families' does not include { - those - } services provided by the Department of Education { + or school districts that are related to curriculum or instructional programs + }.

{ + (5) 'State commission' means the State Commission on Children and Families established under ORS 417.730. + }

SECTION 4. ORS 417.710 is amended to read:

417.710. Subject to the availability of funds therefore and the specific provisions of ORS 417.705 to 417.790 and 419A.170, it is the purpose of ORS 417.705 to 417.790 and 419A.170 to:

(1) Authorize the State Commission on Children and Families to set statewide { - policies for services to children and families and to insure that state and federal funds for such services are available where the services are needed - } { + guidelines for the planning, coordination and delivery of services for children and families in conjunction with other state agencies and other planning bodies + };

{ - (2) Enable the boards of county commissioners and local commissions on children and families to supervise local services; - }

{ - (3) - } { + (2) + } Vest in local commissions on children and families the authority to distribute state and federal funds { + allocated to the local commissions to supervise services or + } to purchase services { - to - } { + for + } children and families in the local area and to supervise the development of the { + local coordinated + } comprehensive { - local - } plan for services;

{ - (4) - } { + (3) + } { - Require - } { + Provide a process for + } comprehensive local planning for services { - to - } { + for + } children and families to provide local services that are consistent with statewide { - policies and - } guidelines;

{ - (5) - } { + (4) + } Retain in the state the responsibility for funding of services { - to - } { + for + } children and families through a combination of local, state and federal funding, including the leveraging of public and private funds available under ORS 417.705 to 417.790 and 419A.170; { + and + }

{ - (6) - } { + (5) + } Retain state supervision of child protection and other services that should be uniform throughout the state and that are necessarily the state's responsibility { - ; and - } { + . + }

{ - (7) Provide continuing service during the transition from the current system of services to a local system of services so that no lapse in services will occur. - }

SECTION 5. ORS 417.730 is amended to read:

417.730. (1) There is established a State Commission on Children and Families consisting of { + :

(a) + } The Director of the Department of Human Resources { - , - } { + ;

(b) + } The Superintendent of Public Instruction { + ;

(c) One member appointed by the President of the Senate, who

shall be a member of the Senate and who shall be a nonvoting, advisory member;

(d) One member appointed by the Speaker of the House of Representatives, who shall be a member of the House of Representatives and who shall be a nonvoting, advisory member; + } and

{ + (e) + } 12 members appointed by the Governor.

{ + (2) + } The appointments { + made by the Governor + } shall reflect the state's diverse populations and regions and shall include representatives with expertise along the full developmental continuum of a child from the prenatal stage through 18 years of age.

{ - (2) - } The { - appointed - } members { + appointed by the Governor + } shall include:

(a) One representative from the Oregon Juvenile Department Director's Association, from which the Governor may solicit suggestions for appointment;

(b) Six public members who have demonstrated interest in children, with consideration given to a youth member and persons from the education community;

(c) Two members from local commissions on children and families, one from a rural area and one from an urban area;

(d) One social service professional; and

(e) Two members from the business community who have demonstrated interest in children.

(3) The term of office of each { - appointed - } member { + appointed by the Governor + } is four years. Before the expiration of the term of an appointed member, the Governor shall appoint a successor whose term begins on October 1. An appointed member is eligible for reappointment. If there is a vacancy in an appointed position for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term.

(4) The appointments by the Governor to the state commission are subject to confirmation by the Senate in the manner prescribed in ORS 171.562 and 171.565.

(5) An appointed member of the state commission { + who is not a member of the Legislative Assembly + } is entitled to compensation and expenses as provided in ORS 292.495.

{ + Members who are members of the Legislative Assembly shall be paid compensation and expense reimbursement as provided in ORS 171.072, payable from funds appropriated to the Legislative

Assembly. + }

(6)(a) The majority of the members of the state commission shall be laypersons.

(b) As used in this subsection, 'layperson' means a person whose primary income is not derived from either offering direct service to children and youth or being an administrator for a program for children and youth.

SECTION 6. ORS 417.735 is amended to read:

417.735. (1) The State Commission on Children and Families shall promote the wellness of children and families at the state level and shall act in accordance with the principles, characteristics and values identified in ORS 417.710 to 417.725. The state commission shall provide no direct services { - , but shall be responsible for statewide planning, standards setting and policy development for services to children and families provided by the local commissions - } .

(2) Funds for local commissions shall consist of payments from moneys appropriated therefore to the State Commission on Children and Families by the Legislative Assembly. The state commission shall develop an equitable formula for the distribution of funds to counties or regions for services { - to - } { + for + } children and families, and a minimum annual grant shall be provided to each county or region.

(3) The state commission shall:

(a) { - Adopt goals and priorities for serving children and families; - } { + Set guidelines for the planning, coordination and delivery of services by local commissions in partnership with other planning bodies and agencies providing services for children and families. The guidelines shall be consistent with the key elements of the service system developed and implemented under ORS 417.705 to 417.790. In conjunction with other planning bodies and agencies providing social supports, the state commission shall use the local coordinated comprehensive plans to advise agencies, the Legislative Assembly and the Governor; + }

{ - (b) Determine which services, excluding those identified in ORS 409.190 and 430.215, may be transferred to the local commissions on children and families based on consultation with appropriate state agencies and each local commission during its planning process. Responsibility for services to children and families shall be transferred to a local commission at the request of the board or boards of county commissioners of a county or region and after a finding by the state commission that

the county or region has a comprehensive and competent plan for delivery of services that focuses on prevention and is integrated with all services to children and families; - }

{ - (c) Be responsible for statewide planning, outcome standard setting and policy development for service to children and families in consultation with appropriate state and local agencies and local commissions; - }

{ - (d) - } { + (b) + } Advise the Legislative Assembly and the Governor concerning possible solutions to problems facing children and families;

{ + (c) In conjunction with the Oregon Progress Board and in consultation with other agencies, identify outcomes and interim indicators relating to children and families consistent with the Oregon benchmarks and shall monitor the progress of local coordinated comprehensive plans in meeting identified outcomes; + }

{ - (e) Identify outcomes relating to children and families for incorporation in the Oregon benchmarks; - }

{ + (d) Encourage the development of innovative projects, based on proven practices of effectiveness, that benefit children and families; + }

{ - (f) Determine a list of children's support areas that local commissions must address and ensure that each local plan identifies which entities will be responsible for implementing segments of the plan; - }

{ - (g) Review and approve or deny local plans after a review and comment period and following a public hearing; - }

{ - (h) - } { + (e) + } Ensure that all services for children and families are integrated and evaluated according to their outcomes;

{ + (f) Compile, analyze and distribute information that informs and supports statewide coordinated planning; + }

{ - (i) By January 1, 1995, recommend to the Legislative Assembly what additional proposals of 'A Positive Future for Oregon's Children and Families' by the 1991-1992 Oregon

Children's Care Team Interim Task Force should be undertaken; - }

{ - (j) By January 1, 2000, implement other recommendations of 'A Positive Future for Oregon's Children and Families'; - }

{ - (k) - } { + (g) + } Establish a uniform system of reporting and collecting statistical data from counties and other

agencies serving children and families;

{ - (L) In conjunction with the Department of Human Resources, educate, inform and give technical assistance to local commissions about federal and state laws, regulations and rules, and changes therein, governing the use of federal and state funds; and - }

{ + (h) Provide a process whereby the Department of Human Resources, Juvenile Crime Prevention Advisory Committee, Oregon Youth Authority, Department of Education, Office of Community College Services, Housing and Community Services Department and Economic Development Department review all findings from data collected by the local commissions through the local coordinated comprehensive plans. The information gathered in this review shall be considered by those agencies in designing future economic resources and services and in the coordination of services; + }

{ - (m) - } { + (i) + } Make recommendations to the Commission for Child Care for the development of the state's biennial child care plan { + ; and

(j) Communicate information and policy advice on current research and proven practices of effectiveness, from both inside and outside the state, including successful local strategies, to local commissions, the Governor, the Legislative Assembly, state agencies and the public. The information shall include progress in meeting outcomes identified in the local coordinated comprehensive plans + }.

{ + (4)(a) The state commission shall develop a review and approval process for local coordinated comprehensive plans that includes:

(A) A requirement that the local plan has been approved by the board or boards of county commissioners;

(B) Assurance that the local plan meets essential criteria and approval required by appropriate entities and meets appropriate systems and planning connections; and

(C) Review of state expenditures of resources allocated to the local commissions on children and families.

(b) The state commission shall develop the process under this subsection in consultation with other entities involved in the review and approval process.

(c) The state commission shall act on any waiver request from a local commission within 90 days after receipt of the request.

(d) The state commission may disapprove a local plan for

failure to address the elements described in paragraph (a) of this subsection within 90 days after receipt of the request. + }

{ - (4) - } { + (5) + } The state commission, in coordination with the local commissions on children and families, shall:

(a) Assist the local commissions in the development and implementation of performance and outcome criteria for evaluating services at the local level;

(b) Monitor the progress in meeting criteria in the local { + coordinated comprehensive + } plans;

{ - (c) In coordination with the Department of Human Resources or other appropriate state agency, provide technical assistance to the local commissions in developing the capacity needed to offer all services funded in the approved local plan; - }

{ + (c) In conjunction with the Department of Human Resources and using the staff resources and other resources of the state commission, educate, inform and provide technical assistance to local commissions, including but not limited to technical assistance with:

(A) Federal and state laws, regulations and rules, and changes therein, governing the use of federal and state funds;

(B) Facilitation;

(C) Planning;

(D) Policy development;

(E) Proven practices of effectiveness;

(F) Local systems development;

(G) Community problem solving and mobilization; and

(H) Other services, as appropriate; + }

(d) Conduct research and disseminate information to local commissions on children and families;

(e) Negotiate federal waivers in consultation with the Department of Human Resources; { + and + }

{ - (f) Transfer state and federal funds to the local commission upon approval of its local plan. In those cases where two or more counties have combined to deliver services, the counties shall not receive less as a group than they would have received if each county had participated separately; and - }

{ - (g) - } { + (f) + } Develop a process for reviewing requests for waivers from requirements of the state commission. Requests for waivers shall be granted or denied as a part of the { - plan - } approval process { + for a local coordinated

comprehensive plan + }. { + The state commission shall not grant a request for waiver that allows funds to be used for any purpose other than early childhood prevention, intervention and treatment programs. + }

{ - (5) - } { + (6) + } The state commission shall employ a staff director who shall be responsible for hiring and supervising any additional personnel necessary to assist the state commission in performing its duties. { - The staff director shall represent the state commission on the Oregon Coordinating Council for Children and Families. - } The staff director shall be responsible for management functions of the state commission subject to policy direction by the state commission.

{ - (6) - } { + (7) + } To the extent that federal funding is not jeopardized, the State Commission on Children and Families shall enter into an interagency agreement with the Department of Human Resources in which they agree on a system to:

(a) Distribute all Title XX Social Services Block Grant funds

{ - on and after July 1, 1995 - } ;

(b) Ensure that federal and state requirements are met for federal funds administered by the state commission; and

(c) Carry out the necessary auditing, monitoring and information requirements for federal funds distributed by the state commission.

{ - (7) - } { + (8) + } In addition to the authority under subsection

{ - (4)(f) - } { + (5)(e) + } of this section, the state commission may direct the Department of Human Resources or the appropriate state department providing services for children and families { - , as defined in ORS 417.705, - } to negotiate federal waivers. If the Department of Human Resources or any other state agency does not pursue a federal waiver recommended by the state commission, the state commission may ask the Governor to direct the Department of Human Resources or other state agency to apply for and negotiate the waiver.

{ - (8) - } { + (9) + } If the Department of Human Resources or any other state agency refuses to distribute state or federal funds as requested by the state commission, the state commission may ask the Governor to direct the Department of Human Resources or other state agency to distribute the funds.

{ - (9) - } { + (10) + } The programs shall be funded as fully as possible by Title XX of the federal Social Security Act,

consistent with the terms and conditions of the block grant program and the local { + coordinated comprehensive + } plans that reflect community priorities established by the local planning process.

{ - (10) - } { + (11) + } In conjunction with the Department of Human Resources, the state commission, as soon as possible, shall develop a plan to re-engineer and integrate the data processing systems related to children's programs with the objective of making management information more accessible. The state commission shall make regular presentations to the Joint Legislative Committee on Information Management and Technology on its progress in developing and implementing the plan.

{ - (11) - } { + (12) + } Before each regular session of the Legislative Assembly, the state commission shall report { + , + } to the Governor and to the appropriate joint interim committee as determined by the Speaker of the House of Representatives and the President of the Senate { + , + } the following:

{ + (a) Any additional proposals contained in 'A Positive Future for Oregon's Children and Families' by the 1991-1992 Oregon Children's Care Team Interim Task Force that should be undertaken; + }

{ - (a) - } { + (b) + } The status { + in all counties + } of { - the children's service system in all counties - } { + local service systems related to the health and wellness of children and the adequacy of financial resources to deliver services + };

{ - (b) - } { + (c) + } The progress in { - service areas provided by the state - } { + achieving desired outcomes, including but not limited to the benchmarks established by the Oregon Progress Board and the statewide guidelines set by the state commission under ORS 417.710 (1) + };

{ - (c) Services identified for funding at or transfer to the local level; - }

{ - (d) Services identified to stay at the state level; and - }

{ - (e) The status of integration of service delivery for children and families with the Department of Education. - }

{ + (d) Barriers to achieving outcomes and benchmarks;

(e) Proposed solutions to barriers identified under paragraph (d) of this subsection, including proven, effective and innovative strategies; and

(f) County and community mobilization to increase public awareness and involvement and funding of community determined priorities. + }

{ - (12) If it is necessary for any interagency agreements to be executed between the Department of Human Resources and the State Office for Services to Children and Families, the agreements shall be executed no later than July 1, 1995. - }

(13)(a) The state commission may solicit, accept and receive federal moneys or moneys or other property from persons or corporations, public or private, for the purpose of carrying out the provisions of ORS 417.705 to 417.790 and 419A.170.

(b) All federal moneys collected or received under paragraph (a) of this subsection shall be accepted and transferred or expended by the state commission upon such terms and conditions as are prescribed by the Federal Government.

(c) All moneys and other property accepted by the state commission under this subsection shall be transferred, expended or used upon such terms and conditions as are prescribed by the donor in a manner consistent with applicable law.

{ - (14)(a) The state commission shall administer a public information program for families in conflict. In conjunction with the Dispute Resolution Commission, the state commission shall develop materials explaining community services that are

available to families in conflict. The materials shall include, but need not be limited to: - }

{ - (A) Public service announcements and videos; - }

{ - (B) Explanations on the availability of, and procedures for, dispute resolution; and - }

{ - (C) A packet of information that would include, at a minimum, information about: - }

{ - (i) Child support guidelines; - }

{ - (ii) Parenting time and visitation guidelines in use in the particular court; - }

{ - (iii) The availability of publicly funded child support services; and - }

{ - (iv) The openness of discovery exchange. - }

{ - (b) The state commission shall make the information referred to in paragraph (a)(B) and (C) of this subsection available at courthouses, state and local government offices that provide services to children and families and other public places as appropriate. The court shall provide the packet of information

to persons filing a dissolution or other domestic relations action. - }

SECTION 7. ORS 417.747 is amended to read:

417.747. Notwithstanding ORS 409.190, beginning on August 18, 1993, the department and the state commission may agree to establish pilot programs in counties that are capable of handling the program to administer foster care programs under the department's jurisdiction. The pilot program must be accepted by the board of county commissioners in the { - comprehensive - } local { + coordinated comprehensive + } plan. The pilot program shall be subject to federal requirements and the restrictions agreed upon between the department and the county where the pilot program is located.

SECTION 8. ORS 417.750 is amended to read:

417.750. { - (1) The Oregon Coordinating Council for Children and Families shall serve as a resource for technical support to the State Commission on Children and Families and shall advise the state commission on program operations and service integration. - }

{ - (2) - } { + (1) + } To { - further - } aid and advise the State Commission { + on Children and Families + } in the performance of its functions, the state commission may establish such advisory and technical committees as it considers necessary. The state commission shall determine the representation, membership, terms and organization of the committees and shall appoint the members. { + The advisory and technical committees shall include members of local commissions on children and families. + }

{ - (3) - } { + (2) + } Members of committees are not entitled to compensation, but at the discretion of the state commission may be reimbursed from funds available to the state commission for actual and necessary travel and other expenses incurred in the performance of their official duties, subject to ORS 292.495.

SECTION 9. { + On the effective date of this 1999 Act, the Oregon Coordinating Council for Children and Families is abolished. + }

SECTION 10. ORS 417.755 is amended to read:

417.755. The purpose of ORS 417.705 to 417.790 and 419A.170, as described in ORS 417.710 to 417.725, shall be implemented by all state agencies providing services for children and families { - , except as described in ORS 417.705, - } to guide the

providing of those services.

SECTION 11. ORS 417.760 is amended to read:

417.760. (1) The board of county commissioners of a county or the boards of county commissioners of contiguous counties that agree to appoint a regional commission:

(a) Shall appoint a chairperson and a minimum of eight members to a local commission { - for - } { + on + } children and families in the manner described in ORS 417.765.

(b) Shall appoint a local staff director. The staff director shall hire and supervise any other support staff necessary for operation of the local commission. The staff director and staff are subject to county personnel policies and other administration policies and ordinances. The staff director shall be responsible for all management functions of the local commission.

(c) Must approve the local { + coordinated comprehensive + } plan before it may be submitted to the State Commission on Children and Families. If the local plan has been revised or is amended, the revised or amended { + local + } plan must be submitted to the board or boards for approval before it is submitted to the state commission.

(2) The board or boards of county commissioners must approve any transfer of responsibility for a state service and its funding to a local commission.

(3) Funds payable to implement local { + coordinated comprehensive + } plans shall be paid to the county. The board or boards of county commissioners are responsible for the expenditure of such funds subject to county budget and fiscal operating procedures.

SECTION 12. ORS 417.765 is amended to read:

417.765. (1) A majority of { - the - } { + a + } local commission { + on children and families + }, including the chairperson, shall be laypersons as defined in ORS 417.730 (6)(b). Appointments to the local commission shall reflect the county's or counties' diverse populations and shall reflect expertise along the full spectrum of developmental stages of a child, from the prenatal stage through 18 years of age. Members shall include persons who have knowledge of the issues relating to children and families in the affected communities, including education and the court system.

(2) Members of the local commission shall be appointed to four-year terms. { - However, - } The appointing board or

boards of county commissioners { - shall establish staggered terms for the persons initially appointed to the local commission. A member is eligible to be appointed for not more than two consecutive terms - } { + may appoint a member for additional terms or may limit the number of terms that a member may serve + }.

SECTION 13. ORS 417.775 is amended to read:

417.775. (1) { + Under the direction of the board or boards of county commissioners, and in conjunction with the guidelines set by the State Commission on Children and Families, + } the main { - purpose of the - } { + purposes of a + } local commission { + on children and families are + } { - is - } to promote wellness for the children and families in the county or region { + , to mobilize communities + } and to develop policy and oversee the implementation of { - the - } { + a + } local { + coordinated comprehensive + } plan { - developed to achieve the outcomes outlined in subsection (2) of this section - } { + described in this section + }. { + A local commission shall:

- (a) Inform and involve citizens;
- (b) Identify and map the range of resources in the community;
- (c) Plan, advocate and fund research-based initiatives for children who are 0 to 18 years of age and their families;
- (d) Develop local policies, priorities and measurable outcomes;
- (e) Prioritize activities identified in the local plan and mobilize the community to take action;
- (f) Prioritize the use of nondedicated resources;
- (g) Monitor implementation of the local plan; and
- (h) Monitor progress of and evaluate the outcomes identified in the local plan that are reviewed under section 19 of this 1999 Act, and report on the progress in addressing priorities and achieving outcomes. + }

(2) The local commission shall { + lead and coordinate a process to + } assess needs and identify county or regional outcomes to be achieved. { + The process shall be in conjunction with other coordinating bodies for services for children and families, including entities, governments, community groups, education representatives, organizations, youths and citizens. The process shall include populations representing a diversity of the county or region.

(3) Through the process described in subsection (2) of this section, the local commission + } { - It - } shall develop and

prepare a { + single local plan for coordinating programs, strategies and services for children who are 0 to 18 years of age and their families among community groups, government agencies, private providers and other parties. The local plan shall be a + } comprehensive area-wide service delivery plan { - for each biennium - } for all services to be provided for children and families in the county or region { - during the biennium - }. The local plan shall be designed to achieve state and county or regional outcomes, including the Oregon benchmarks, based on state { + policies and + } guidelines and to maintain a level of services consistent with state and federal requirements.

{ - (3) - } { + (4) + } The local commission shall prepare the { - county or regional - } { + local coordinated comprehensive + } plan and { - application - } { + applications + } for funds to implement ORS 417.705 to 417.790 and 419A.170. The { - plans - } { + local plan + }, policies and proposed service delivery systems shall be submitted to the board or boards of county commissioners for approval prior to submission to the state commission. The { - county or regional - } { + local + } plan shall be based on identifying the most effective service delivery system allowing for the continuation of current public and private programs where appropriate. { - The local commission shall monitor progress of key outcomes related to the county or regional plan - } { + The local plan shall address needs, strengths and assets of all children, families and communities, including those children and families at highest risk + }.

{ - (4) - } { + (5) + } The { + local coordinated comprehensive + } plan shall include:

(a) Subject to the availability of funds:

{ - (A) Consideration of prenatal and postnatal screening, assessment and referral to the appropriate services for at-risk children and families, including home visitations and health care, to promote the wellness of the child at the earliest possible time and also include consideration of crisis nurseries; and - }

{ + (A) Identification of ways to connect all state and local planning processes related to services for children and families into the local coordinated comprehensive plan to create positive outcomes for children and families; + }

{ - (B) Services to children who are newborn through 18 years of age and their families; and - }

{ + (B) Provisions for a continuum of social supports at the community level for children from the prenatal stage through 18 years of age, and their families, that takes into account areas of need, service overlap, asset building and community strengths as outlined in ORS 417.305 (2);

(C) An early childhood system plan created pursuant to section 20 of this 1999 Act;

(D) Local alcohol and other drug prevention and treatment plans developed pursuant to section 31 of this 1999 Act; and

(E) The local high-risk juvenile crime prevention plan developed pursuant to section 39 of this 1999 Act; and + }

(b) A list of staff positions budgeted to support the local commission on children and families. The list shall indicate the status of each position as a percentage of full-time equivalency dedicated to the implementation of the { + local coordinated comprehensive + } plan. The county board or boards of commissioners shall be responsible for providing the level of staff support detailed in the { + local + } plan and shall { - insure - } { + ensure + } that funds provided for these purposes are used { - exclusively - } to carry out the { + local + } plan.

{ - (5) - } { + (6) + } The { + local coordinated comprehensive + } plan shall { - be based on - } :

{ - (a) Children's support areas; - }

{ - (b) Local needs and desired outcomes; - }

{ + (a) Improve results by addressing the needs, strengths and assets of all children, families and communities in the county or region, including those children and families at highest risk;

(b) Improve results by identifying the methods that work best at the state and local levels to coordinate resources, reduce paperwork and simplify processes, including data gathering and planning; + }

(c) { + Be based on + } local, state and federal resources;

(d) { + Be based on + } { - best - } { + proven + } practices { + of effectiveness + } for the specific community; { - and - }

{ - (e) Continuation of current public and private services where appropriate. - }

{ + (e) Contribute to a statewide system of formal and informal services and supports that is provided at the community

level, that is integrated in local communities and that promotes improved outcomes for Oregon's children;

(f) Be presented to the citizens in each county for public review, comment and adjustment;

(g) Be designed to achieve outcomes based on research-identified proven practices of effectiveness; and

(h) Address other issues, local needs or children and family support areas as determined by the local commission pursuant to ORS 417.735. + }

{ - (6) - } { + (7) + } In developing the local { + coordinated + } comprehensive plan, the local commission shall:

(a) Secure { - the - } active participation { - of local and state service providers, educators, courts, representatives of advisory groups and other groups planning for the delivery of services to children and families, consumers, juvenile justice professionals, child and family advocates, business leaders, citizen review boards, churches, populations representing a diversity of genders, cultures, orientations and disabilities of the county or region, and other private organizations and citizens - } { + pursuant to subsection (2) of this section + };

(b) Provide for community participation in the planning process, including media notification;

(c) Conduct an assessment of the community that identifies needs and strengths;

(d) Identify opportunities for service integration; { + and + }

(e) Develop a { + local coordinated + } comprehensive plan and budget to meet the priority needs of a county or region { + . + } { - ; - }

{ - (f) Inform the citizenry about the contents of the plan and provide for a public review and comment period; and - }

{ - (g) Develop a method for evaluating service outcomes. - }

{ - (7) - } { + (8) + } The State Commission on Children and Families may disapprove a local { + coordinated comprehensive + } plan in whole or in part only upon making specific findings that the local plan substantially fails to conform to the principles, characteristics and values identified in ORS 417.710 to 417.725 { + and 417.735 (4) + }. If the state

commission disapproves a local plan in whole, the state commission shall identify with particularity the manner in which the local plan is deficient. If the state commission disapproves only part of the { + local + } plan, the remainder of the { + local + } plan may be implemented. The staff of the state commission shall assist in remedying the deficiencies in the local plan. The state commission shall set a date by which the local plan or the deficient portion thereof shall be revised and resubmitted.

{ - (8) - } { + (9) + } If a local commission determines that the needs of the county or region it serves differ from those identified by the state commission, it may ask the state commission to waive specific requirements in its list of children's support areas. The process for granting waivers shall be developed by the state commission prior to the start of the { - plan - } { + review and + } approval process { + for the local coordinated comprehensive plan described in ORS 417.735 (4) + } and shall be based primarily on a determination of whether the absence of a waiver would prevent the local commission from best meeting the needs of the county or region.

{ - (9) - } { + (10) + } From time to time, the local commission may amend the local { + coordinated comprehensive plan + } { - plans - } and applications for funds to implement ORS 417.705 to 417.790 and 419A.170 upon approval of the board or boards of county commissioners and the State Commission on Children and Families.

{ - (10) - } { + (11) + } The local commission shall provide an opportunity for public and private contractors to review the components of the { + local coordinated comprehensive + } plan, to receive notice of any component that the county { - intends - } { + or counties intend + } to provide through a county agency and to comment publicly to the { - county board of - } { + board or boards of county + } commissioners if they disagree with the proposed service delivery plan.

SECTION 14. { + For the purpose of harmonizing and clarifying statute sections published in Oregon Revised Statutes, the Legislative Counsel may substitute for words designating the 'comprehensive local plan,' 'local comprehensive plan' or 'comprehensive plan' in reference to a local plan developed pursuant to ORS 417.775, wherever they occur in Oregon Revised Statutes, other words designating the 'local coordinated

comprehensive plan.' + }

SECTION 15. ORS 417.780 is amended to read:

417.780. Funds received by a county or counties from the state to implement ORS 417.705 to 417.790 and 419A.170 shall not be used to replace county general fund moneys, other than federal or state funds, currently being used by the county for existing programs for children and youth. However, in case of severe financial hardship demonstrated by a county or counties, the State Commission on Children and Families may waive the requirements of this section in approving the local { + coordinated comprehensive + } plan.

SECTION 16. ORS 417.785 is amended to read:

417.785. A local commission is the recommended local structure for implementation of ORS 417.705 to 417.790 and 419A.170. However, a county or counties may elect to offer another structure but shall submit only one local { + coordinated comprehensive + } plan. The alternative structure must be approved by the State Commission on Children and Families.

SECTION 17. ORS 417.787 is amended to read:

417.787. { - Effective July 1, 1995, - } The State Commission on Children and Families shall:

(1) Determine when funds for services { - to - } { + for + } children and families not described in ORS 409.190 and 430.215 are to be transferred to the local commission. If a local commission with an approved { + local coordinated comprehensive + } plan requests a transfer, the state commission shall determine whether funds can be transferred.

(2) Determine which, if any, services { - to - } { + for + } children and families that are not described in ORS 409.190 and 430.215 are not to be transferred to local commissions but are to remain state responsibilities.

SECTION 18. { + ORS 417.795 and sections 19, 20, 22, 23, 24 and 25 of this 1999 Act are added to and made a part of ORS 417.705 to 417.790. + }

SECTION 19. { + (1) Each state agency or other entity that is responsible for a component of the local coordinated comprehensive plan shall ensure that a biennial evaluation of the plan component is conducted according to a consistent framework. The program evaluation shall include:

- (a) An identified goal and associated Oregon benchmarks;
- (b) Proven practices of effectiveness and related Oregon data;
- (c) A target population and a description of local service

systems that may be used in identifying, screening, recruiting and serving the target population;

(d) Specific interim indicators that measure progress in addressing risk contributors or developing core supports and competencies and specific tools to measure the indicators;

(e) Baseline data about the incidence of risk and asset and support factors with the goal of measuring change over time, including an assessment of local need;

(f) Measures of fiscal accountability;

(g) Identified roles and responsibilities for state agencies and local partners and performance indicators to measure effectiveness in agreed-upon roles; and

(h) Measures of the change in coordination among service providers and programs as a result of the local plan, including increases in access to services.

(2) The State Commission on Children and Families shall disclose the results of the evaluations to any person upon request.

(3) The Oregon Progress Board shall conduct a review of the outcomes achieved by local coordinated comprehensive plans in accordance with ORS 417.735 (3)(c) for the purpose of identifying success in achieving targets specified in local plans. The Oregon Progress Board shall coordinate the review with the evaluations conducted according to subsection (1) of this section. + }

SECTION 20. { + (1) The State Commission on Children and Families, in consultation with the Department of Education, the Board of Trustees of the Children's Trust Fund, the Department of Human Resources and other state and local providers of early childhood development services, shall establish the policies necessary for a statewide early childhood system that shall be incorporated into the local coordinated comprehensive plan.

(2) The system shall be designed to achieve the appropriate Early Childhood Benchmarks and shall:

(a) Consolidate administrative functions, to the extent practicable, including but not limited to training and technical assistance, data systems, data collection, planning and budgeting;

(b) Identify existing prenatal and perinatal services and other early childhood services for children from birth through eight years of age;

(c) Coordinate existing and new early childhood programs to provide a range of community-based supports;

(d) Provide for the coordination of early childhood programs by creating a multidisciplinary process to connect children and families with the most appropriate supports to address identified needs; and

(e) Identify how the early childhood system for children who are prenatal through eight years of age will link with systems of support for older children and their families. + }

SECTION 21. ORS 417.795 is amended to read:

417.795. (1) The State Commission on Children and Families established under ORS 417.730 shall establish { - four - } Healthy Start Family Support Services { - pilot - } programs provided through local commissions on children and families { + in all counties of this state as + } { - . The state commission may authorize the programs on a statewide basis if - } funding becomes available.

(2) These programs shall be designed to achieve the appropriate Early Childhood Benchmarks and shall:

(a) Provide a comprehensive risk assessment of all newly born children and their families;

(b) Identify families that would benefit most from the programs;

(c) Provide support services, including but not limited to community-based home visiting intervention services and primary health care services;

(d) Provide other supports, including but not limited to referral and coordination of community and public services for children and families such as counseling, child care, food, housing and transportation;

(e) Coordinate services for children;

(f) Provide follow-up services and supports from birth through five years of age;

(g) Establish a data system to document:

(A) Level of screening and assessment;

(B) Profile of risk and family demographics;

(C) Incidence of child abuse and neglect;

(D) Change in stress-coping and managing skills; and

(E) Rate of child development; and

(h) Establish a training program in the dynamics of the skills needed to provide these services, such as assessment and home visiting.

(3) The local commission { - on children and families - } , the health department { - , - } and other providers of prenatal

and perinatal services in { - participating - } counties shall jointly develop an amendment to the local { + coordinated + } comprehensive plan that shall

{ - provide the following - } :

(a) Identify existing perinatal services and describe and prioritize additional services necessary for a voluntary perinatal home visit system;

(b) Build on existing perinatal programs;

(c) Identify ways to maximize the use of paraprofessionals, volunteers and other community resources; and

(d) Target, at a minimum, all first birth families in the county.

(4) The local commission { - on children and families established under ORS 417.760 - } , according to the portion of the

{ - comprehensive - } local plan dealing with the { - pilot project - } { + Healthy Start Family Support Services program + } , shall cause a family support worker to be assigned to each family assessed as at risk that consents to receive services through the worker. The worker shall conduct home visits and assist the family in gaining access to needed services.

(5) The services required by this section shall be provided through requests for proposals from hospitals, public or private entities or organizations, or any combination thereof, capable of providing all or part of the family risk assessment and the follow-up services. In granting the contract, the local commission shall take into consideration the most effective and consistent service delivery system allowing for the continuation of current public and private programs where appropriate.

(6) The family risk assessment and follow-up services for families at risk shall be provided by paraprofessional family support workers organized in teams supervised by a manager and including a family services coordinator who is available to consult.

{ + (7)(a) A county or group of counties may request a waiver from the state commission of requirements of the Healthy Start Family Support Services program and may apply to the state commission to use funds from the program for alternative early childhood programs that address the requirements of this section.

(b) A waiver request may be approved by a majority vote of the state commission sitting at a regular meeting. The state commission may approve a waiver request if the state commission

determines that the waiver application demonstrates improvement of a specific outcome or combination of outcomes that would have been obtained without a waiver and demonstrates that the alternative program meets the requirements of this section.

(c) The state commission shall approve or reject a waiver request within 90 days after receiving the request. + }

SECTION 22. { + (1) Local commissions on children and families may establish relief nurseries for young children who are at risk and their families. The relief nurseries shall involve the parents of children served by the relief nurseries. Programs at the relief nurseries shall include:

- (a) Therapeutic early childhood education programs; and
- (b) Parent education, training and support.

(2) Each relief nursery that receives state funding shall + }
{ + have financial support from the community that is at least equal to 25 percent of any state allocation. + }

SECTION 23. { + In addition to any relief nurseries that exist on the effective date of this 1999 Act, during the 1999-2001 biennium, the State Commission on Children and Families may select two additional local commissions on children and families to establish relief nurseries that are consistent with section 22 of this 1999 Act. The additional relief nurseries must be a provision of the approved local coordinated comprehensive plan prior to being established. + }

SECTION 24. { + In addition to the family resource centers created as demonstration sites pursuant to section 1, chapter 760, Oregon Laws 1997, during the 1999-2001 biennium, the State Commission on Children and Families shall encourage the development of other family resource centers by local commissions on children and families that are consistent with ORS 417.725 and the local coordinated comprehensive plan. Family resource centers that are established pursuant to this section shall:

(1) Involve parents in the care and education of their children;

(2) Involve the local community in developing and overseeing family resource center programs; and

(3) Incorporate the principles of family support services described in ORS 417.342. + }

SECTION 25. { + During the 1999-2001 biennium, the State Commission on Children and Families shall expand the First Step violence prevention program for kindergarten children at risk for conduct disorders, their parents and teachers. The state

commission, in conjunction with the University of Oregon Institute on Violence and Destructive Behavior, shall select additional local commissions on children and families to establish First Step violence prevention programs. + }

SECTION 26. ORS 329.155 is amended to read:

329.155. (1) { + State agencies that administer + } education { + programs + } and other programs { - providing - } { + that provide + } services { - to - } { + for + } children and families { - , as identified in ORS 417.315 (4), - } shall:

(a) Evaluate the effectiveness of the program as related to the principles stated in ORS 329.025 and 417.305 in the earliest stages of the budget process { + , including components within programs as appropriate + };

(b) Articulate ways in which the program is an effective component of agency and state priorities, goals and strategies, such as those developed by the Oregon Progress Board, or to relevant research and professional standards;

(c) Establish plans, interagency partnerships, implementation practices and interactions with local { - and private sectors - } { + coordinated comprehensive plans + };

(d) Utilize the information generated by applicable state advisory groups and by the local planning process administered by the State Commission on Children and Families in the program assessment of needs and decisions as to service delivery in a given community; and

(e) Identify barriers to improving program capability to serve the needs of young children and related recommendations, if any.

(2) The processes listed in subsection (1) of this section are for the purpose of generating interagency coordination so as to serve to the greatest extent possible young children and their families in a comprehensive and developmentally appropriate fashion. The information generated by these processes shall be considered as a contribution to subsequent budget decisions by state and local agencies, the Oregon Department of Administrative Services and Legislative Assembly, and as a contribution to the planning { + and coordination + } tasks of the State Commission on Children and Families { - and the coordinating tasks of the Oregon Coordinating Council for Children and Families - } .

SECTION 27. ORS 329.237 is amended to read:

329.237. (1) The Department of Education shall administer the

Early Childhood Improvement Program to assist public school districts in providing programs designed to improve educational services for children enrolled in kindergarten through grade three. Programs shall be based on research and proven successful practices.

(2) The programs shall include the following planned components:

(a) Targeted services for 'at-risk' children that may be in cooperation with local commissions on children and families to provide services to families, which may include but are not limited to remedial and alternative academic programs, child care, parent participation and child development services.

(b) Efforts to improve the kindergarten through third grade curriculum and educational practices so that they:

(A) Are consistent with research findings on how children learn;

(B) Are sensitive to individual differences such as cultural background and learning styles; and

(C) Encourage parent participation. Such efforts may include but are not limited to adapting curricula and training administrators and other staff in early childhood education and child development.

(c) Comprehensive education, health care and social services for children to be provided through interagency agreements among school districts, health care and social service providers.

(d) Evaluation of programs by goals set by the district for the program.

(e) Planned transition from prekindergarten programs to kindergarten through grade three.

(3) In addition to the components listed in subsection (4) of this section, Early Childhood Improvement Programs may include but are not limited to the following components:

(a) Extended day services for school age children who need care or enrichment opportunities; and

(b) Programs designed to improve the adult to child ratios in kindergarten through grade three.

(4) The district application shall include:

(a) Plans developed by 21st Century Schools Councils at the school building level as described in ORS 329.704; and

(b) Demonstrated consistency with the local assessments and { + local coordinated comprehensive + } plans resulting from

ORS 417.705 to 417.790 { - and 419A.170 - } .

(5) Funds shall be available to districts with approved applications on a per child basis for the district's children enrolled in kindergarten through grade three. Funds not allocated shall be prorated to the districts with approved applications not later than the end of the fiscal year for which the allocation is made.

(6) If the district plan proposes use of innovative instructional materials, the State Board of Education, pursuant to ORS 337.050, may waive the use of such instructional materials as might otherwise have been required.

SECTION 28. ORS 418.191 is amended to read:

418.191. (1) To carry out the purposes of ORS 418.187 to 418.199 and 432.090, the Board of Trustees of the Children's Trust Fund may:

(a) Contract with private nonprofit or public organizations, agencies or school districts for the establishment of community-based educational and service programs designed to reduce the occurrence of child abuse and neglect. Contracts also may be awarded to support research programs related to prevention of child abuse and neglect, to develop and strengthen community child abuse and neglect prevention networks and to develop family resource programs. Each contract entered into by the board shall contain a provision for the evaluation of services provided under the contract. Contracts for services to prevent child abuse and child neglect shall be awarded as demonstration projects. Continuation of contracts will be determined by the success of the projects and community financial support. Contracts for services to prevent child abuse and child neglect shall be awarded, in part, on the basis of likelihood of success as determined by current research and expert opinion.

(b) Facilitate the exchange of information between groups concerned with families and children.

(2) The board shall consider need and the area of the state from which an application is submitted to ensure that all areas of the state develop programs pursuant to ORS 418.187 to 418.199 and 432.090. The board shall also consider and give great weight to whether an application has been approved by any local commission { + on children and families + } pursuant to a { + local coordinated comprehensive + } plan developed under ORS 417.775.

SECTION 29. ORS 418.193 is amended to read:

418.193. (1) The Board of Trustees of the Children's Trust Fund is established and shall consist of 12 members selected from the various geographic areas of the state and from the state's diverse populations. Member appointments shall be based on a demonstrated interest in and knowledge of prevention of child abuse and neglect. Members shall be appointed by the Governor.

(2) The term of office of a member of the board is four years, but a member serves at the pleasure of the Governor. Before the expiration of the term of a member, the Governor shall appoint a successor whose term begins on July 1 next following. A member is eligible for reappointment. If there is a vacancy for any cause,

the Governor shall make an appointment to become immediately effective for the unexpired term.

(3) The board shall review all applications for contracts submitted and shall provide funds for applications and contracts as provided in ORS 418.191 for purposes stated in ORS 418.187 to 418.199 and 432.090.

(4) Members of the board shall receive no compensation for their services. Members of the board other than members employed in full-time public service shall be reimbursed by the board for their actual and necessary expenses incurred in the performance of their duties. Such reimbursements shall be subject to the provisions of ORS 292.210 to 292.288. Members of the board who are employed in full-time public service may be reimbursed for their actual and necessary expenses incurred in the performance of their duties by their employing agency.

(5) The board shall meet at least once every three months and at such other times as may be specified by the chairperson or a majority of the board.

(6) The board shall employ an executive director and may employ any other employees it deems necessary for the effective conduct of the work under its charge. The board may also contract with { - any member agency of the Oregon Coordinating Council for Children and Families - } { + other state agencies that provide services for children and families + } or any { - other - } private agency for the use of staff and office space.

(7) In accordance with the applicable provisions of ORS 183.310 to 183.550, the Board of Trustees of the Children's Trust Fund may adopt rules necessary for the administration of the laws that the board is charged with administering.

SECTION 30. { + Sections 31 and 32 of this 1999 Act are added

to and made a part of ORS 430.255 to 430.630. + }

SECTION 31. { + The Governor's Council on Alcohol and Drug Abuse Programs shall prepare criteria and policies for a statewide plan of services for alcohol and other drug prevention and treatment for children and families to guide local alcohol and drug councils. Local commissions on children and families shall incorporate alcohol and other drug prevention and treatment plans developed pursuant to this section into the local coordinated comprehensive plan created under ORS 417.775. The criteria and policies prepared for the statewide plan of services shall:

(1) Describe the need for prevention and treatment services and strategies, and the method by which state and federal resources shall be prioritized in order to meet the needs, including prevention and treatment for families with young children and adolescents;

(2) Set forth principles guiding the purchase of prevention and treatment services and strategies from local community providers;

(3) Identify outcomes for the provision of prevention and treatment services and strategies and a method for monitoring those outcomes;

(4) Identify consistent standards for measuring prevention and treatment provision and success;

(5) Outline a process for providing training and technical assistance to state and local community providers, including prevention and treatment for special needs populations; and

(6) Identify how prevention and treatment services and strategies will link to other services and supports for children and families. + }

SECTION 32. { + All state agencies providing alcohol and other drug prevention and treatment services and strategies, or purchasing prevention and treatment services and strategies from local community providers approved or licensed by the office of Alcohol and Drug Abuse Programs, shall coordinate with the office to report expenditures and client data for the purposes of service capacity utilization and monitoring resources and outcomes coordination in the statewide plan of services and strategies for alcohol and other drug prevention and treatment for children and families prepared under section 31 of this 1999 Act. + }

SECTION 33. ORS 430.250 is amended to read:

430.250. (1) The Legislative Assembly recognizes that:

(a) Dependence on alcohol or other drugs is treatable and preventable;

(b) The Legislative Assembly has a responsibility to the citizens of the state to { - insure - } { + ensure + } that all related services and resources are provided in an effective and efficient manner; and

(c) State agencies are accountable to coordinate all related services to the maximum extent possible.

(2) The Governor's Council on Alcohol and Drug Abuse Programs, created pursuant to ORS 430.255, shall implement the state policy as set forth in subsection (1) of this section by:

(a) Developing a statewide alcohol and { + other + } drug abuse plan

{ - which - } { + that:

(A) Incorporates priorities and recommendations contained in the alcohol and drug abuse related components of each local coordinated comprehensive plan;

(B) Describes the need for services and the process by which state resources shall be prioritized in order to meet the demand for services for children and families;

(C) Sets forth principles to guide the state in purchasing alcohol and other drug abuse prevention materials and treatment services; and

(D) + } Recommends goals, specific priorities and programs for review by the Governor and the Legislative Assembly; and

(b) Monitoring those programs and financial efforts of the state which prevent, intervene in and treat alcohol and other drug problems for compliance with the approved statewide alcohol and drug abuse plan.

(3) The Legislative Assembly expects as a condition of budget approval that all appropriate state agencies work with and through the Governor's Council on Alcohol and Drug Abuse Programs to assist:

(a) In the preparation of the proposed statewide alcohol and drug abuse plan;

(b) In the implementation, monitoring and evaluation of the statewide plan approved by the Legislative Assembly; and

(c) In developing and implementing methods for evaluating the effectiveness and efficiency of their respective alcohol and drug abuse prevention, intervention or treatment or rehabilitation services, or any of them.

SECTION 34. ORS 430.255 is amended to read:

430.255. (1) { + (a) + } There is created in the office of the Governor the Governor's Council on Alcohol and Drug Abuse Programs. The council shall consist of not more than 11 members who are appointed by the Governor for terms of four years. Members are eligible for one reappointment. Members must be without conflicting interests and as representative as possible of:

- { - (a) - } { + (A) + } Geographic regions of the state;
- { - (b) - } { + (B) + } At-risk populations, including among others, youth, the elderly, minorities and women;
- { - (c) - } { + (C) + } Knowledgeable professionals, such as pharmacists, physicians, attorneys and the like who are not necessarily representatives of professional organizations, but who may be recovering;
- { - (d) - } { + (D) + } Knowledgeable nonprofessionals who may represent advocate groups and who may be recovering; and
- { - (e) - } { + (E) + } Local advisory groups.

{ + (b) In addition to the members appointed to the council under paragraph (a) of this subsection, the council shall include:

(A) One member appointed by the President of the Senate, who shall be a member of the Senate and who shall be a nonvoting, advisory member; and

(B) One member appointed by the Speaker of the House of Representatives, who shall be a member of the House of Representatives and who shall be a nonvoting, advisory member. + }

(2) The duties of the Governor's Council on Alcohol and Drug Abuse Programs are to:

(a) Assess the economic and social impact of alcohol and drug abuse on the State of Oregon and report the findings and recommendations to the Governor by January 1 of each even-numbered year.

(b) Review and make recommendations to the Governor on the goals, financing, priorities and a state plan for prevention, intervention and treatment of alcohol and drug abuse problems, which encompasses all appropriate state agencies { + and is consistent with section 31 of this 1999 Act + }, by January 1 of each even-numbered year.

(c) Review alcohol and drug abuse programs and make recommendations to the Governor on the effectiveness and

priorities for improvements of all such prevention and treatment programs for alcohol and drug problems engaged in or financed through state agencies by January 1 of each even-numbered year.

{ + (d) Review and approve the components of the local coordinated comprehensive plan created pursuant to ORS 417.775 that address alcohol and other drug prevention and treatment plans developed under section 31 of this 1999 Act.

(e) Work to ensure broad-based citizen involvement in the planning and execution of the alcohol and drug prevention and treatment plans at both the state and local level. + }

(3) Members of the council are entitled to compensation and expenses as provided under ORS 292.495.

(4) The Governor may remove any member for misconduct, incapacity or neglect of duty.

(5) The Assistant Director for Alcohol and Drug Abuse Programs shall provide the technical and financial support as is required and authorized by the Legislative Assembly and as is necessary to carry out this section and ORS 409.010, 430.250, 430.257, 430.270, 430.290, 430.359, 430.368, 430.535 and 430.630 { + and sections 31 and 32 of this 1999 Act + }.

SECTION 35. ORS 430.257 is amended to read:

430.257. { + (1) The Legislative Assembly finds that alcohol and other drug use, abuse and addiction:

(a) Pose significant social and public health problems for Oregon;

(b) Impact the budgets and workloads of state and local agencies that provide services for children and families and contribute to incidences of crime, violence, accidents and deaths, as well as reducing worker productivity; and

(c) Contribute substantially to the problems faced by a significant number of persons served by the Department of Human Resources, Department of Corrections, Oregon Youth Authority, Juvenile Crime Prevention Advisory Committee and State Commission on Children and Families.

(2) The Department of Human Resources, Department of Corrections, Oregon Youth Authority, Juvenile Crime Prevention Advisory Committee and State Commission on Children and Families shall contribute to the development of a comprehensive state plan for alcohol and other drug prevention, intervention and treatment services.

(3) + } The administrative heads of the Department of Education, Department of Human Resources, Oregon State Police,

Department of Transportation, Oregon Liquor Control Commission { + , Juvenile Crime Prevention Advisory Committee + } and State Commission on Children and Families shall each designate an individual, or in the instance of multidivisional departments, individuals, to serve as liaison to and assist both the Governor's Council on Alcohol and Drug Abuse Programs and the Assistant Director for Alcohol and Drug Abuse Programs in meeting the policies, duties and responsibilities set forth in this section and ORS 409.010, 430.250, 430.255, 430.270, 430.290, 430.359, 430.368, 430.535 and 430.630 { + and sections 31 and 32 of this 1999 Act + }.

SECTION 36. { + (1) The Juvenile Crime Prevention Advisory Committee is created within the Oregon Criminal Justice Commission.

(2) The committee shall have the following members:

(a) The Director of the Oregon Youth Authority or a designee of the director;

(b) The staff director of the State Commission on Children and Families or a designee of the staff director;

(c) The Director of Human Resources or a designee of the director;

(d) The Assistant Director for Alcohol and Drug Abuse Programs or a designee of the assistant director;

(e) The executive director of the Oregon Criminal Justice Commission or a designee of the executive director;

(f) The Superintendent of Public Instruction or a designee of the superintendent;

(g) The Superintendent of State Police or a designee of the superintendent;

(h) The Director of the Department of Corrections or a designee of the director;

(i) One designee of the Governor;

(j) One member appointed by the President of the Senate, who shall be a member of the Senate and who shall be a nonvoting, advisory member;

(k) One member appointed by the Speaker of the House of Representatives, who shall be a member of the House of Representatives and who shall be a nonvoting, advisory member; and

(L) One designee of the Chief Justice of the Supreme Court from the Judicial Department who serves as an ex officio member to provide information and support the partnership role of the

courts in an effective comprehensive statewide approach to high-risk youth and their families.

(3) In addition to the members listed in subsection (2) of this section, the Governor shall appoint the following members who shall be representative of the geographic and cultural diversity of the state:

- (a) To represent local public and private entities:
 - (A) A county commissioner;
 - (B) A local juvenile director;
 - (C) A director of a local commission on children and families;
 - (D) Two law enforcement officials;
 - (E) A county mental health director;
 - (F) An alcohol and drug abuse professional;
 - (G) A school superintendent;
 - (H) A private youth service provider; and
 - (I) An elected city official;
- (b) A researcher;
- (c) A citizen member; and
- (d) Other members as determined by the Governor.

(4) Each member of the committee appointed by the Governor under subsection (3) of this section shall serve a term of four years. Members appointed by the Governor shall serve at the pleasure of the Governor. A vacancy in the office of any member appointed by the Governor under subsection (3) of this section shall be filled by the Governor by appointment for the unexpired term.

(5) The Governor shall select one of the members of the committee as chairperson and one of its members as vice chairperson.

(6) The committee shall meet at times, places and intervals deemed advisable by a majority of the members.

(7) The Oregon Criminal Justice Commission shall provide staff support to the committee. + }

SECTION 37. { + Notwithstanding the term of office specified by section 36 (4) of this 1999 Act, of the members first appointed to the Juvenile Crime Prevention Advisory Committee by the Governor:

(1) At least five shall serve for a term ending two years after the date that the member was appointed.

(2) At least five shall serve for a term ending four years after the date that the member was appointed. + }

SECTION 38. { + The Juvenile Crime Prevention Advisory

Committee shall:

- (1) Review the budget and allocation formula for appropriations for the purpose of juvenile crime prevention;
- (2) Review the components of the local coordinated comprehensive plans for children and families created pursuant to ORS 417.775 that address local high-risk juvenile crime prevention plans developed under section 39 of this 1999 Act and make recommendations to the Governor about the local plans;
- (3) Ensure that high-risk juvenile crime prevention planning criteria are met by state and local public and private entities;
- (4) Recommend high-risk juvenile justice and juvenile crime prevention policies to the Governor and the Legislative Assembly;
- (5) Ensure initiation of contracts based on approved local high-risk juvenile crime prevention plans and oversee contract changes;
- (6) Review data and outcome information;
- (7) Establish and publish review and assessment criteria for the local high-risk juvenile crime prevention plans. The criteria shall include, but not be limited to, measuring changes in juvenile crime and juvenile recidivism;
- (8) Review and coordinate county youth diversion plans and basic services grants with the local high-risk juvenile crime prevention plans. Basic services grants may be used for detention and other juvenile department services including:
 - (a) Shelter care;
 - (b) Treatment services;
 - (c) Graduated sanctions; and
 - (d) Aftercare for youth offenders;
- (9) Work to ensure broad-based citizen involvement in the planning and execution of high-risk juvenile crime prevention plans at both the state and local levels;
- (10) Develop a funding policy that provides incentives for flexible programming and promotes strategies that stress reinvestment in youth;
- (11) Periodically report to the Governor and the Legislative Assembly on the progress of the committee;
- (12) Oversee and approve funding and policy recommendations of the state advisory group as required by the federal Juvenile Justice and Delinquency Prevention Act of 1974, 42 U.S.C. 5601 et seq.; and
- (13) Work with tribal governments to develop tribal high-risk juvenile crime prevention plans. + }

SECTION 39. { + (1) Each board of county commissioners shall designate an agency or organization to serve as the lead planning organization to facilitate the creation of a partnership among state and local public and private entities in each county. The partnership shall include, but is not limited to, local commissions on children and families, education representatives, public health representatives, local alcohol and drug planning committees, representatives of the court system, local mental health planning committees, city or municipal representatives and local public safety coordinating councils. The partnership shall develop a local high-risk juvenile crime prevention plan that shall be incorporated into the local coordinated comprehensive plans created pursuant to ORS 417.775.

(2) The local high-risk juvenile crime prevention plans shall use services and activities to meet the needs of a targeted population of youths who:

(a) Have more than one of the following risk factors:

- (A) Antisocial behavior;
- (B) Poor family functioning or poor family support;
- (C) Failure in school;
- (D) Substance abuse problems; or
- (E) Negative peer association; and

(b) Are clearly demonstrating at-risk behaviors that have come to the attention of government or community agencies, schools or law enforcement and will lead to imminent or increased involvement in the juvenile justice system.

(3)(a) The Oregon Criminal Justice Commission shall allocate funds available to support the local high-risk juvenile crime prevention plans to counties based on the youth population age 18 or younger in those counties.

(b) The commission shall award a minimum grant to small counties. The minimum grant level shall be determined by the Juvenile Crime Prevention Advisory Committee through a public process and reviewed by the committee biennially. + }

SECTION 40. { + (1) A county or group of counties may place greater emphasis on early intervention and work with younger children than required by the Juvenile Crime Prevention Advisory Committee if the county or counties have been granted a waiver pursuant to this section.

(2) The Juvenile Crime Prevention Advisory Committee shall extend to June 30, 2005, any early intervention waiver granted to any county through the review of the county's 1998 high-risk

juvenile crime prevention plan.

(3) In consultation with any county that received a 1998 waiver or any county or group of counties requesting a waiver and no later than June 30, 2000, the Juvenile Crime Prevention Advisory Committee shall develop an objective process, review criteria and timetable for consideration of waiver requests. A waiver granted under this section shall apply to the requirements for basic services grants described in section 38 (8) of this 1999 Act and high-risk juvenile crime prevention resources managed by the Oregon Criminal Justice Commission. The waiver shall be consistent with the goals of ORS 137.656, 417.705 to 417.790, 430.250, 430.255 and 430.257 and sections 31, 32, 38 and 39 of this 1999 Act.

(4) Any documentation required for a waiver under this section shall be from material contained in a county's juvenile crime prevention plan and from material as determined through biennial intergovernmental agreements.

(5) The Juvenile Crime Prevention Advisory Committee shall grant a waiver or continue a waiver based on criteria that includes:

- (a) Rate of Oregon Youth Authority discretionary bed usage compared to other counties;
- (b) Comparative analysis of detention and secure shelter capacity per 1,000 juveniles;
- (c) Investment of local resources in juvenile crime prevention;
- (d) Inclusion of prevention or early intervention strategies in the juvenile crime prevention plan;
- (e) Investments that emphasize innovation and proven practices of effectiveness;

(f) Support of the local public safety coordinating council, local commission on children and families and board of county commissioners; and

(g) Local integration practices including citizens, victims, courts, law enforcement, business and schools.

(6) The committee shall review and act on any request for a waiver within 90 days after receipt of the request. + }

SECTION 41. { + Section 40 of this 1999 Act is repealed on January 1, 2006. + }

SECTION 42. { + (1) The Juvenile Crime Prevention Advisory Committee shall coordinate planning and implementation of:

- (a) The State Incentive Cooperative Agreement grant from the

federal Center for Substance Abuse Prevention; and

(b) Other federal grants focused on high-risk youth or coordinated partnerships for high-risk youth, in conjunction with the state and county high-risk juvenile crime prevention plans.

(2) A county or consortium of counties that receives funds from grants for juvenile crime prevention from multiple state agencies may request and shall receive a single consolidated grant of state juvenile crime prevention funds. The county or counties and the state agencies shall develop program outcomes for the use of the consolidated grant funds. The state agencies shall require the county or counties to comply with grant requirements and report on the outcomes on a periodic basis. + }

SECTION 43. { + Section 42 of this 1999 Act is repealed July 1, 2004. + }

SECTION 44. ORS 137.656 is amended to read:

137.656. (1) The purpose of the Oregon Criminal Justice Commission is to improve the effectiveness and efficiency of state and local criminal justice systems by providing a centralized and impartial forum for statewide policy development and planning.

(2) The primary duty of the commission is to develop and maintain a state criminal justice policy and comprehensive, long-range plan for a coordinated state criminal justice system that encompasses public safety, offender accountability, crime reduction and prevention and offender treatment and rehabilitation. The plan must include, but need not be limited to, recommendations regarding:

- (a) Capacity, utilization and type of state and local prison and jail facilities;
- (b) Implementation of community corrections programs;
- (c) Alternatives to the use of prison and jail facilities;
- (d) Appropriate use of existing facilities and programs;
- (e) Whether additional or different facilities and programs are necessary;
- (f) Methods of assessing the effectiveness of juvenile and adult correctional programs, devices and sanctions in reducing future criminal conduct by juvenile and adult offenders; and
- (g) Methods of reducing the risk of future criminal conduct.

(3) Other duties of the commission are:

(a) To conduct joint studies by agreement with other state agencies, boards or commissions on any matter within the jurisdiction of the commission.

(b) To provide Oregon criminal justice analytical and statistical information to federal agencies and serve as a clearinghouse and information center for the collection, preparation, analysis and dissemination on state and local sentencing practices.

(c) To provide technical assistance and support to local public safety coordinating councils.

{ + (d) To implement the recommendations of the Juvenile Crime Prevention Advisory Committee, as approved by the Governor.

(e) In cooperation with other state and federal agencies, to coordinate technical assistance efforts on a statewide and

county-specific basis relating to juvenile crime prevention programs and services.

(4) The commission may contract with local governments or other entities to administer juvenile crime prevention programs and services. In accordance with the applicable provisions of ORS 183.310 to 183.550, the commission may adopt rules necessary for the administration of juvenile crime prevention programs and services. + }

SECTION 45. { + (1) The State Commission on Children and Families, the Juvenile Crime Prevention Advisory Committee and the Governor's Council on Alcohol and Drug Abuse Programs shall report to the Seventy-second Legislative Assembly on the implementation of this 1999 Act on both the state and local levels.

(2) The State Commission on Children and Families shall include in the report recommendations on any additional proposals contained in 'A Positive Future for Oregon's Children and Families' by the 1991-1992 Oregon Children's Care Team Interim Task Force that should be undertaken. + }

SECTION 46. { + (1) The Joint Legislative Audit Committee shall direct the Legislative Fiscal Officer to conduct a performance audit of state agencies and local agencies, or portions of those agencies that are subject to this 1999 Act, including the Department of Human Resources, the Department of Education, the State Commission on Children and Families, the Governor's Council on Alcohol and Drug Abuse Programs and the Juvenile Crime Prevention Advisory Committee. In addition, the performance audit shall include:

(a) Four local commissions on children and families that are from different regions in the state and have different population

levels; and

(b) A sampling of lead planning organizations selected under section 39 of this 1999 Act to facilitate the partnership to develop a local high-risk juvenile crime prevention plan.

(2) The performance audit shall include:

(a) A description of each agency's current state statutory duties and the extent to which each agency fulfills those duties;

(b) An evaluation of the organizational structure of each agency to determine whether its structure appropriately meets state statutory objectives and whether the agency's structure duplicates functions of another agency;

(c) A description of the types of services that each agency provides;

(d) An identification of improvements for effectiveness of the children and families programs of each agency;

(e) An identification of areas within each agency and between agencies that may be consolidated; and

(f) Any other matters the Joint Legislative Audit Committee considers relevant to the evaluation of the provision of services for children and families.

(3) The performance audit also shall include an evaluation of the local coordinated comprehensive plan and planning process, as described in ORS 417.705 and 417.775. The evaluation shall be conducted on four counties that are in different regions of this state and have different population levels.

(4) No later than August 1, 2002, the Joint Legislative Audit Committee shall report the findings of the performance audit and any recommendations based on the performance audit to the Legislative Assembly pursuant to ORS 192.245. The Joint Legislative Audit Committee shall forward the report to the State Commission on Children and Families, the Juvenile Crime Prevention Advisory Committee and the appropriate legislative interim committees. + }

SECTION 47. { + (1)(a) During the 1999-2001 biennium, there is created a Joint Interim Task Force on Children and Families. The Speaker of the House of Representatives and the President of the Senate shall appoint the members of the interim task force. A majority of the members of the task force shall be local providers of services to children and families, including but not limited to:

(A) Members of local commissions on children and families;

(B) Local health departments;

(C) Local public entities that provide services to children and families; and

(D) Private entities that provide services to children and families.

(b) In addition to the members appointed to the interim task force under paragraph (a) of this subsection, the interim task force shall include:

(A) One designee of the Governor;

(B) Two members of the Governor's Council on Alcohol and Drug Abuse Programs; and

(C) Two members of the Juvenile Crime Prevention Advisory Committee.

(2) The interim task force shall:

(a) Gather information about early childhood assessment programs; and

(b) Evaluate the feasibility of a statewide coordinated early childhood assessment program.

(3) Except as provided in this section, the interim task force created under this section is subject to the provisions of ORS 171.605 to 171.635 and has the authority contained in ORS 171.505 to 171.530.

(4) A work plan consisting of a list of subjects for study by the interim task force and the duration of the study shall be developed by the Speaker of the House of Representatives and the President of the Senate, in consultation with the interim task force chairperson. The work plan developed for the interim task force shall be filed with the Legislative Administrator.

(5) Interim task force work plans may be modified only by the Speaker of the House of Representatives and the President of the Senate after consultation with the interim task force chairperson. The interim task force, by official action, may request such a modification.

(6) The Legislative Administrator may cause to be employed such persons as are necessary to the performance of the function of the interim task force created under this section. The Legislative Administrator shall fix the duties and amounts of compensation of such employees. The interim task force shall use the services of permanent legislative staff to the greatest extent practicable.

(7) Members of the Legislative Assembly serving on the task force shall be entitled to an allowance as authorized by ORS 171.072. Other members of the interim task force are entitled to

compensation and expenses under ORS 292.495. Claims for expenses incurred in performing functions of the interim task force shall be paid out of funds appropriated for that purpose.

(8) All agencies, departments and officers of this state are directed to assist the interim task force created under this section in the performance of its functions and to furnish such information and advice as the members of the interim task force consider necessary to perform their functions.

(9) Subject to the approval of the Emergency Board, the interim task force created under this section may accept contributions of funds and assistance from the United States Government, its agencies or any other source, public or private, and agree to conditions thereon not inconsistent with the purposes of the interim task force. All such funds are to aid in financing the functions of the interim task force and shall be deposited in the General Fund of the State Treasury to the credit of separate accounts for the interim task force and shall be disbursed for

the purpose for which contributed in the same manner as funds appropriated for the interim task force.

(10) Official action by the interim task force established under this section shall require the approval of a majority of the quorum of the legislative members of the interim task force. All legislation recommended by official action of the interim task force must indicate that it is introduced at the request of the interim task force. Such legislation shall be prepared in time for pre-session numbering and pre-session filing pursuant to ORS 171.130.

(11) The interim task force shall report its findings and recommendations to the Seventy-first Legislative Assembly. + }

SECTION 48. { + Section 49 of this 1999 Act is added to and made a part of ORS 396.305 to 396.355. + }

SECTION 49. { + (1) The Oregon Military Department may adopt reasonable policies or procedures for any program operated by the military department for at-risk youth where attendance by at-risk youth is voluntary. The policies or procedures adopted by the military department may include but are not limited to drug testing policies designed to ensure that a person enrolled in the program is not engaging in unlawful drug use.

(2) The military department may adopt policies or procedures pursuant to subsection (1) of this section by rule or may provide notice of policies or procedures to at-risk youth prior to

enrollment in the program.

(3) The results of any drug test performed pursuant to this section shall be used solely for the purpose of determining eligibility for enrollment or continuing attendance in the program and shall not be used against the person in any criminal prosecution. + }

SECTION 50. { + In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Youth Authority, for the biennium beginning July 1, 1999, out of the General Fund, the sum of \$9,500,000 for the provision of basic services approved by the Juvenile Crime Prevention Advisory Committee. + }

SECTION 51. { + ORS 417.310, 417.315, 417.320 and 417.325 are repealed. + }

SECTION 52. { + If Senate Bill 1127 becomes law, sections 41 and 54 (both amending ORS 417.310), chapter ____, Oregon Laws 1999 (Enrolled Senate Bill 1127), are repealed. + }

SECTION 53. { + This 1999 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 1999 Act takes effect July 1, 1999. + }

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