

HOUSE COMMITTEE ON CHILDREN AND FAMILIES

May 10, 1993
76 - 83

Hearing Room 137 1:00 p.m.

Tapes

MEMBERS PRESENT: Rep. John Meek, Chair Rep. Lisa Naito,
Vice-Chair Rep. Ron Adams (Alternate) Rep. Larry Campbell Rep. Patti
Milne Rep. Gail Shibley

STAFF PRESENT: Annette Price, Committee Administrator Edward C.
Klein, Committee Assistant

WORK SESSION: HB 2004 - Creates State Commission on Children
and Families.

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These minutes contain materials which paraphrase and/or summarize
statements made during this session. Only text enclosed in
quotation marks report a speaker's exact words. For complete contents
of the proceedings, please refer to the tapes. [--- Unable To Translate
Graphic ---]

TAPE 76, SIDE A

Witnesses: Paul Snider, Association of Oregon Counties Rich Peppers,
Oregon Public Employees Union (OPEU) Arlene Collins, American
Federation of State, County and Municipal Employees (AFSCME)
Pam Patton, Oregon Alliance of Children's Programs

003 CHAIRMAN MEEK: At 1:27 p.m. he recesses until 2:00 p.m. -The
committee is called to order at 2:01 p.m. -He opens the Work Session on
HB 2004. -LC would like some direction from the committee. -We want to
go through the entire HB 2004-15, Proposed Amendments

(EXHIBIT A) and reach some consensus on each section.

031 REP. SHIBLEY: Thanks staff and Legislative Council (LC) for
getting the amendments to us. -Where would you like systemic, process or
philosophical questions that don't have anything to do with specific
sections? -Where are we going and how are we going to get there
kinds of

questions.

042 CHAIRMAN MEEK: Has heard specific concerns from interested
parties. -We're at the point where we need to have that discussion. -We
have to try and come together. -We have to work through those sections
on which we don't agree.

059 REP. SHIBLEY: Likes the Clackamas County construct (The
Clackamas County Proposed Amendment to HB 2004 is filed as EXHIBIT B).

CHAIRMAN MEEK: Hasn't had a chance to read it.

067 REP. CAMPBELL: If we make that change we should recess until we have a chance to read it. -If this bill doesn't move within a week the chance for passage is nil. -We've given many people a chance for input.

082 REP. NAITO: We should proceed. -She has had some wordsmithing issues with our section 1, which the

Clackamas County proposal addresses in section 3. -Their proposal also calls for an additional funding source.

090 CHAIRMAN MEEK: If you like something from the Clackamas County proposal you should raise it Wednesday. -We need to let LC know the sections we've signed off on. -Let Annette know if there is cleanup language.

109 ANNETTE PRICE: Section 1?

REP. CAMPBELL: Page 2, line 7, should be, "A recognition".

116 REP. NAITO: Has some problems with section 1.

REP. CAMPBELL: Let's get it done now.

126 REP. NAITO: Reads the Clackamas County proposal, page 2, lines 1 through 19. -She would then go to subsection (2), page 1, HB 2004-15.

CHAIRMAN MEEK: Their section 3 would replace section 1?

REP. NAITO: Yes; section 1 (1).

REP. CAMPBELL: Do you intend this language to be limited to state funding? -It doesn't speak to federal or local funding.

REP. NAITO: We may want to add that.

160 REP. ADAMS: What do you like about this?

REP. NAITO: Likes the way it reads. It sets a good basis for the rest of the bill.

175 REP. ADAMS: In line 6, of the Clackamas proposal, they've substituted "substantially integrated...". -He wants to see if any of their language bothers anybody. 181 REP. NAITO: Page 1, line 15, HB 2004-15, "integrated in local communities" is important. -We want any services supplied at the state level to be integrated

services; integrated with the local communities and integrated amongst themselves. -Maybe we could just say "integrated".

CHAIRMAN MEEK: Delete "in local communities".

REP. NAITO: It should be integrated at the local community and with the state. -If it's provided by the state, it should be an integrated in and of

itself.

192 CHAIRMAN MEEK: Reads lines 13 through 14, HB 2004-15, "The Legislative Assembly shall...." -It talks about a statewide system that's already integrated into the

local communities. -The language is virtually the same. -Line 13 of the Clackamas proposal is a new and different direction.

215 REP. MILNE: Refers to section 1 of the Clackamas proposal. -This title suggests there's something else in addition to what's in the amendment. -She would like that question answered before accepting a new title.

224 REP. NAITO: My thinking was that this is what this document would be called.

231 REP. ADAMS: HB 2004-15, page 1, line 18, begins to delineate the values. -Page 2, line 20, talks about, "The service system shall emphasize". -Section 2, are the characteristics. -Section 3, are key elements. -This was created, because people wanted us to give greater delineation to what we were talking about. -If we decide that's overkill, we're back where we started.

250 REP. NAITO: Feels fine with the intent of sections 1 through 4 in the -15.

262 MOTION: REP. CAMPBELL: Moves to accept section 1, HB 2004-15.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

272 MOTION: REP. CAMPBELL: Moves acceptance of section 2.

274 REP. NAITO: Would like an explanation of "treating the whole person", on pages 2 and 3. -She thinks it means we don't treat a specific problem in isolation. -We look at the multiple needs of the family, etc.

282 CHAIRMAN MEEK: There is a section in the Children's Care Team (CCT) report, which deals with the wellness of a person.

290 REP. SHIBLEY: Refers to page 3, line 12. -The system we're introducing is multi-layered and will look different

in every community or county. -What does line 12 mean?

308 CHAIRMAN MEEK: This has come up before. -Part of it is putting the system in place and clarifying those

priorities to a much greater degree and where a system is outcome

oriented, to demonstrate to its employees and the system some results. -During the CCT there was a great deal of anxiety that we don't give

credit to the good work that's being done. -That's part of being outcome oriented. -More attention is given to the successes. -There's a system that's oriented to a broad spectrum of different

workers under different environments. -That's one of the elements that the state and local commissions need to take a look at.

355 REP. SHIBLEY: She might understand line 12 to read that child care providers should be paid a minimum wage. -There are a lot of facets to valuing the workers who provide services.

CHAIRMAN MEEK: It's very broad and covers all elements of the system.

370 REP. ADAMS: We continually refer to the service system with a broad umbrella. -On page 3, line 12, after "the" we could insert "service" to keep us

consistent with our references.

REP. SHIBLEY: It doesn't read well, but it's okay. -It's already in the first part of the sentence.

REP. ADAMS: Okay.

395 REP. CAMPBELL: Line 12, relates to the opening paragraph. -He had the same basic question Rep. Shibley had. -This could be compensation, representation, contractual or

non-contractual. -There has to be some limit on it or it becomes a legal term. -Does the broadness of the language concern you?

419 REP. SHIBLEY: It doesn't concern her per se. -What do we mean by this? It ought to be explained. -It means a lot of things to a lot of people.

CHAIRMAN MEEK: This came up in Legislative Counsel. -They asked if there was anything binding here? -No; it's more of a philosophy, goals and characteristics. -Nothing in here says these are absolute aspects.

441 REP. SHIBLEY: Generally, legislative intent, policy or findings are put in to establish intent and history. -Unless counsel suggests that we're getting into hot water, she doesn't see anything particularly bad.

TAPE 77, SIDE A

010 REP. NAITO: One issue we discussed in the CCT was that people who work with children are low paid and not treated with the kind of esteem they should be treated with. -Maybe this is to remind us that people who work with children should be valued.

018 REP. SHIBLEY: Value in our society is compensation.

REP. CAMPBELL: What did we decide?

CHAIRMAN MEEK: Hearing no objection the motion the motion is adopted.

CHAIRMAN MEEK: There's no change in section 3.

024 ANNETTE PRICE: On page 3, line 22, after "the" insert "service".

REP. SHIBLEY: There was some discussion on the length of time for the plan for funding, RFPs, etc. -We discussed two to four years. -Page 3, line 24, talks of five years.

ANNETTE PRICE: There is a date later on of 1998 and this is to match with that.

039 CHAIRMAN MEEK: Sections 1 & 2 refer to the service system. -Does anyone have a problem with the change on page 3, line 22?

MOTION: REP. CAMPBELL: Moves acceptance of section 3.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 4?

046 ANNETTE PRICE: On page 4, line 22, delete "to be".

054 REP. NAITO: On page 4, line 7, we might substitute "families" instead of "parents".

REP. SHIBLEY: Yes.

CHAIRMAN MEEK: That's not a bad idea.

REP. CAMPBELL: Accepts that as a friendly amendment.

059 REP. SHIBLEY: On page 4, lines 12 and 13, DHHS expressed concerns about meeting the requirements for federal funding. Has there been any follow up?

067 ANNETTE PRICE: The gentlemen from region of 10 had some problems with the Superintendent of Public Instruction chairing the commission. -He misread that section.

078 CHAIRMAN MEEK: We'll discuss federal funding when we get to section 5.

082 REP. CAMPBELL: Page 4, line 31 and page 5, line 1, must mean something to legal counsel.

REP. NAITO: We need someone from LC.

090 REP. ADAMS: We decided against appointing a county commissioner. -That's one of the recommendations of the Clackamas proposal. -We had an extensive discussion on this and determined that it wasn't necessary.

101 REP. SHIBLEY: In deference to the Speaker, she will not move her section 4.

108 MOTION: REP. ADAMS: Moves section 4, to line 31.

REP. CAMPBELL: We should delete "next following".

117 CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 5.

ANNETTE PRICE: LC is working on the language on page 5, lines 17 and

18. -We had a problem with what that means.

127 REP. NAITO: The first sentence in section 5 raises a lot of issues. -What about state office functions, families without children, seniors, education, health care? -We may not need this sentence.

REP. CAMPBELL: The CCT was interested in separating direct supervision from policy and others. -Your suggestion might be good. -On page 5, line 17, insert a period after "services" and then continue with the next sentence, "The state commission shall...."

141 REP. NAITO: Let's start with a positive statement by switching those sentences around.

REP. CAMPBELL: That's great.

REP. ADAMS: It would be nice to have the policy and oversight language in this paragraph.

CHAIRMAN MEEK: In line 17 after "services" insert, "but shall have policy oversight responsibility." -It has to do with the accountability, because it has to do with policy.

REP. CAMPBELL: Kathleen Beaufait, has already written new language for section 5.

162 CHAIRMAN MEEK: We might need to go paragraph by paragraph in section 5. -Are there any other questions on paragraph 1? -What about subsection 2?

170 REP. NAITO: What does the sentence on lines 27 to 30 mean?

CHAIRMAN MEEK: There was quite a bit of discussion with the local governance dealing with the fluctuation of state and local funding. -There needed to be a way to assure there was some equity and also to make sure there was some state oversight, if the local commission, on it's own directive, cuts money. -The state commission can respond to that with it's oversight. -If state funding is decreased, the responsibility that the local commissions have for those services would decrease accordingly.

190 REP. CAMPBELL: Can we go back to page 5, line 16?

192 KATHLEEN BEAUFAIT, Senior Deputy, Legislative Counsel: What she thought captured the sense of what the committee was saying was: "The State

Commission is responsible for the state programs for children and families, but shall not provide direct services. The services shall be provided by interagency agreements with the appropriate agencies until

such time as the local commissions are able to accept the responsibility for operating the programs."

205 REP. CAMPBELL: If we were to say, "The state commission shall be accountable for the wellness of children and families at the state level and shall follow the principle characteristics and values identified in sections 1, 2 and 3 of this Act. The State Commission on Children and

Families will provide no direct services." -Then go to their responsibilities.

BEAUFAIT: That's fine.

REP. CAMPBELL: How do we identify what their responsibilities are? -That gets back to establishing policy--

216 BEAUFAIT: And probably determining the nature of expenditures. -You need a phrase with "responsible," because right now you have competing programs existing. -You need to state this commission is responsible for these programs. -If you have any issue of conflict, you have this sentence to point to

and say, "we're the ones responsible for programs. -The interagency agreements deal with a different issue than the basic

responsibility.

REP. CAMPBELL: So we need both?

BEAUFAIT: Thinks you do, but you can reverse them and put the emphasis on accountability first and operation second.

228 REP. ADAMS: Could we say, "the state commission is responsible and accountable for the wellness..."? -It doesn't include the local commission until ready.

BEAUFAIT: Her only problem with that is, when it comes to the moment of truth and two agencies want to argue about it, the difference between

being legally responsible and being accountable are two different concepts. -She was pressing for the idea that they're the baseline, they're the

agency who is responsible for the program. -They may be accountable for a number of things, but the first issue is, who has the legal responsibility?

239 CHAIRMAN MEEK: That was the emphasis from the CCT. -We'll get that drafted. -In section 4, page 4, line 31 and page 5, line 1, there was a question dealing with the appointment.

257 BEAUFAIT: That's next following the date of the appointment. -You may appoint in July, but that doesn't necessarily tell you when the term begins.

REP. CAMPBELL: Why can't it just say October 1 and delete "next following"?

BEAUFIT: Doesn't know why it can't.

271 REP. ADAMS: On page 3, line 12, what does, "Values the system's workers" mean?

279 BEAUFIT: Assumes that emphasizes that people who are providing the care are not valued monetarily nor is their status valued.

REP. ADAMS: Could we substitute, "recognizes the importance of the system's workers"?

BEAUFIT: As she understands it, that's getting at the same point.

REP. ADAMS: Believes it says the same thing you said, but there was concern that value might mean monetary, and who knows where that will take us?

BEAUFIT: Something like, "recognizes the contribution of the system's workers."

300 REP. ADAMS: Would like to substitute, "recognizes the importance..." or "recognizes the contribution...", because that gets us away from value.

305 REP. NAITO: Will go along with that. -We also have in mind the monetary value for the professions that work

with children. -That doesn't have to be in the bill, that's something we can do through what we pay people.

311 CHAIRMAN MEEK: "Recognizes the importance of the system's workers", clarifies it.

REP. SHIBLEY: "Recognizes and values"?

319 REP. ADAMS: "Recognizes the contributions of the system's workers."

REP. CAMPBELL: Accepts that as a friendly amendment.

CHAIRMAN MEEK: We'll move back to section 5.

REP. CAMPBELL: On page 5, what are we trying to accomplish in lines 16 through 21? -The state commission will have no direct responsibility; they'll be

accountable for the wellness of children and families. -And they are responsible for all state programs?

339 BEAUFIT: Her understanding is they are responsible for providing, through interagency agreements, until such time as the local

commissions can assume the responsibility for operating the programs.
-Reversing those two sentences may get the emphasis on accountability

first, and then how you get the details worked out second.

345 REP. NAITO: Doesn't know where the interagency agreement part needs to be.

CHAIRMAN MEEK: We were going to have a discussion about putting them into section 5.

REP. NAITO: We could adopt it as a conceptual amendment.

365 BEAUFIT: Conceptually; "And shall use interagency agreements to provide services until such time as the local commissions have approved plans and are ready to assume the operating responsibilities." -Some of the language in that later section may fit in at that point. -In the later sections we were more worried about the calendar of

events. -Some of the meat could be moved and the calendar could be left as

separate items.

384 REP. SHIBLEY: Is page 5, lines 16 and 17 going to read something like; "The State Commission on Children and Families is responsible for state programs for children and families, but shall provide no direct

services." -Rep. Campbell stated other language.

393 REP. CAMPBELL: Took Rep. Naito's suggestion that the last sentence go first. -Kathleen's comments will be added to that.

CHAIRMAN MEEK: It will include the intergovernmental agreement language.

REP. SHIBLEY: In subsection 1?

CHAIRMAN MEEK: Yes.

402 REP. SHIBLEY: In lines 25 and 26, we're saying that counties or consortia of counties have a huge financial or other stake in the

rulemaking authority we're now giving to the state commission. -There is a lot of concern in this body and elsewhere, about rules

promulgated by state agencies. -She want's to highlight that this is a huge authority they're being

given.

416 REP. CAMPBELL: This is sharing state funds.

REP. SHIBLEY: Yes. It's huge.

CHAIRMAN MEEK: Are subsections 1 and 2 okay? -Subsection 3 are some of the duties the state commission carries out. -The date on page 6, line 20, coincides with section 3.

TAPE 76, SIDE B

011 MOTION: REP. SHIBLEY: On page 6, line 1, after "goals" insert ", standards".

CHAIRMAN MEEK: "Standards" is in line 6.

REP. SHIBLEY: Withdraws her motion. -Why is January 1, 1998 included in line 20? -The CCT report talked about 1993 until the year 2000.

CHAIRMAN MEEK: Has the same concern. -This is open for discussion.

024 REP. CAMPBELL: Recalls there were two or three different approaches in the report. -There was an eight year plan, the year 2000 and one other. -All they were interested was in giving us enough time so we could do it in an appropriate manner.

CHAIRMAN MEEK: The year 2000 referred to the statewide system. -This part is looking at implementing other recommendations of the report.

037 REP. SHIBLEY: Raised the question because she didn't recall 1998 as the date. -She has a concern about it.

REP. CAMPBELL: There are two other legislative sessions between now and 1998, so there's ample opportunity to make any changes. -He doesn't remember 1998. -Eight years from 1992 is 2000.

045 REP. NAITO: Has a problem of incorporating the CCT report by reference. -She suggests that it could be, "Recommend to the Legislative Assembly

other actions that should be taken to implement."

055 CHAIRMAN MEEK: Instead of a directive--

REP. CAMPBELL: This doesn't say all recommendations. -We have other recommendations throughout the legislation.

061 REP. NAITO: Reads this as saying we implement everything in the report.

REP. CAMPBELL: It doesn't say to implement all the recommendations by January 1, 1998; it says implement "other recommendations". -We've given the commission the latitude of moving responsibilities from one point to the other, which would be part of the recommendation. -It seems they have to have the authority beyond this point to do what they want to do.

REP. NAITO: Sees what he's saying.

REP. CAMPBELL: We're giving them a lot of authority to implement

recommendations, we're not telling them to implement all recommendations.

071 CHAIRMAN MEEK: It is passive language. -We could insert, "implement as necessary..." or "may implement other recommendations".

077 REP. ADAMS: Subsection 3 says, "The state commission shall:"

REP. NAITO: We definitely wanted to maintain flexibility and to move forward in a way that made sense and be responsive to changing needs.

086 MOTION: REP. SHIBLEY: Moves language from page 6, lines 22 through 25, of the Clackamas County proposal. -Add January 1, 1995.

099 CHAIRMAN MEEK: "By January 1, 1998 recommend to... should be undertaken." -What other recommendations that they have not implemented, because this legislation gives them the authority to take action on other implementations in the report.

REP. NAITO: They must go with what's in here.

CHAIRMAN MEEK: They have to go with what's in the legislation, they can take other recommendations out of the report that they choose. -This language says that if they feel other legislation is needed, they shall make recommendations. -We could use any date there. -He doesn't believe it takes anything away from the current legislation.

115 REP. CAMPBELL: This doesn't do anything. -We'll have an interim committee to continue to work with this. -He has no objection to this language, but it doesn't do anything.

121 REP. NAITO: It continues with the feedback loops. -The commission is hearing from the locals and they are informing the Legislative Assembly. -It completes the important circles of communication.

CHAIRMAN MEEK: Recommends moving that date upward to make it more preemptive for them to deal with it.

REP. SHIBLEY: 1995 is fine.

CHAIRMAN MEEK: That would give them two years to take a look at this task force.

REP. SHIBLEY: Let's do some things now and then report to the Legislative Assembly.

CHAIRMAN MEEK: This makes it more preemptive than the current language.

REP. CAMPBELL: That's better.

131 REP. NAITO: Does page 6, line 4, mean the local commission must request to be involved. -What happens if the local commission doesn't want to participate? -She'd like some clarification.

CHAIRMAN MEEK: There was language in one of the other drafts that did not deal with portions of state programs, so it was an all or nothing situation. -This language makes certain that as the implementation occurs--as plans are being drafted at the local level--if there are elements of a service that the state commission is going to transfer to the local level, during that transition some communities will take on that service; the state will provide that service in other areas until it's implemented. -We needed language that allows for the transfer of funding, state services or portions thereof to the local commissions.

152 MOTION: REP. SHIBLEY: Moves on page 6, line 4, delete "the requesting" and insert "each".

REP. CAMPBELL: Good suggestion.

REP. NAITO: Great.

157 REP. ADAMS: Doesn't requesting relate back to funding?

REP. SHIBLEY: You're talking about consulting with each local commission.

REP. CAMPBELL: We don't want to talk to the ones that are requesting it, we want to talk to all of them.

REP. NAITO: That was her concern.

CHAIRMAN MEEK: That's a good point.

163 REP. MILNE: Page 6, line 20, HB 2004-15 and page 6, lines 22 through 25, Clackamas Co. proposal are not the same or interchangeable; they're two separate issues. -Are we adding the language from Clackamas County?

CHAIRMAN MEEK: The motion was to substitute the Clackamas County language.

REP. MILNE: Suggests we leave subsection (k) and add the Clackamas language. -That allows for more flexibility. -Subsection (k) allows for doing anything else over and above (a) through (j). -The Clackamas Co. language goes in a different direction of what

additional.

185 CHAIRMAN MEEK: The state commission is given a great deal of authority in implementing policy, adopting goals, priorities, setting state level planning and policy functions. -Subsection (k) was added to make sure they reference the CCT report. -They can implement any portion of the report they want to.

201 REP. MILNE: Since we'll be dealing with a lot of people who don't have the background, if they don't see it written that they can or are

allowed to, they may not and may wait until the Assembly meets. -She wants to protect that flexibility.

209 CHAIRMAN MEEK: Everybody concurred with Rep. Shibley's amendment. -Does anyone have a problem with the state commission implementing

portions of the report that they deem necessary?

REP. NAITO: Yes. You're basically saying, rather than going through the process we're going through, which is interpreting and implementing this report, it can be anyone else's guess at any given moment. -They can take anything to next the next Legislative Assembly for us to review whether we think that goes along with it. -This is subjected to a myriad of interpretations.

229 REP. CAMPBELL: Suggests we leave line 20, and add (h) from Clackamas County, "By January 1, 1995, the commission will make

recommendations...." That way we're covered on both of them.

241 REP. NAITO: Supports that motion. -That gets at the intent to have the commission be responsible for these programs and also gives the intervening Legislative Assemblies the

opportunity to review the desirability and the timing.

246 REP. SHIBLEY: Suggests that both these ideas be contained in the same sub-paragraph. -Conceptually, on page 6, line 22, after the period insert, "To achieve this" or "In achieving this the commission shall..."--"By January 1,

1995 the commission shall recommend to the Legislative Assembly what additional proposals of the report...."

263 CHAIRMAN MEEK: You're recommending expanding subsection (k) to include subsection (h) from Clackamas Co.

REP. SHIBLEY: Without repeating the name of the report, the year and the name of the interim task force.

269 REP. CAMPBELL: "To achieve this", bothers him. -We want them to implement these recommendations by January 1, 1998. -They may have some additional things to recommend to the Legislature by January 1, 1995.

-He has no problem including both in one paragraph, but they are two different things we're looking at.

277 REP. SHIBLEY: Say, "By Jan 1, 1995 the commission shall recommend to the Legislative Assembly what additional proposals..."--"shall make

recommendations to the Legislative Assembly to achieve Oregon Benchmarks for wellness of children and families." -The commission will look at a variety of things including, but not

limited to the report.

REP. CAMPBELL: Then we need an additional paragraph.

CHAIRMAN MEEK: Lets take this to LC.

REP. SHIBLEY: Doesn't care if it's two or one.

293 REP. NAITO: One of these is involved with what they do and the other with implementation. -She doesn't know if the Benchmarks is appropriate.

REP. SHIBLEY: We've identified the Benchmarks in the report.

300 CHAIRMAN MEEK: They come back to the Legislature with recommendations by 1995 and 1988 they can look at implementing anything else they need

to.

REP. NAITO: Page 6, lines 25 through 27 could be joined together

CHAIRMAN MEEK: That would be easy for LC to do.

REP. NAITO: Would like an explanation of lines 29 through 31. -It's not to do the plan, but to provide the services?

CHAIRMAN MEEK: It refers to the, "capacity needed...."

REP. SHIBLEY: Can we say, "deliver services" rather than "offer all"?

329 MOTION: REP. NAITO: On page 6, line 30, delete "offer" and insert "deliver". 346 ANNETTE PRICE: Do we need "funded"?

CHAIRMAN MEEK: Delete it. -Page 7.

359 ANNETTE PRICE: Line 2, "to" needs to be "on".

REP. NAITO: Assumes that line 4 means evaluation of the programs that are delivering services, not necessarily evaluation of the local plan. -We may need to specify the evaluation of what. -She thinks we mean evaluation of services.

REP. SHIBLEY: Thinks it's both.

373 CHAIRMAN MEEK: It's to ensure an evaluation program is set up.

REP. NAITO: Evaluation of outcomes, standards, everything?

CHAIRMAN MEEK: The state commission sets those. -The intent is that the state commission approves their plan and the

assumption is, to ensure the evaluation of that plan is taking place as they implement it and measure those outcomes (page 6, line 27).

REP. SHIBLEY: Does it mean evaluation of the services, the programs, the plans?

CHAIRMAN MEEK: Services.

405 REP. ADAMS: Why don't we add that?

REP. CAMPBELL: Why don't we say, "Assure performance evaluation occurs at the local level"?

REP. NAITO: That's fine. -She wants to make it clear what they evaluate.

415 REP. SHIBLEY: Performance measurements and outcome measurements are not the same thing.

424 REP. CAMPBELL: We need both and we need to identify both.

432 REP. SHIBLEY: Doesn't quite understand the reality of the process.

CHAIRMAN MEEK: We are going to reach concurrence, section by section, until we reach areas of disagreement. -They may not be resolved today. -We want to hear where the differences are.

TAPE 77, SIDE B 013 REP. SHIBLEY: We either make motions and we approve or disapprove motions or we don't make motions and just rule by consensus.

CHAIRMAN MEEK: Is doing them by consensus. -If he hears a motion, he's doing it by consensus.

REP. CAMPBELL: You need to hit the gavel.

023 CHAIRMAN MEEK: We need to clarify the intent and make sure we have a clear understanding of page 7, lines 4 and 5. -Annette has been conferring with Region 10, to make sure that we have

language that encompasses the entire bill dealing with the federal funding. -The intent will be there, but the language may change.

033 REP. NAITO: Proposes that page 7, lines 8 to 13 read, "Develop a process for reviewing requests for waivers from requirements of the

state commission." and then delete the rest of the sentence. -There should be a process for waivers, but we don't need to spell it

out. -Leave the second sentence that begins on line 11.

CHAIRMAN MEEK: The local commissions can request waivers and they can be granted or denied.

044 REP. NAITO: Page 12, lines 11 to 14, says they have to have a waiver prior to the start of the plan approval process. -Will these work together?

053 REP. CAMPBELL: The way it's written it would, but if language is deleted, you might not get the same results.

REP. NAITO: It's a timing question. -She doesn't think her motion speaks to the timing.

061 CHAIRMAN MEEK: Doesn't think it would change if the language is eliminated. -The language on page 12 is preemptive and says the state commission

will have to deal with that if the local jurisdiction requests a waiver. -Page 12 says the process for granting waivers shall be developed.

069 REP. NAITO: Prior to the local. -That's the time they must have the process in place.

CHAIRMAN MEEK: We'll delete that language. -Language for subsection (6) (page 7, lines 19 through 29) is being

worked on.

084 REP. NAITO: Her question under subsection (b) was that they only seek waivers when they are directed to.

REP. CAMPBELL: Rep. Naito, please review what you just said? -They need commission direction.

094 REP. NAITO: Exactly. -Are lines 27 to 29, the best way to write that?

REP. ADAMS: It probably would end up being the best kind of computer based network. We could delete "personal".

CHAIRMAN MEEK: We'll delete that. -Section 5a is also being worked on.

110 REP. CAMPBELL: When is this being done?

CHAIRMAN MEEK: Probably by Wednesday.

REP. NAITO: When we have that language we need to put it on the record how it will work, who's responsible for the federal funds, what happens if they fail in that responsibility, who are they accountable to, etc. -She understands there is a process for that and it should be put on the record.

121 REP. ADAMS: There's a broad assumption that it's all of a success today.

129 MOTION: REP. NAITO: Moves sections 1 through 5a, with the changes we've made.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Recesses at 3:40 p.m. -He calls the committee back to order at 3:49 p.m.

137 MOTION: REP. CAMPBELL: Moves section 6.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

REP. CAMPBELL: On page 8, line 20, delete "every three months" and insert "every month". -The people who serve have to know there will be a tremendous amount of work and they will have to meet at least every month for the first year.

REP. NAITO: Concurs.

CHAIRMAN MEEK: What if we say, "meet every month for the first 12 months and meet at least once every three months thereafter."

REP. CAMPBELL: The rest of the subsection will remain the same.

161 MOTION: REP. CAMPBELL: Moves to adopt section 7 as amended. CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: There are no changes in section 8.

MOTION: REP. CAMPBELL: Move to adopt section 8.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 9.

REP. NAITO: Add, "The state commission will appoint an advisory committee to report to the 1995 Legislative Assembly on what should be in the state office." -That might be something we might want to discuss later in conjunction

with--

CHAIRMAN MEEK: Section 11. -If there's concurrence to make some changes there, by adopting each

section like we're doing now, LC will have to go back and make some changes in what we've already done.

189 MOTION: REP. NAITO: Moves to adopt section 9.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 10 takes the section 1 policy language as a statement to work towards.

202 REP. ADAMS: It references section 37 (2).

CHAIRMAN MEEK: Reads section 37 (2).

212 REP. NAITO: If we change 37, that will also be incorporated.
-She will move to include the Department of Education. -That's part of
what she envisions the commission will look at.

219 MOTION: REP. MILNE: Moves to adopt section 10.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 11. -Rep. Shibley has some questions on this.

224 REP. NAITO: Will move to delete section 11.

CHAIRMAN MEEK: Let's wait until Rep. Shibley gets back. -Section 12.

REP. NAITO: Supports the concept of page 10, lines 4 and 5. -Shouldn't
we leave this up to the commission and give them the

flexibility to decide? 241 CHAIRMAN MEEK: There were concerns to
make sure there was some directive to counties to take a look at
their needs. -When they appoint their commissions, we want to make sure
they take a

look at their diverse populations and make sure some of their
appointments are people that have expertise in the developmental stages
of children prenatal through 18. -This came from notes to me and
testimony early in the process.

254 REP. NAITO: Since the intent of the local plan is to provide
service to that range of ages; therefore, we want the local commission,
as far as

possible, to reflect expertise in all of those age groups to provide a
good plan.

CHAIRMAN MEEK: This commission is an advocacy group.

265 REP. NAITO: Shouldn't we limit the appointments to one
reappointment? -Eight years would be quite a long time and you don't
run the risk of

getting someone entrenched.

280 REP. MILNE: Agrees.

REP. ADAMS: "A member is eligible for one reappointment."

CHAIRMAN MEEK: You'd probably have to put that as two complete terms.
-We'll get the language.

REP. NAITO: We can adopt it conceptually to limit it to two complete
terms.

CHAIRMAN MEEK: Would they be eligible for reappointment after a break?

REP. MILNE: Two consecutive terms.

REP. NAITO: That's fine.

302 ANNETTE PRICE: Page 9, lines 28 to 31.

CHAIRMAN MEEK: It should say, "a regional commission on children and families".

PRICE: Single.

CHAIRMAN MEEK: "A single regional commission on children and families", clarifies the direction.

320 REP. MILNE: Continue that same idea to define that local regional commission.

REP. ADAMS: In section 12, he has heard some concerns from the juvenile justices system. They'd like some input. -On page 9, line 29, after "counties" insert, "with input from the

juvenile justice system". -That's the idea he wants. -We could put that in without any harm and give them the voice they

want.

CHAIRMAN MEEK: Don't we have that in here?

344 REP. MILNE: Are yo talking about Juvenile Justice input in the appointments?

REP. ADAMS: In the appointment process, then he'll visit it again.

REP. NAITO: She'll go along with that. -Education is also a key part of this.

360 CHAIRMAN MEEK: Refers to page 10, lines 5 through 8.

REP. ADAMS: That's the membership. -He's trying to give them an important voice and have them be part of

the appointment process.

CHAIRMAN MEEK: The board of county commissioners make the appointments.

REP. ADAMS: Could live with the concurrence of--that doesn't work. -Would advice be closer?

CHAIRMAN MEEK: Everyone has an opportunity to submit their recommendations to the board.

386 REP. MILNE: Nothing in here says the board couldn't ask for their advice. -She is hesitant to add them and not others.

REP. ADAMS: Would like to direct them to seek out that advice.

397 CHAIRMAN MEEK: They are going to be in there. -Either the initial bill or amendments include education and the court

system. -They've got to seek that out. -He believes that's in the language.

406 REP. NAITO: We had this discussion in the CCT. -We know what we want to see there. -We want someone very familiar with that system on the local commission, but we run the risk of telling the local commission what to do. -The CCT felt we should leave it up to the local commission to decide

what's best for them to do.

CHAIRMAN MEEK: Reviews the changes in section 12. -On page 9, line 30, a single regional commission, if they join

together. -In line 31, delete "at least" and insert "a minimum of". -On page 10, in subsection (2) we've added two consecutive terms.

432 REP. MILNE: On page 9. line 31, change "local" to "regional".
MOTION: REP. MILNE: Moves to accept section 12.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

TAPE 78, SIDE A

011 CHAIRMAN MEEK: Section 13.

REP. ADAMS: Line 15, talks about who hires the staff director. -Line 19 talks about the staff director being supervised by the local

commission. -If the county commissioners hire that individual, that's who they will ultimately answer to. -He doesn't know how well supervision of the local commission works. -We have policy, guidelines, standards, etc. under the state commission, but they do not provide services. -The local commission has an individual hired by the county

commissioners and supervised by the local commission. -Supervision is a full time job by definition. -He doesn't know if a volunteer commission will be successful at

supervision.

050 REP. NAITO: Some non-profit boards have directors supervised by board members. -She sees his concern.

057 REP. ADAMS: Who hires the director in the non-profit organizations?

REP. NAITO: The board.

REP. ADAMS: The group that hired is the same one that supervises.

REP. NAITO: Why wouldn't the local commission hire the director? -Why wouldn't we want--

066 CHAIRMAN MEEK: They'll be employed by the county. -Having an outside organization hiring someone for the county wouldn't

be functional. -How do you divide up the pie? -The person who gets hired will be in a worse dilemma with this language than we will have adopting it. -The sentence on lines 20 and 21 is the principle. -That's very clear they have it and have to carry it out. -The commission does need to take some responsibility in supervising to make sure that gets done. -The director's job rests with the county and the board of commissioners. -There have been suggestions to reword it, but every time it's redrafted it opens it up again. -It's one of those that we'll get requests to change or resolve, but he doesn't have the answer today.

090 REP. ADAMS: It's appropriate that this person must be a county employee, because of the flow of federal funds. -If we remove the sentence on lines 18 through 20, "The staff director

shall be supervised....", we remove this dichotomy. -Does that put us in some jeopardy some other way?

105 CHAIRMAN MEEK: The county commission, with approval of the local commission, hires the staff; they appoint the members of the local

commission; they approve the plan. -They have tremendous oversight. -The local commission must make sure those policy directives are carried out.

112 REP. NAITO: Agrees that we could delete that sentence.

REP. MILNE: Maybe we could change "supervise" to something else to eliminate that concern.

123 REP. NAITO: Let's bring it up later.

CHAIRMAN MEEK: We'll come back to that. -Rep. Campbell will have some concerns. -He can live with or without it. -The initial focus on the CCT was that the commission should almost be

autonomous from the county. -That structure wasn't operable. -The county commission is too responsible for carrying out a lot of the policy functions of the federal mandate. -This language was meticulously crafted to meet that demand. -The county will hire, appoint the commission, approve the plan, have

the oversight to see that it's carried out; but the supervision rests with the local commission to meet the policy direction.

160 REP. ADAMS: At another meeting he espoused that the local commission get the funding directly, hire the people and do the supervision. -He has since found out, because of federal funding they cannot. -There is another very real question, it could be that CSD has as little as 10 percent of the total funds we might be concerned with. -You want any dollars spent at the county level -From an integration standpoint, you want the other functions that are

currently going on to work at the local level. -The most probable place for that to work is at the county commission

level.

193 REP. SHIBLEY: Is there a legal concern about liability or is it just two masters?

CHAIRMAN MEEK: Two masters. -There's consensus to remove it.

REP. SHIBLEY: What do counties want?

CHAIRMAN MEEK: Their option would be to remove line 19.

REP. SHIBLEY: That's fine; it has to work for the local folks. 207

REP. ADAMS: We should save it until later.

216 MOTION: REP. NAITO: On page 10, line 18, delete "The". Delete line 19 and on line 20 delete "and families".

REP. NAITO: Withdraws the motion.

CHAIRMAN MEEK: Section 14.

REP. NAITO: On page 10, line 23, can we delete "cultivate"?

REP. SHIBLEY: "Promote".

REP. MILNE: In line 22, delete "commission's" and insert "commission".

REP. ADAMS: In line 26, he likes "policy-making".

249 REP. SHIBLEY: The elected officials are the policy makers.

PRICE: That sentence may be too broad.

REP. SHIBLEY: We could say, "is a policy-making body". -The county commission is the elected body and the policy makers for

delivering human services.

REP. NAITO: "A policy making body".

270 REP. ADAMS: We could delete that sentence. -What does this do? -We have promote, develop and oversee the implementation.

REP. NAITO: We later specify some things we want them to specifically do.

REP. ADAMS: Delete the sentence.

276 REP. SHIBLEY: This is expressed the way it is, because there was concern there be some distinction between policy and management. -The commission sets policy and the staff manages.

287 CHAIRMAN MEEK: On page 10, line 24, after "oversee the" insert "policy".

REP. ADAMS: "To develop policy and oversee...."

CHAIRMAN MEEK: Then you could delete that line to clarify that.

REP. ADAMS: That's overly broad the way it's phrased.

REP. SHIBLEY: Does that say they don't develop the plan? CHAIRMAN MEEK:
Section 2 develops the plan; policy comes up later on. -We'll delete
the sentence on lines 18 through 20.

REP. SHIBLEY: On page 11, line 1, what's "quality assurance
mechanisms"? -We ought to be clear on what we want and what we say.

REP. NAITO: You want both performance and outcome measurements.

329 REP. SHIBLEY: We really ought to stress outcome measurements
rather than performance measurements.

REP. NAITO: When you're delivering a service--

REP. SHIBLEY: You set standards for delivering the services to achieve
the outcomes. -Those are different than measuring the performances.

REP. NAITO: Agrees.

CHAIRMAN MEEK: What if, on page 11, line 1, after "shall" delete the
rest of the line and in line 2 delete "vices" through "shall"?

REP. SHIBLEY: Thank you.

CHAIRMAN MEEK: In subsection (2) we asked the state commission to
develop measuring outcomes that local commissions have to meet.

REP. SHIBLEY: We need a comma after "benchmarks".

CHAIRMAN MEEK: Capital "B" on "benchmarks". -Subsection (3).

353 REP. NAITO: It's important we look at this section. -The CCT
didn't want to lock the local jurisdictions into any given
program. -On the other hand, we've identified some key strategies; one
is the

Healthy Start model. -Our intent is: While we don't intend to lock
something in forever,

this is something that should be a mandate in the first instance to get
going.

370 REP. SHIBLEY: Grant Higginson (CCT Member) had some strong
thoughts on Healthy Start and whether we ought to mandate this or leave
it up to the locals.

382 CHAIRMAN MEEK: This mandates the locals to develop a plan.

REP. SHIBLEY: And what the plan shall include.

REP. NAITO: Would like to rephrase this: "The plan shall ensure the
wellness of the child at the earliest possible point and services to

children who are newborn through 18 years of age and their families,
based on:" -That should be the overarching mission of the plan. -(b)
The plan shall include prenatal and post natal screening
assessment and referral for at-risk families, including home
visitations." -Crises nurseries are different than screening and
that should be
subsection (c).

407 CHAIRMAN MEEK: Of those you mentioned, what's not in subsection
(3)?

REP. NAITO: Is reordering the language, she's not asking for
substantive change. -The first part of plan should start with a range of
services (the most broad element).

426 CHAIRMAN MEEK: We need to have the language.

REP. NAITO: "(a) The plan shall ensure the wellness of the child at the
earliest possible point and provide services to children who are newborn
through 18 years of age and their families. -(b) The plan shall
include prenatal and post natal screening
assessment and referral to the appropriate services for at-risk children
and families, including home visitations. -(c) Provide crises
nurseries. -(A) Services shall--

CHAIRMAN MEEK: We have home visitation and crises nurseries.

TAPE 79, SIDE A

012 CHAIRMAN MEEK: Let LC figure out how to include those others.

REP. NAITO: Healthy Start, the crises nurseries and the whole range of
services in the plan should be based on all of these support areas and
based on outcomes, include all of the resources, etc.

018 REP. MILNE: Agrees; but rather than "newborn" it should be
"prenatal".

024 REP. NAITO: We had this concern in the CCT. It's how we phrase
it to include services to pregnant women, but specify newborn
through--we

don't want to get into the abortion issue.

REP. MILNE: If you're insuring the wellness of the child?

REP. NAITO: We provided for that in the CCT report.

030 CHAIRMAN MEEK: Has no problem with the rewrite. -Let's take care
of that when we break.

REP. ADAMS: Suggests, starting on line 5, "The plan shall insure the

wellness of the child at the earliest...based on: -(a) Children's support areas; -(b) Local needs and desired outcomes including prenatal and postnatal screening, assessment and referral to the appropriate services...."

REP. NAITO: Doesn't think that will work.

CHAIRMAN MEEK: We'll take care of that at the break, conceptually we're okay with that. -Subsection (4).

043 REP. NAITO: It seems grammatically strange. -On page 11, line 20 we say, "courts" do we mean judges. -We should include all the professionals that work in the courts.

CHAIRMAN MEEK: The intent was to allow the courts to send their own representation.

REP. NAITO: Wants to flag this.

CHAIRMAN MEEK: We could be more specific, "juvenile courts".

REP. NAITO: We include churches.

CHAIRMAN MEEK: It's making a reference back to "providers, educators, courts...", it just talks about (a) and then goes to (b), as far as how they conduct the development of the plan.

064 REP. ADAMS: In line 26, "issue an invitation".

CHAIRMAN MEEK: That should say, "public notice is adequate".

REP. NAITO: "Invite the community".

REP. SHIBLEY: "Encourage community participation".

CHAIRMAN MEEK: "Provide for community participation in the planning process, including media notification."

072 REP. SHIBLEY: Hears a lot about community involvement and public participation. -There's a key difference between community involvement and community

empowerment. -This Act is about empowering communities. -We need to encourage all segments of the community to participate in

the planning and delivery.

REP. ADAMS: Would you prefer, "encourage community participation"?

REP. SHIBLEY: Yes.

CHAIRMAN MEEK: "Provide for" means they have to accommodate them. -"Encourage", they're going to give notice and have a meeting.

REP. MILNE: "Provide for and encourage"?

REP. SHIBLEY: Just one is fine.

091 CHAIRMAN MEEK: Subsection (5). -Subsection (6).

092 REP. ADAMS: Page 12, line 3, delete "an opportunity".

101 CHAIRMAN MEEK: Okay. -Subsection (6). -Subsection (7).
-Subsection (8).

PRICE: In line 22 the reference to section 31 (2) should be 31 (1).

116 CHAIRMAN MEEK: Lines 19 to 27 are crucial.

122 REP. SHIBLEY: In line 19, she suggests, "Prior to the approval of the local plan".

CHAIRMAN MEEK: You're right.

REP. SHIBLEY: You have to develop a plan before you request service.

140 REP. NAITO: Suggests, "Before approval of the local plan, the local commission would request that a state service...." -She doesn't like the wording of the whole subsection.

149 CHAIRMAN MEEK: Instead of a local or regional commission going through the process of developing a plan, it allows them to inquire about some

of the intent of the state commission about some of those services that are currently under state supervision.

REP. NAITO: All it says is that they may request that it be transferred. -It doesn't say they will be transferred. -This is just a line of inquiry for the local folks?

CHAIRMAN MEEK: Yes.

157 REP. SHIBLEY: Is there anything about the state commission processing, approving and disallowing those requests?

CHAIRMAN MEEK: They have the final authority to approve or deny the plan.

REP. ADAMS: And to grant waivers.

REP. SHIBLEY: And negotiate federal waivers.

CHAIRMAN MEEK: Refers to page 6, lines 2 to 5.

177 REP. SHIBLEY: What's the state do with that request?

REP. NAITO: Does not understand what that whole sequence does. -She thinks it would be understood that they could about anything.

182 REP. ADAMS: Thinks this says that some counties are ready to go, but they do not have an adopted plan, because the state commission has not

completed it's outlines. But, if the county feels they are ready, they can request a state service listed in section 31 be granted to them. -This may be stated badly.

194 CHAIRMAN MEEK: This allows a county to sit down with the state commission, while they're developing their plan, and seek some advice. -If the county then decides they don't want to take on that service,

they don't have to put it into their plan.

203 REP. SHIBLEY: There are two sides to this; what happens at the state level and what happens at the county level? -They have to meet in the middle. -We're addressing what goes on at the local level pretty well. -What is and is not stated for clarity's sake and accountability's sake at the state level? -A county requests that funding for a service be transferred to the

county. What does the state commission do? -It says they determine, but it doesn't say, "upon approval the

commission shall do this and that."

216 CHAIRMAN MEEK: Another section deals with the state commission signing off on the local commission's plan and transferring those services to

the local commission.

REP. SHIBLEY: And it's interfaced with the current state providers.

CHAIRMAN MEEK: Lines 19 to 24 are not essential.

223 REP. NAITO: They raise some questions. -It's the role of the state commission to provide technical assistance

and tell the counties what they can and can't do. -She reads this as a way for the local commissions to unilaterally

decide, by making a request for the funding and giving no ability for the state commission to know what's going on.

CHAIRMAN MEEK: Is the language in or out?

REP. SHIBLEY: Doesn't mind leaving it in, we need to insure the state's role.

REP. NAITO: Does not like the first sentence. -We may want it to say, "The state commission may not transfer state

services without prior approval". -Do we want to say that? There may be some services we want them to do.

244 REP. ADAMS: Some counties and commissions may be ready to take on certain activities, others may not be ready to take them on and at some point we may have to say they have to take them, even if they aren't

ready. REP. NAITO: It may not be economically feasible for the state to

maintain that 25 percent.

REP. ADAMS: This is early on how to get approval; later on, how do you avoid it?

259 CHAIRMAN MEEK: There are two steps: -1. The local or regional commission has to seek approval from the

board of county commissioners to go to the state commission to deal with those services that are currently under the state. -2. They can then work out with the state commission those services or

portions thereof, plus their funding that will be in the plan. -Even then, the county commission has to agree to accept the plan. -He agrees with Rep. Shibley, that nothing prevents that initial

discussion from taking place. -This was to primarily deal with the funding, and from the county's

perspective, wanting to put something in the plan that the money's not

going to be there. -There are other safeguards in the legislation. -We could just leave the sentence on lines 24 through 27, "Under no

circumstances may...."

REP. NAITO: That's fine.

MOTION: REP. NAITO: On page 12, delete lines 19 through 24, through "local plan."

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

MOTION: REP. SHIBLEY: Moves to rewrite the remaining sentence on page 12, lines 24 through 27, "The State Commission on Children

and Families shall not transfer a state service, or funding of a

state service to a local commission without approval of its board or boards of county commissioners."

CHAIRMAN MEEK: That says the same thing.

303 REP. ADAMS: Do we need the references to section 31 that were just deleted?

CHAIRMAN MEEK: They'll come up later.

310 REP. SHIBLEY: Capitalize the "f" in "families", in line 25.

CHAIRMAN MEEK: Subsection (9). -He goes over the changes in section 14.

379 MOTION: REP. MILNE: Moves to conceptually approve section 14.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Recesses at 5:04 p.m. -He calls the committee back to order at 6:09 p.m.

REP. ADAMS: Did Rep. Naito get her language?

REP. NAITO: Is still working on it.

410 CHAIRMAN MEEK: Section 15.

PRICE: On page 13, line 6, delete "services" and insert "sources".

REP. NAITO: In lines 12 through 15, what does measuring of maintenance of effort mean? -Are we creating a bureaucracy to figure this out?

TAPE 78, SIDE B

007 CHAIRMAN MEEK: We didn't believe we were. -As the local commission comes in with their plan and the state

commission realizes they haven't put in as much money as they did the last time, and they can demonstrate that.

011 MOTION: REP. CAMPBELL: Moves acceptance of section 15.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 16.

MOTION: REP. CAMPBELL: Moves acceptance of section 16.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 17.

MOTION: REP. CAMPBELL: On page 13, line 25, substitute "90" for "45". -He wants to give the Governor adequate time for making the appointments.

027 MOTION: REP. CAMPBELL: Moves to accept section 17 as amended.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 18.

034 REP. ADAMS: We had a discussion about what the state commission would transfer.

041 REP. NAITO: We should adopt section 18 and move it into section 5, where we say what the state commission will do. -Page 14, lines 5 and 6, would be an ongoing planning process of what

should be at the state and local levels.

CHAIRMAN MEEK: Move section 18 to section 5?

REP. NAITO: It seems to relate to the functions of the state

commission. -You would logically find it when you're looking at the other functions.

REP. ADAMS: We could drop this whole piece in there.

059 CHAIRMAN MEEK: Conceptually approve section 18 and move it into section 5 (3).

REP. NAITO: Page 14, lines 5 and 6, should read, "Service areas identified to stay at the state level and services to move to the local level."

CHAIRMAN MEEK: That's the intent.

067 REP. SHIBLEY: Has no problem with moving it. -She suggests, on page 14, line 2, "Feedback on successes or problems of services transferred to local commissions."

078 CHAIRMAN MEEK: Feedback on service areas--we'd need to include the state and the local. -It's not limited to just the local. -We could incorporate your language, but he suggests including the state.

REP. SHIBLEY: Add a new (3), "Feedback on successes or failures" or "successes or problems of services provided by the state." -Is that it?

CHAIRMAN MEEK: "Feedback on successes or failures of service areas at the state and local level."

REP. NAITO: "Feedback on successes, failures and concerns". -There may be some things we can't categorize as--

REP. SHIBLEY: As failures. -"Problems" or "concerns" is fine. -Are you requiring them to report back on every service for children and families that's provided in whole or in part by the state?

096 CHAIRMAN MEEK: They will determine what services. -He assumes they'll report back as a commission. -They will probably set up an evaluation process to hit them all, but

they won't hit them all every two years. -This is preemptive language to get them to look at services that are

out there and give feedback. -They could do two or three this interim and another two or three the

next interim. -This isn't a directive.

REP. SHIBLEY: The language doesn't say that.

CHAIRMAN MEEK: It doesn't.

108 REP. SHIBLEY: Disagrees that the language says, feedback on success and concerns of services provided by the state and locals. -On page 14, line 5, delete "areas identified by the state commission"

and insert "recommended". -Finish the sentence so that it includes transferring services to the

local commission.

REP. ADAMS: That's in subsection (3).

REP. SHIBLEY: That's right. -"Services recommended to be transferred to the local level and services recommended to stay at the state level."

REP. CAMPBELL: It isn't a case or recommendation. -It's a case of state commission action. -They'll identify what will move. They're not recommending. -That's one of the powers we've given them.

126 REP. NAITO: What happens if something is moved to the local level and it's not working and needs to be moved back to the state?

132 REP. CAMPBELL: We've identified that the commission will determine what's provided at the state level and what will be provided at the

local level. -If it doesn't work at the local level, the commission has the authority to put it at the state level. -If it doesn't work at the state level, they have the authority to move it to the local level.

REP. SHIBLEY: What if the commission doesn't move it; what will happen? -We're not giving the legislature a role in the check and balance.

143 REP. CAMPBELL: The legislature always has a role. -The legislature is giving the commission a substantial amount of authority, which is what the CCT recommended.

149 CHAIRMAN MEEK: This tells the state commission to report to the interim committee. -They're to get a status report from the counties. -They're to provide feedback on what's working and what's not working

(We'll clean that up). -They're to identify services areas for transfer to the local level and for service areas to stay at the state level. -If you transfer the funding that service is already transferred. -We can add, "Service areas identified by the state commission to stay

at the state level and service areas moved to the local level". -There's a pattern to report back on the services that are moved and the services that are staying at the state level. -If the moved service isn't working, they'll have to come back and make changes. -Rep. Shibley, do you have the wording to subsection (2)?

174 REP. ADAMS: "Feedback on service areas which were successful, unsuccessful or too early to tell".

179 CHAIRMAN MEEK: Couldn't we use progress report language on those areas? -"A status report from all counties and a progress report of the service areas."

REP. ADAMS: "A progress report by service area."

CHAIRMAN MEEK: "A progress report by service areas." -We'll play with that. -In lines 3 and 4, the idea wasn't to recommend; they'll recommend

what needs legislative changes. -This language has to do with working with interim committees and a

progress report on what the commission has identified to move and what

they've identified to stay with the state. -There's language later on that identifies the items to be moved. -This deals with the progress report they have to make on those items

that were moved.

201 MOTION REP. SHIBLEY: On page 14, lines 3 and 5, delete "areas" and "by the state commission".

CHAIRMAN MEEK: We'll have, "Services identified for funding transferred--

REP. SHIBLEY: "Services identified for funding at the local level." -"Services identified to stay at the state level."

REP. CAMPBELL: "For funding and transfer to the local level"?

220 REP. SHIBLEY: Okay.

CHAIRMAN MEEK: "Services identified to stay at the state level".

REP. SHIBLEY: "(3) Services identified for funding at and transferred to the local level."

CHAIRMAN MEEK: Yes.

REP. NAITO: "Identified to be funded and transferred".

REP. SHIBLEY: That's what we're saying. -"For funding at and transferred to...."

239 CHAIRMAN MEEK: We'll have conceptual approval for the language and move it to section 5 and delete section 18.

REP. SHIBLEY: Moves to adopt the conceptual amendments to section 18 and insert it into section 5 and to delete section 18.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

250 REP. SHIBLEY: Flag page 13, line 24 to come back to.

CHAIRMAN MEEK: Okay. -Section 19.

263 REP. NAITO: On page 14, line 8, what do we mean by "organized". -Does that mean, and have met once?

CHAIRMAN MEEK: That means an organizational meeting, just like we do.

REP. CAMPBELL: They'll have selected their chair.

REP. NAITO: Why not say, "Shall be appointed and have held an organizational meeting."

280 CHAIRMAN MEEK: That will do it. -Subsection (2).

REP. ADAMS: In lines 9 through 12, it seems it would be difficult to get an alternative structure by November 1, 1993.

297 REP. CAMPBELL: The 90 days is for appointing the state commission.

REP. ADAMS: And the local commissions as well?

REP. CAMPBELL: No.

305 REP. NAITO: What happens if the state commission denies a plan?

CHAIRMAN MEEK: They're required to help formulate the plan. -They'll state their reasons for denial. -Part of that is their rule making authority.

317 REP. SHIBLEY: Suggests, on page 14, line 10, after the "comma" delete the rest of the line and delete lines 11 and 12 and insert "the board or boards of county commissioners must propose the alternative structure to the state commission by..." whatever date. -It must be clear who proposes it. -If there's no local commission, who submits what to the state

commission?

CHAIRMAN MEEK: Good. -What about the dates?

338 REP. SHIBLEY: Is it our intent to dissolve the current commissions and form new commissions, which may have some of the same members on it? -Is this date achievable?

359 REP. CAMPBELL: The local commission will be new. -The present commissions will be dissolved. -It would be up to the county commissioners to develop the structure,

which could be the present commission. 373 REP. SHIBLEY: Is trying to understand how this will work. -If a county plans on appointing a local commission they have until

January 1, 1994. -If they want to do something different, they have to figure out what

they want, who will be participating and propose that to the state commission by November.

CHAIRMAN MEEK: Four months.

REP. SHIBLEY: Which is two months earlier than what they'd have if they appointed a local commission. -What we're saying is, while the state commission is being organized the local commissions are also being organized.

401 REP. CAMPBELL: The state commission has no responsibility for appointing the local commission. -The local commissions have an independent responsibility to develop

their plan. -It's natural the two could be established at the same time.

REP. SHIBLEY: The state commission is charged with providing the rules and parameters for the specifics of the plan as well as the services the local commission will provide or oversee. -The local commissions will be looking to the state commission for answers.

422 CHAIRMAN MEEK: Are these reasonable time lines?

437 REP. CAMPBELL: Two members of the state commission will be from the local commission. -If the local commissions haven't been appointed, there's no way to get those two members.

450 REP. SHIBLEY: That's a problem with the section. -There was discussion about getting the state commission up and running in 90 days, and another 90 days for the local commission to get up, and another 90 days to have some semblance of a plan. -The Speaker makes a good point in terms of the state commission being

able to function. -She doesn't have an answer for a specific date, but thinks we're

setting ourselves up.

TAPE 79, SIDE B

016 CHAIRMAN MEEK: We could move January 1 another 30 or 60 days and shift those other dates.

REP. ADAMS: We would have 11 members of the state commission, we'd only be missing the two local commission members. -We're currently set up for 90 days after passage, which may be around

October 1. -In another three months the local commissions would have to be

appointed. -We could give the alternative or exception process another 60 days. It wouldn't do any harm. -That would change November 1 in lines 11 and 12 to March 1, 1994. -Approval would be a month after that.

CHAIRMAN MEEK: February would give them 60 days. 037 REP. ADAMS: With approval, March 1, 1994.

CHAIRMAN MEEK: Anyone have a problem with a February date on the alternative submission?

REP. CAMPBELL: Why are we suggesting there be an alternative method?

REP. SHIBLEY: That was in the report.

REP. CAMPBELL: Are we talking about putting several counties together?

REP. SHIBLEY: It's a variation of that.

REP. ADAMS: HB 2004-13 described a Deschutes County plan.

049 CHAIRMAN MEEK: It's just tweaking it from what the statute is. -On page 14, line 8, "organizational meeting" has been added. -Line 10, add, "board or boards of county commissioners". -Line 11, change, "November" to "February". -Line 12, change, "1993" to "1994" and change, "December 1, 1993" to

"March 1, 1994".

062 REP. MILNE: Assumes there were real reasons for the dates that were set. -The farther into a new year, there's more time to get things going. -In the big picture it may be more important to allow for additional

time.

073 MOTION: REP. SHIBLEY: Moves to conceptually adopt section 19 as amended.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 20.

080 MOTION: REP. NAITO: Moves to adopt section 20.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 21.

REP. NAITO: Could someone explain this?

CHAIRMAN MEEK: It's amending 326.051 and deleting 417.300 and 417.305 -What are the deleted ORS?

PRICE: ORS 326.051 is Education.

REP. NAITO: What's 417.300 and 417.305?

101 CHAIRMAN MEEK: That's the Oregon Coordinating Council. -Sections 20, 21, 22 and 23 have the same language.

REP. SHIBLEY: Moves to adopt sections 20, 21, 22 and 23.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 24.

117 REP. SHIBLEY: Moves to adopt section 24

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 25.

121 REP. CAMPBELL: This looks like all of the local plan and services will be provided by the branch office of CSD. -He doesn't think that's our plan at all. -Those services would be provided by the Youth Development Commissions

where they exist, until the commissions take over that responsibility.

REP. NAITO: That language suggests that anything could conceivably fall into this.

CHAIRMAN MEEK: That was not the intent.

132 REP. SHIBLEY: Suggests, "Until the local plan is approved, current services shall continue to be provided by present providers."
-To continue whatever is happening so services are not disrupted and then things can change upon approval of the local plan.

CHAIRMAN MEEK: Is not sure that section is needed.

140 REP. NAITO: Didn't we have language not to interrupt current services?

149 CHAIRMAN MEEK: We've discussed those services currently being provided at the local level continue until the local plans are adopted and those services have been identified to be carried out by the commission

159 MOTION: REP. NAITO: Moves to delete section 25.

CHAIRMAN MEEK: That's fine by me.

REP. CAMPBELL: In section 24, we delete OCCYSC and create the State Commission on Children and Families. -There was a suggestion to move the staff of OCCYSC to the State

Commission on Children and Families to continue the programs at the local level. -It's puts the staff in line and give us the opportunity to move the

dollars to state commission. -The existing Youth Services Commissions or Youth Development

Commissions would continue to operate until the local commissions take over.

179 REP. NAITO: That makes sense. -We may need to adopt that conceptually.

CHAIRMAN MEEK: This needs to be rewritten.

REP. NAITO: They may need to redo some of those sections we've already adopted.

REP. CAMPBELL: Certainly section 24, there has to be a transition.

CHAIRMAN MEEK: We'll make a note of that. -Sections 26 & 27 delete the coordinating council.

199 REP. SHIBLEY: Section 26 talks about alcohol and drug (A&D) programs. -Is it our intent to require the report from A&D for all A&D programs

and also require a different, but overlapping report from the state commission?

215 CHAIRMAN MEEK: In subsection (2)(a), we could also require they file the report to the State Commission on Children and Families.

REP. SHIBLEY: The state commission might be the body to take a chapter out of all of these other reports as they relate to children and families. -The report from the state commission will be taken from all of these

other reports. -How many reports do we require that touch on issues of children and

families?

251 CHAIRMAN MEEK: We either change (2)(a) to include the state commission or have them report to the state commission.

REP. ADAMS: There's an alternative. -Couldn't we create a single sentence in the section where we talk about status, feedback, services identified, etc., that every agency tell us

how many reports they're giving us every biennia and whether these reports are appropriate or useful in their minds?

270 CHAIRMAN MEEK: We need to move on.

REP. CAMPBELL: What's 26 require?

CHAIRMAN MEEK: It deletes the reference to the coordinating council. -Rep. Shibley's questions was on the report they are required to file to the Legislative Assembly. -Will the state commission do the same thing?

286 REP. CAMPBELL: The state commission will report to the interim committee.

REP. SHIBLEY: Raised it as a philosophical point.

296 MOTION: REP. CAMPBELL: Moves to adopt section 26.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 27.

MOTION: REP. MILNE: Moves to adopt section 27

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 29.

312 REP. CAMPBELL: On page 20, line 17, after "be" delete the rest of the line and delete line 18 and insert "subject to section 31 (2) of this

Act."

323 REP. SHIBLEY: Are there children served by mental health programs that aren't suitable or ready for transfer to the local level?

REP. CAMPBELL: There are; the state commission needs to make that determination.

338 CHAIRMAN MEEK: We've been talking about moving the interagency agreement process under section 5. -The mental health stuff will fall in that area while they go through

the process of identifying those services which remain at the state level through interagency agreements with the DHR.

347 REP. NAITO: Which section is that in?

CHAIRMAN MEEK: That's coming up.

354 REP. NAITO: Thinks she'd support that. -It's unclear what programs have the primary focus on children. -What if the primary patient might be a parent who has children? -She agrees with the intent of what we're trying to accomplish, but

wants to make sure it's workable.

364 REP. SHIBLEY: Was Rep. Campbell's motion that they be subject to 31 (2) or 32 (1)?

REP. CAMPBELL: 31 (2).

CHAIRMAN MEEK: We might have some clarifying language on that.

379 REP. SHIBLEY: Has concerns about sections 29, 30 and 31. -She doesn't know how much she can or can't support.

393 CHAIRMAN MEEK: They'll all start interrelating. -We'll flag this and include it in the overall conversation. -Section 30 deletes the coordinating council. -On page 21, line 24, after "be" delete "pro-" and delete line 25 and

insert, "subject to section 31 (2) of this Act."

411 REP. CAMPBELL: We've had discussions on the effective date of establishing the state office. -It's one thing when we say the department will transfer

responsibilities to the state commission. -It's another when we transfer responsibilities to the state office.

434 CHAIRMAN MEEK: We're coming to that. -In section 5 we say the state commission, "shall provide no direct

services". -Page 22, line 12, should read, "shall transfer policy oversight

responsibilities", because they can't operate.

TAPE 80, SIDE A

018 REP. SHIBLEY: The rest of page 22, line 12, talks about the state office, which has operating responsibility.

CHAIRMAN MEEK: Was on the wrong line. Line 17, should have the above change of language.

026 MOTION: REP. NAITO: On page 22, line 11, change the effective date to "July 1, 1995" and delete subsection (3).

REP. NAITO: Would like a section that provides the state commission to report to the next Legislative Assembly on what should or should not be in the state office. -The state office should be formed July 1, 1995, with what we identify to give them a base to go from. -She never envisioned the state commission set the policy over the state office. -The CCT report makes the state office a separate entity.

044 CHAIRMAN MEEK: A lot of discussion in the CCT emphasized that those programs, other than child protective services, had to have some sort of oversight by the state commission to make sure integration takes place. -It doesn't matter who was operating the programs, but there has to be

some oversight. -That's why subsection (3) is in there.

059 REP. NAITO: Agrees with the intent to integrate the services provided by the state office. -We could provide those services must be integrated without setting the policy oversight in the state commission. -We should leave it up to the commission to recommend. -Some of these things--like foster care--may not be appropriate in the state office.

067 CHAIRMAN MEEK: Change subsection (1) to read, "Effective July 1, 1995, the Department of Human Resources shall transfer operating

responsibilities for those services recommended and approved by the Legislative Assembly by the State Commission on Children and Families." -Is that the intent you're getting at? -The state commission will review these services. -The Legislative Assembly will have to change the appropriate statutes. -The date would have to be January 1, 1995, because you'd have to get

the legislation through.

REP. CAMPBELL: July 1 is correct, because the legislation would be through by that point.

082 CHAIRMAN MEEK: You're right. -"Those changes recommended by the state commission and approved by the Legislative Assembly, would be moved from DHR to the State Offices for

Services to Children and Families."

REP. NAITO: Is comfortable with that. -She's also comfortable with

changing the date and giving some direction to what we envision would be in the state office. -That would be subject to the state commission having their input during the interim. -At least this gives direction and guidance as to what we now--

089 CHAIRMAN MEEK: Wants to make sure we're clear. -We'd then outline those services to be reviewed by the state commission for that--the services listed here.

REP. NAITO: Yes.

CHAIRMAN MEEK: It would call for a review and would postpone the action for one more year than what is listed in this draft.

099 REP. CAMPBELL: Supports that concept, if during that period CSD was required to take child protective services and delineate it from the

other services they provide. -This might work better, because it would give the commission the

opportunity to work on some other things and then the state office would be prepared to take this on when they came into effect. -It would also give us the opportunity to have existing agencies of

state government continue to work with their polices and provide for an easier transition.

109 CHAIRMAN MEEK: If we're going to conceptually approve that direction, we need to use this as an outline as we go through some of the other

sections. -Do any of you have problems with that concept of changing the date and having the state commission review these programs during the interim and making a recommendation to the Legislative Assembly by January 1, 199 5?

126 REP. CAMPBELL: What Rep. Naito said makes more sense. -Leave these identified here; they transfer in 1995. -The legislature doesn't have to take action to make that happen. -The legislature can take action on additional recommendations made by

the commission during the interim. -We're just talking about delaying, by one year, what we planned to do. -This gives us the additional time to make adjustments and transitions.

135 REP. NAITO: Let's leave this in and move the date up. -If something comes up there's the opportunity to adjust it. -At that time the commissions will be operating and possibly able to do some of those other things.

143 CHAIRMAN MEEK: Does anyone object to changing the date?

148 REP. CAMPBELL: Paragraph 2 should stay the way it is. -The only change is the effective date.

153 CHAIRMAN MEEK: We have to clean up line 17.

REP. CAMPBELL: Doesn't think so.

CHAIRMAN MEEK: Will check on that.

REP. NAITO: There's still a motion to delete subsection 3.

CHAIRMAN MEEK: Subsection 3, deals with those services that are provided to children and how they're going to sit under the oversight of the state commission.

168 REP. SHIBLEY: Is subsection (3) also effective on July 1, 1995?

CHAIRMAN MEEK: We need to put the same date in there.

REP. SHIBLEY: Would that help if we put in that date?

174 REP. NAITO: Could live with it, but if the intent is to start integrating those services prior to moving to a state office, it may be better to have some language for mandating interagency agreements. -We care about the client receiving integrated services. -Rather than delay that piece until July 1, 1995, we should substitute

language requiring interagency agreements, so that the services can be integrated.

187 CHAIRMAN MEEK: It's important that if we put a date there, it would have to be different than July 1, 1995. -We want the state commission to start working on integration through

those intergovernmental agreements. -That would require them to be able to set goals, policy and standards

for these services dealing with youth and children.

201 REP. NAITO: Thinks subsection (3) is only talking about those programs in the state office. -There's the implication that these programs will be transferred to the local commissions. -Those are things that we've identified might possibly be kept at the

state level. -She doesn't think that inference is correct, nor does she think the

state commission should have oversight on the policy and standards if

they are a function of the state office. -She doesn't think that section adds anything. -If the intent is to get at interagency agreements we should state that the state commission or these other programs that are providing these

services must work together. -Perhaps this can be dealt with in the section on interagency

agreements.

217 CHAIRMAN MEEK: If we don't have the state commission dealing with some of the policies and standards for these services--these are so paramount to the service to children and families, we want state commission

oversight.

224 REP. ADAMS: If on page 22, line 22, after "other programs" insert "to be". -In line 23, "until" could be the year 2008.

REP. SHIBLEY: Just delete "until the responsibility".

REP. NAITO: That's up to commission to recommend.

REP. ADAMS: Could live with that.

231 CHAIRMAN MEEK: In line 22, insert a period after close custody?

REP. ADAMS: In line 22, after the second "program" insert "to be" and in line 23, insert a "period" after "Families" and delete the rest of the subsection.

260 CHAIRMAN MEEK: Has no problem with that. -They have to make that determination anyway.

REP. ADAMS: That's a supposition that we've said we're not comfortable with.

CHAIRMAN MEEK: Section 35 deals with interagency agreements. -It's been recommended this section be moved to section 5, where we

initiate the state commission and give it it's directive and authority. -Part of the state commission's authority needs to be to reach interagency agreements with DHR and other agencies dealing with services to children and families.

REP. NAITO: It'll have to be the state commission and the state office no later than January 1, 1995.

280 REP. CAMPBELL: Suggest we separate those two and have the state office at the later date and the state commission at the earlier date. -We need to rewrite section 35 to separate the state commission and state office.

288 REP. NAITO: In light of the interagency agreements subsection (3) is still not necessary. -She will oppose that.

295 CHAIRMAN MEEK: We need clarifying language on how LC is interpreting "operating". -Turn back to sections 29 and 30.

306 MOTION: REP. SHIBLEY: Moves to delete sections 29 and 30.
REP. SHIBLEY: The Mental Health and Health Divisions provide an entire array of services. -Their funding streams, especially at the federal level, aren't

distinguished between services for kids and services for someone else. -The statistics and epidemics they track are not separated by age group. -We're getting into a huge morass with both of them.

326 REP. CAMPBELL: The purpose of 29 and 30 is to eliminate the effects of the coordinating council. -We have a drafting problem of the wrong thing being accomplished. -He doesn't think this is what is intended at all.

REP. NAITO: This transfers all mental health programs.

REP. CAMPBELL: That was not the intent.

REP. NAITO: We want many of them transferred to the commission, but some logical thought process has to go into the planning.

REP. CAMPBELL: The purpose of sections 29 and 30 was to move the responsibilities of the coordinating council.

348 CHAIRMAN MEEK: We still need to make reference to the coordinating council. -Eliminating the new language in sections 29 and 30 may take care of the problem.

354 REP. CAMPBELL: Let's have staff sit down with LC and identify what really needs to be done.

CHAIRMAN MEEK: Would there be any intent to have the state commission look at these during the interim?

368 REP. SHIBLEY: The state commission should provide a through analysis of services that are provided through or by the state for children and

families. -These areas are appropriate for them to look at.

CHAIRMAN MEEK: We could incorporate that language and identify that to report back during the interim.

379 REP. NAITO: We intend these services now provided by Mental Health and Health are not necessarily transferred to the commission, but the

commission will have authority to enter into interagency agreements in these areas?

393 CHAIRMAN MEEK: We'll give them a directive to look into the Mental Health and Health divisions, they may need some of the oversight the

coordinating council had. -The programs operated under these two divisions will still be operated by these divisions and the state commission will take a look at those

and report back on their recommendations.

407 REP. NAITO: On January 1, 1994, the commission will have responsibility for these? -Aren't these separate from DHR? -Effective on that date, the commission will have authority over those

programs.

417 REP. CAMPBELL: Remember our long-term objective: -A single point of access. -Elimination of fragmentation and duplication at the local level. -It's appropriate that when they can be assumed at the local level, they will be. -This doesn't force that.

430 CHAIRMAN MEEK: It eliminates the reference to section 31 (2). -Eliminate the new language in sections 29 and 30. -We're directing staff to sit down with LC. -LC will need a directive from this committee. -When ORS 417 is eliminated, there will be some impact.

444 REP. NAITO: LC was trying to insure that we don't impact programs that don't have as their primary focus services to children and families.

TAPE 81, SIDE A

012 CHAIRMAN MEEK: We need to eliminate that new language. -There is still preemptive language in section 31 dealing with services to children and families. -We will still have to deal with the interagency agreements between the Mental Health and Health divisions in carrying out those functions with the state commission.

REP. NAITO: Prior to January 1, 1994.

CHAIRMAN MEEK: Yes; that needs to be added in either section 31 to refer back to sections 29 and 30 or added into sections 29 and 30.

027 REP. CAMPBELL: Could we ask LC what was intended for sections 29 and 30?

035 CHAIRMAN MEEK: Section 32.

REP. NAITO: Even though we give them authority January 1, 1995, they can still determine when they can assume responsibility for that. -What does, "able to handle," in line 30, mean?

CHAIRMAN MEEK: They have their plans in and approved.

REP. NAITO: We ought to say that. -Some local commissions have an approved plan and request, or whatever.

048 ANNETTE PRICE: Page 22, line 30, "the state commission" should read, "local commission".

CHAIRMAN MEEK: In line 30, after "commissions" insert "following plan approval".

055 REP. NAITO: Would prefer, "if the local commission has an approved plan and requests a transfer".

REP. CAMPBELL: Add, "and the commission deems appropriate".

064 CHAIRMAN MEEK: We can delete, "and other commissions are not".

REP. NAITO: Right.

CHAIRMAN MEEK: "Local commissions with approved plans that request transfer, the state commission shall determine whether responsibility can be transferred."

REP. NAITO: That makes sense. -The commission, or whoever has responsibility for service--if some

counties are ready and take a piece, the state commission has to insure a viable service is being provided statewide. -They have to be concerned with the 25 percent that's left and whether

they can do that.

074 CHAIRMAN MEEK: Reads the new language. -They still have to have that approval and determine the county is able to take it over.

080 REP. ADAMS: This was written to preface the last two lines, page 23, lines 1 through 3. -We stated earlier, no programs could be transferred prior to the local commissioners and the local commission requesting same. -This is awkward and is working up to the last two lines.

REP. NAITO: Subsection (2) of section 32 is part of the on-going responsibility.

098 REP. ADAMS: Does this say anything we haven't said before?

CHAIRMAN MEEK: It spells it out a lot more clearly.

REP. CAMPBELL: There's nothing wrong with this.

CHAIRMAN MEEK: It will get incorporated after the conceptual agreement. -LC is looking to making sure it is clear as far as the directive is concerned.

113 REP. CAMPBELL: Did we move section 31? -What's the disagreement?

CHAIRMAN MEEK: On page 22, line 18, after "families" delete the rest of the line?

REP. NAITO: No.

CHAIRMAN MEEK: Our concerns differ on whether or not the state commission should have any oversight function on these services?

REP. NAITO: The state office should be responsible for the standards and oversight. CHAIRMAN MEEK: Foster care, residential care aren't child protective

services.

REP. NAITO: Those may be things that could be provided at the local

level and they may eventually fall under the commission. -As long as they are in the state office, the state commission shouldn't have oversight. -The state commission and state office should work together.

140 CHAIRMAN MEEK: What if in subsection (1), we eliminate foster care, residential care, etc. and have those identified for the state

commission to review and transfer to the state office, if they see it's necessary.

REP. NAITO: Foster care and which ones?

CHAIRMAN MEEK: On page 22, lines 13 and 14, delete foster care through close custody. -Then identify those programs that the state commission can review and

transfer to the state office if they see fit.

153 REP. NAITO: Someone will have to look at this anyway. -It's best to leave it in and next session if the commission sees they

can handle foster care they can make their case.

161 CHAIRMAN MEEK: Those services will continue to remain under DHR for the next two years. -If we don't include them under the state commission they will operate

without any oversight by the state commission.

168 REP. NAITO: Anything CSD does that does not involve those, maybe it involves all of those?

CHAIRMAN MEEK: It does. -We accomplish very little if we don't include state commission

oversight for those programs.

177 REP. NAITO: We could go through the reasoning for that. -We could go back to the philosophy of what the state commission's

intent is. -She sees it providing preventive services, to move into a whole new

model and not even get bogged down with these things in the next two years. -Let it work.

180 REP. ADAMS: If we change the date to July 1, 1995, they won't get bogged down. -The commission would report during the interim and next session whether or not this should occur. -Changing the date buys us that time. -He could agree with subsection (1), as it stands. -Subsection (2) excuses those listed in (1). -We restated subsection (3) and reset the goals, policies and standards we want the commission to think about. -It seems that section 31, with those changes is pretty precise.

209 REP. CAMPBELL: Agrees. -On page 22, line 18, delete "other than...this section". -That gives the commission the responsibility to

draw on those that can be handled by the commission. -What's left in 1995 can automatically be put into the state office.

216 CHAIRMAN MEEK: Is willing to look at turning over those responsibilities to the state office, but wants the state commission to give a thorough examination of the goals, policies and standards

currently operating under CSD before they turn them over. -He feels the CCT spent the most time dealing with CSD. -If we delete the language in line 18, we could delete subsection (3).

234 REP. NAITO: Would rather change the date to 1995 and will go along with "to be assigned".

239 REP. CAMPBELL: Go back to the original language in section 31, but change the date to 1995.

CHAIRMAN MEEK: And delete lines 24 and 25.

248 REP. SHIBLEY: In line 22, after "programs" substitute "when" for "to be".

256 MOTION: REP. NAITO: Moves to adopt section 31 as amended.

REP. SHIBLEY: Sections 29 and 30?

CHAIRMAN MEEK: We eliminated the new language and we directed staff to work with LC on the impact of the deletions of section 417 and what language is needed to tie the state commission with interagency agreements with the Mental Health and Health divisions.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

274 MOTION: REP. SHIBLEY: Moves to delete the bold language in sections 29 and 30 and direct staff to work with Legislative

Counsel to insure that any necessary required language be inserted to clarify the references to the Coordinating Council be replaced with the State Commission on Children and Families.

289 CHAIRMAN MEEK: Hearing no objection the motion is adopted.

290 CHAIRMAN MEEK: Turn back to section 11, page 9. -We need to add a date to coordinate with section 31.

REP. ADAMS: In line 13, after "(1)" insert "Effective July 1, 1995".

MOTION: REP. SHIBLEY: Moves on page 9, line 13, after "(1)" insert "Effective July 1, 1995".

REP. NAITO: Concurs.

MOTION: REP. ADAMS: Moves to adopt section 11 as amended. CHAIRMAN MEEK: Hearing no objection the motion is adopted.

320 REP. NAITO: Wants to insure the commission clearly take a look at sections 11 and 31 at what should be in the state office and recommend

any changes. -We might not need to specify that.

CHAIRMAN MEEK: That needs to go in section 5.

REP. NAITO: It may be covered already.

330 CHAIRMAN MEEK: Would be more comfortable if we had specific language.

REP. NAITO: In the process of getting organized and confirming plans we don't want them to lose sight of what should be provided at the state level in the state office and what can be provided at the local level.

CHAIRMAN MEEK: Language dealing with those services and their recommendation and any oversight responsibility they should maintain and otherwise move them. -We'll get that. -He reads the amended section 32.

368 REP. SHIBLEY: Asks for clarification.

CHAIRMAN MEEK: Responds.

381 MOTION: REP. MILNE: Moves to conceptually adopt section 32.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

388 REP. ADAMS: Has a concern about those counties ready to move and those counties not ready to move and state agencies having some responsibility for things. -At some point in time someone will have to answer the question that we left out of section 32 (1): -Services can be transferred to some counties and not to others and

whether or not all transfers have to be completed on some given date. -Services still need to be provided. -Some counties may never be ready. -What are we going to do? -We could put that language under subsection (2), page 23, line 4, after "services" insert "are not to be transferred and which must be

transferred completed effective on the same date." -He thinks that's a very valid point.

420 REP. CAMPBELL: It will take some counties and commissions longer than others. -We have to have confidence in the local commissions. -We need a completion time somewhere along the line.

TAPE 80, SIDE B 009 CHAIRMAN MEEK: With the changes in section 31, do we need section 33?

015 REP. NAITO: Doesn't think we need subsection (1). -In subsection (2) we're talking about a lot of services; everything in DHR.

REP. CAMPBELL: You have to have that.

022 REP. SHIBLEY: Subsection (1) is clumsy. -The idea about a county

being ready, willing and able and what happens next needs to fit somewhere in this bill. -The first half of the first sentence is redundant.

029 CHAIRMAN MEEK: It deals with those services we just discussed.

REP. SHIBLEY: We didn't describe the services. -Section 31 says, "all services to children and families, other than

those listed in subsection (1)." -That could be anything.

CHAIRMAN MEEK: It should list, foster care, residential care, etc.

REP. SHIBLEY: It exempts those.

REP. CAMPBELL: Not here; this allows those counties able to take on the duties of foster care to do so.

REP. SHIBLEY: It's not the services described in 31, it's any service whose primary focus or sole focus--

039 CHAIRMAN MEEK: Agrees. -The intent in 31 is, should the state commission authorize local

commissions to develop plans dealing with--

REP. CAMPBELL: It should refer to section 31 (1).

049 CHAIRMAN MEEK: It should spell out those services. -It wouldn't deal with child protective services.

REP. CAMPBELL: Subsection (1) does.

CHAIRMAN MEEK: It should exclude child protective services.

REP. NAITO: When you have a statewide system of foster care, etc.--it's very difficult to say one county can do it and another can't. -Maybe we should delete this whole section.

058 REP. CAMPBELL: If it's premature the commission will be able to identify that. -If the state commission doesn't approve, the local commission can't

provide it. -Several counties are very far along and could take on some of those

services and could provide them better than the state is providing them now.

065 CHAIRMAN MEEK: Suggests the date should be 1997, instead of the 1993-1995 biennium.

REP. NAITO: That would make sense.

CHAIRMAN MEEK: He doesn't see them having the ability to take on those services before then.

REP. NAITO: You could say by July 1, 1995. -You also want them to be

able to do it after.

074 CHAIRMAN MEEK: That's what he's saying. -The state office takes over those services by 1995. -By 1997 the state commission would be able to make the determination

about what services local commission could be deal with.

REP. CAMPBELL: Doesn't know if the date is important. -Lane County would like to assume the responsibility for foster care

now. -Why shouldn't they be given that opportunity?

085 CHAIRMAN MEEK: Put in a later date or take the date out and let the state commission make the determination.

REP. CAMPBELL: That's a good suggestion.

CHAIRMAN MEEK: If we put a date in there and a jurisdiction isn't able to take on a service and the state commission has to make a decision, the best decision won't get made. -If a county can take over a service, the commission has the ability to give it to them.

REP. CAMPBELL: Let's leave the date out.

CHAIRMAN MEEK: On page 23, line 7, delete "During" through "biennium,". -In line 9, after "31" insert "(1)".

097 REP. NAITO: We may want to say, "excluding child protective services".

CHAIRMAN MEEK: Correct.

REP. CAMPBELL: That indicates they could also take over the local office of CSD.

REP. SHIBLEY: Refers to the sentence on lines 10 through 13. -Section 31 does not give the state commission authority over those services, unless or until those services are assigned to the state office.

111 REP. CAMPBELL: That's why he wants to delete on page 22, line 18, "other than those listed...section". -If we delete that reference, it says the commission can move whatever is appropriate. -That answers the question you've just raised on 31 (1).

REP. SHIBLEY: It makes sense, but she disagrees with his suggestions. -She thought we had finished with section 31. -In section 33, if it's our intent to allow the transfer of these

specialized services, other than CPS, to local commissions, we need to have a sentence other than that sentence in subsection (1).

CHAIRMAN MEEK: Page 23, line 8, says, "may authorize...to develop plans".

REP. SHIBLEY: If the state commission approves that plan, it shall transfer.

REP. CAMPBELL: You're saying they're transferring a responsibility they don't have.

REP. SHIBLEY: Yes.

140 REP. NAITO: Doesn't see the point of section 33.

CHAIRMAN MEEK: The only thing we could do--that gets us back to page 22, line 18.

148 REP. NAITO: That's everything DHR provides; Mental Health, Health, food stamps, WIC.

CHAIRMAN MEEK: If the state commission approves the local plan, it may recommend the transfer of those responsibilities from the state office to the local commission. -We've given that responsibility to the state office. -The state commission can recommend the transfer, but the state office

has to concur. -There won't be a state office until 1995 and we'd have to delete that

language in section 31.

170 REP. NAITO: Agrees with the intent that if the local jurisdiction is ready, there are interagency agreements that allow the local commissions to do that. -The language could be some sort of requirement of coordination.

179 REP. CAMPBELL: What if in section 31 (1) we remove foster care and adoption programs? -That doesn't mean they wouldn't stay with DHR, but it would give us

access to foster care and adoption programs at the request of the local commissions, subject to review.

REP. NAITO: Could live with that.

REP. CAMPBELL: Those are the only two of that particular area. -If we take them out, they become the same as Mental Health and all of

the others. -If the local commission decides they don't want to assume them, they'll stay with DHR. -If they want them, it would give us the mechanism we need in section

33.

REP. NAITO: That's an excellent suggestion.

196 REP. SHIBLEY: Also concurs. -There are things in section 31 (2) that she doesn't understand. -She is concerned how those programs are packaged, funded and delivered. -Are they services for medically fragile kids? -If they don't fall under psychiatric, residential and day treatment,

then she guesses they're under the commission. -There are a lot of programs. -The Housing Trust fund gives preference for building sites that provide for on-site child care. -Does that mean that would be under the state commission?

REP. NAITO: This only refers to DHR.

REP. SHIBLEY: Okay.

218 CHAIRMAN MEEK: Should we include close custody in Rep. Campbell's amendment? -Section 33 (2) deals with close custody. -You might as well eliminate close custody, unless you eliminate it

under section 31.

REP. CAMPBELL: It should be eliminated.

REP. NAITO: Agrees.

235 MOTION: REP. CAMPBELL: On page 22, line 13, delete "foster care," and in line 14, delete "adoption programs".

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Goes over the amendments to section 33.

247 REP. NAITO: With the Speaker's change, we don't need 33.

REP. CAMPBELL: We don't need section 33 now.

MOTION: REP. CAMPBELL: Moves to delete section 33.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

256 MOTION: REP. NAITO: On page 23, line 21, to change 1994 to 199 5.

REP. CAMPBELL: Suggests a conceptual amendment to ask CSD to separate child protective services from other responsibilities in the agency. -When the responsibilities are transferred in 1995, those separations will have already been completed.

277 CHAIRMAN MEEK: You might add the guidelines that are spelled out.

REP. NAITO: Suggests the advisory language to have CSD do the separation in the interim. -The structure of what should be in the state office is something that

could use more thought and work. -We haven't spent a lot of time developing all of this.

296 REP. CAMPBELL: We should identify that it's CSD's responsibility to develop and establish this, so that it can transfer a completed project or program by July 1, 1995.

300 REP. SHIBLEY: That's an excellent idea. -Offers a conceptual amendment to utilize the language from the Southern Maine Report.

REP. CAMPBELL: Most of this language comes from that report.

313 CHAIRMAN MEEK: During the next two years have CSD look at establishing these principles.

REP. SHIBLEY: Is not ready to adopt these principles, until she looks at Southern Maine's study.

332 REP. NAITO: We also had a bill to enhance law enforcement involvement with CSD. -She suggests we conceptually look at that bill to include a joint team of law enforcement.

344 REP. CAMPBELL: In many cases there are dual investigations. -The language in section 34 follows the Maine study.

358 REP. NAITO: Needs this to gel in her mind.

367 CHAIRMAN MEEK: You don't want this language thrust upon CSD at this time? -He's looking for a directive for CSD to look at the Maine report and

start the implementation. -That would not force them to enact every step of this. -These principles are what they need to draft rules and start working on enacting this.

383 REP. CAMPBELL: If this is language from the Maine report we want to make sure CSD enacts it.

CHAIRMAN MEEK: Concurs.

REP. CAMPBELL: We need to get investigation and enforcement over to law enforcement. -We need to set up children's protective services as a completely

separate operation. -If the language is comparable, lets' go with it and if not we'll make

some adjustments.

CHAIRMAN MEEK: We'll bring this back Wednesday.

406 REP. ADAMS: On page 23, line 26, we could say something like, "In preparing for the transfer of child protective services to the state

office, Children's Services Division shall structure child protective

services as follows:". -We're telling them to take all of this structure and work their way

through it.

REP. CAMPBELL: Likes that. 431 CHAIRMAN MEEK: Clarifies the language.

REP. ADAMS: We want them to structure as follows; they can come back and tell us if it isn't right.

CHAIRMAN MEEK: All we're talking about is the structural aspect; there's not a mandate there. -You want that brought back?

REP. NAITO: Conceptually, if this is what the Maine study provides, she can support it.

CHAIRMAN MEEK: We'll verify that.

456 MOTION: REP. CAMPBELL: Moves to conceptually adopt section 34.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 35.

TAPE 81, SIDE B

013 MOTION: REP. NAITO: Moves to adopt section 35 with any changes LC needs to make it conform to the rest of the document.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

REP. CAMPBELL: Would like a representative from the Association of Oregon Counties to explain section 36.

REP. NAITO: Has a question on this. -She doesn't know if we discussed this in the Labor Subteam.

023 PAUL SNIDER, Association of Oregon Counties: One purpose of section 36 is to address concerns raised by local governments and some local providers. -It accomplishes two goals: -As he understands it, a purpose of the bill is to allow local communities to integrate services at the local level, including those services currently provided by the state, local governments and private providers and to reflect local existing resources and priorities. -We believe a cornerstone of the bill is the ability of the local jurisdiction to change the programs to make them work in the local community and to be able to change from prescriptive standards to outcome standards. -We also need to address the integration of the workforce at the local level. -We believe those priorities are the intent of section 36. -He describes ORS 236.605 to 236.650. -In some respects section 36 may not help, but may hinder the above goals. -In order for us to integrate the workforce everybody has to be subject to the same personnel policies, grievance procedures, and benefit scales. -If we are going to change the program, one way to read the existing law is to say this is not a maintenance in operation provision and therefore, ORS 236.605 to 236.650 wouldn't apply under existing law. -We want to be able to move existing people into the new workforce as efficiently and effectively as possible. -He refers to page 25, lines 2 through 5. -In order to continue as a state employee, you have a bifurcated workforce; state employees subject to their existing collective bargaining agreements and subject to existing state grievance procedures, who may be working alongside of people who are subject to local grievance procedures and subject to local policies and personnel practices. -We'd like to make this work. -Rather than talk about state salary and benefits, one way to treat section 36 is to delete "remain a state employee with" and to delete the reference to benefits. -Benefits are already described in ORS 236.605 to 236.650. -We need to have everyone subject to same personnel policy as quickly as possible.

093 CHAIRMAN MEEK: Is section 36 necessary?

SNIDER: Doesn't know. -A problem we have is that there are wide discrepancies on the interpretation of the law. He explains. -If we accept employees with the same job descriptions they had before, we can't change the program.

104 CHAIRMAN MEEK: Couldn't we just make reference to those statutes?

SNIDER: It could, if we had a legislative history that indicates if we change programs, we don't have to comply with things that relate to transfer of employees, because the employment has changed. -If that worked, that would be a clarification. -A lot of people say that's what

the law says now.

111 REP. CAMPBELL: What if we say, "actions under this Act are not considered to be..."--what was that you said?

SNIDER: Maintenance and operation.

CHAIRMAN MEEK: Asks for clarification of the suggested language.

REP. CAMPBELL: Responds. -Exclude it on this one basis, that would allow you to do that, but anything in the future you'd be back to the same kind of present arrangements. -The only reason is this will be a major change and we don't want to disadvantage employees. -They have the same benefits; selection of retirement.

SNIDER: That's true if it's considered to be maintenance and operation, if it's not, that law wouldn't apply. CHAIRMAN MEEK: Those actions under this act shall not be considered maintenance and operations, otherwise they are under the provisions of ORS 236.

124 SNIDER: Expects they wouldn't be maintenance and operations if they are changed.

135 REP. ADAMS: In the personnel subgroup we talked about ORS 236. -There is one other reference, which he can't remember. -We have had situations where state employees were transferred to counties and between groups within the state. -ORS 236 has worked, although no one is happy with it. -Will section 36 run us into obstacles with OPEU and others?

147 SNIDER: That's a possibility. -We have no case history on what is a transfer of a program and what's not. -If you change a program are you transferring it or are you changing a program? -If you terminate a program and start a different program does it apply at all? -All these questions are up in the air and competing interests deal with these things. -We need to know what we can and can't change.

158 REP. ADAMS: In terms of CSD, section 36 could put us at odds with the state unions. -He doesn't know what it buys us since we changed the date to July 1, 1995. -This doesn't necessarily affect CSD.

169 REP. NAITO: The difficulty is we don't know what we're providing for here. -In some cases a whole program may be transferred to the local government, in other cases it might be a whole different system.

REP. ADAMS: The Executive Department has the responsibility for negotiations. -If they are brought into the negotiations early, they could make this work.

184 CHAIRMAN MEEK: Is this language needed if there is already state law which spells out the state programs that are transferred?

REP. ADAMS: In recognizing the counties would like flexibility in the application of the law.

189 REP. NAITO: This is something the counties will be aware of when they decide to take on a plan. -She doesn't know if we can be real specific.

198 REP. SHIBLEY: What would the counties do if there was no section 36?

SNIDER: We'd fall back on Chapter 236. -He expects there would be a dispute as to the meaning of a transfer of a public program for maintenance and operation and to the meaning of the phrase, "no public employee shall be deprived of employment solely because of the duties of employment having been assumed by another public employer"?

209 REP. SHIBLEY: AOC isn't happy with this section as written?

SNIDER: We would like clarification as to how far we can go and how far we can't go?

REP. SHIBLEY: Do you like it or not?

SNIDER: Not too much.

REP. SHIBLEY: You're not very satisfied with it?

SNIDER: No.

223 REP. SHIBLEY: Would like to hear from the other side of the equation.

REP. CAMPBELL: Does anyone want to speak to this? -It's not only an important issue, but could put the whole program in jeopardy.

243 RICH PEPPERS, Oregon Public Employees Union (OPEU): Paul, stated the disagreements with 236 and the language in HB 2004-15 very well. -We interpret 236 to extend beyond the life of the current agreement and to include the types of programs you're talking about here that may or may not transfer as maintenance and operations. -We would conclude that employees would fall under the provisions of ORS 236 and in the transfer would be eligible for the rights of continued compensation and benefit levels. -We have the added concern of negotiating bargaining rights resolutions. -Transferred employees currently have the right to bargain collectively for their working conditions and salaries. -In a new situation, there may or may not be that right. -Who should represent them is another question. -Generally, in transfer situations we have been successful negotiating out those kind of situations with other unions, new employers and with the Executive Department. -He doesn't see that being provided for currently.

280 ARLENE COLLINS, American Federation of State, County and Municipal Employees (AFSCME): Multnomah County has had two recent experiences. -The Aging Services Division was transferred from the state to the county. -That program was changed when it went from the state to the county. -OPEU negotiated from the county and we negotiated from our end. -The process had some bugs in it, but was a smooth transition. -She describes the County Library transition. -Multnomah County has had some very good experiences using 236. -You have to have a commitment to make it work. -Multnomah County has a commitment to make it work.

306 REP. SHIBLEY: Are you happy with section 36?

PEPPERS: We're not happy with it. -Changing or deleting it would depend on what the proposals for change were. -We'd prefer it be deleted.

COLLINS: We'd prefer that you delete section 36 and insert standard transfer language.

326 REP. SHIBLEY: Where did this language come from?

REP. NAITO: Not where this came from, but who wants it?

333 CHAIRMAN MEEK: Would move to delete section 36. -This section isn't necessary, because it will fall under 236. -Any changes or improvements to 236 will have to come throughout another piece of legislation.

342 MOTION: REP. SHIBLEY: Moves to delete section 36.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 37.

349 REP. NAITO: Realizes there may be federal requirements. -She thought the major thrust of the CCT was to fully integrate the Department of Education and services through education that were provided to children and families? -This seems to take out education. -She suggests, "By ____ year, the Department of Education is fully integrated."

365 REP. CAMPBELL: Reads this section as saying the state commission won't have control over the expenditures of the Department of Education. -There's no question we'll continue to look at ways to integrate.

CHAIRMAN MEEK: Reads page 25, lines 14 through 17.

REP. CAMPBELL: Believes section 37 is necessary.

REP. NAITO: Agrees that we don't want the expenditures that are now in the Department of Education to go to the state commission. -Is there any support to a conceptual amendment that reiterates our commitment to include the Department of Education in integrating services with the state commission? -A major point of the Care Team was to provide services in the schools. -That's one flaw in our report we don't focus on.

407 CHAIRMAN MEEK: This would be an appropriate section to tie that in.

REP. NAITO: Suggests that by a certain date the Department of Education and the State Commission for Services to Children and Families are integrated.

REP. CAMPBELL: What do you mean by integrated?

REP. NAITO: If a child in school needs access to services, those services be accessible via the school system. -If a teacher identifies a kid has a problem, that teacher can access the needed service or the service could be provided directly through the schools.

TAPE 82, SIDE A

007 REP. CAMPBELL: One of the concepts for family resource centers

is that they would be established in the schools. -You don't want to have all of them in the schools. -There are places where the schools are not the appropriate places to have the family resource centers. -We want to get the organization set up and start providing services at the local level. -They'll gravitate to the schools in many cases.

015 REP. NAITO: Many of them will be in the schools. -Not infrequently, in the Portland metro area, the teacher has no idea what--basically the education system is totally out of the loop. -If you treat the whole child, social services has to be integrated with education.

021 REP. CAMPBELL: Does not disagree; that's one reason the Superintendent of Public Instruction is on the state commission. -We're making major changes and are pushing towards integration of schools, but he doesn't know how far we should go. -Maybe we should put a date on it. -Maybe we ought to review the progress by the 1995 session and if appropriate progress isn't made the legislature should take action.

027 REP. NAITO: It would be appropriate that the next legislature look at integrating the schools.

REP. CAMPBELL: We ought to have an operational statement where we want to go.

REP. NAITO: Integration of the court system is another step. -We could provide for both of those in a timely way. -We need to have those goals in this.

037 REP. ADAMS: Has always envisioned access with education, he never made it to integration. -Natural touch points is the way he read it, but that was an access question, not an integration question. -As far as integrated programs--there's an incredible need to understand the system by those who need access.

053 REP. SHIBLEY: Suggests, on page 25, line 14, after "to" insert "funding for". -We understand we're talking about funding for those services and not the services themselves. -She thinks that's the intent of this language. -If we want to go further, on page 6, line 15--

064 REP. CAMPBELL: That's what section 31 (1) says.

REP. SHIBLEY: It says references in this Act, not in this section. -If we want to say, "references in this section to services".

CHAIRMAN MEEK: We either need to add "funding" or eliminate "Act" and put in "this section"

REP. CAMPBELL: What are we trying to say?

REP. SHIBLEY: It's not our intent for the state commission to take on any responsibility for funding those services provided by the Department of Education. -Her language and she thinks the Speaker's language gets us there. -Also, on page 6, line 15, after "services" insert ", including educational services,".

086 REP. NAITO: The schools provide a lot of services beyond education. -It's not her intent to include what's traditionally thought of as education. -There are other services, like child

development specialists, that you would want the school to provide.

REP. CAMPBELL: That's a family resource center approach.

REP. NAITO: What if a community chose not to go with a family resource center approach?

REP. CAMPBELL: Then it wouldn't be integrated into the schools.

REP. NAITO: Still thinks that's a goal, even if it's not on-site.

102 REP. CAMPBELL: Rep. Shibley, when you say all services it doesn't work.

REP. NAITO: What about the original concept of having a report to the next Legislative Assembly to insure integration of the educational system with this system?

110 CHAIRMAN MEEK: If putting the Superintendent of Public Instruction on the commission doesn't get us where we want to go, then we need to add language that speaks to the fact that they have to show progress with integration. -On page 25, section 37 (2) there was concern raised by staff in their discussion with LC about adding "funding". -It is meant to be broad, encompassing the entire act, unless there are those integration agreements dealing with education and the state commission.

REP. ADAMS: That's a good point, they could be a subcontractor in this process.

CHAIRMAN MEEK: We aren't just dealing with funding. -This Act does not deal with the Dept. of Ed. nor does the state commission interfere with the Department of Education, they've got to come together in working that out. -When we state all services; it's all of those except those provided by the Dept. of Ed. -Likewise, the Dept. of Ed. in their services won't intertwine here. -Rep. Naito, you're point is well taken. -Having the Superintendent of Public Instruction on the state commission may be directive enough that some of that integration is going to take place.

136 REP. SHIBLEY: Do have any interest in having a subsection (3) or (4) requiring integration of K through 12 educational services with--

CHAIRMAN MEEK: His preference for language would be that the state commission and Dept. of Ed. jointly report to either the interim committee or Legislative Assembly on progress made on integration. -If we don't like the progress they're making we can legislate they do more.

148 REP. NAITO: Wants to be sure we keep the focus on integrating education.

CHAIRMAN MEEK: That's open to us every two years.

REP. CAMPBELL: Where's the report?

CHAIRMAN MEEK: We don't have a report dealing with education. -It's at the end of section--

REP. SHIBLEY: It's section 18, page 13.

160 REP. CAMPBELL: Put it in there. -We could have them report on the advancement of integration with the Department of Education.

REP. NAITO: Would also include the court system.

REP. CAMPBELL: Isn't that the other way around. -You're talking about providing services in education, not providing services in the courts. -It would report on the advancement of integration with the Dept. of Ed.

REP. NAITO: Great.

175 REP. SHIBLEY: It seems we not only want a status report, but recommendations for further integration.

CHAIRMAN MEEK: They have that directive in other areas.

186 MOTION: REP. CAMPBELL: Moves to adopt section 37.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 38.

198 REP. NAITO: She doesn't like the phrasing of page 25, line 28. -Sometimes the problem is with the school and not with the student.

REP. CAMPBELL: Lets say something positive.

REP. NAITO: "Assisting the youth in completing their education."

REP. CAMPBELL: Okay.

REP. ADAMS: You could say, "assisting youths".

REP. NAITO: Let's do it conceptually.

223 MOTION: REP. CAMPBELL: Moves to conceptually adopt section 38 as amended.

REP. SHIBLEY: Where did section 38 come from?

CHAIRMAN MEEK: It's existing law under OCCYSC.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

235 REP. SHIBLEY: What are the ORS on page 25, lines 19 and 20? -What are the ramifications of this subsection?

250 REP. CAMPBELL: This makes the language in statute consistent.

254 ANNETTE PRICE: There's concern that this hasn't been fleshed out as much as it needs to be. -The inconsistent language may incorporate some of the juvenile courts.

REP. CAMPBELL: How do we get to this?

REP. SHIBLEY: We ask LC.

268 CHAIRMAN MEEK: LC would like some direction. -They'll make those consistencies that need to be made.

277 REP. SHIBLEY: We need more information.

285 ANNETTE PRICE: This list used to be 32 chapters and has been pared down.

REP. CAMPBELL: If what we have done doesn't change these, they're automatically dropped. -If they are changed, they have to make the compatible changes. -Nothing will change, without it being printed, once we've identified everything.

296 REP. NAITO: All the inconsistencies will be printed, we'll see the removal of whatever language needs to be removed. -We can't know until that time. REP. CAMPBELL: This list could grow, depending on the changes we make. -Rep. Shibley, has a legitimate concern.

306 CHAIRMAN MEEK: Agrees. That's why LC wants legitimate direction. -Section 39.

314 REP. CAMPBELL: We need to change the dates on page 26 lines 11 and 13 to July 1, 1995.

CHAIRMAN MEEK: Also line 23.

328 REP. NAITO: In subsection (3), since we envision the local plans will be provided--is it necessary to have that there?

336 REP. SHIBLEY: Line 15 will have to change.

340 REP. CAMPBELL: Conceptually, since we're moving the establishment of the state office to 1995, can we authorize the commission to move branch offices to the local commission, as appropriate, even before 1995?

CHAIRMAN MEEK: No.

REP. NAITO: Doesn't know enough about it.

REP. SHIBLEY: It seems we list several of the services on page 9; CPS, foster care--

REP. CAMPBELL: We're talking about separating CPS. -Can we check that out?

REP. SHIBLEY: Why do we need subsection (3)?

CHAIRMAN MEEK: Without that two years--

369 REP. CAMPBELL: You don't move anything to the local commission before 1995?

REP. NAITO: You may move some of those things. -She doesn't see what this adds.

379 CHAIRMAN MEEK: Is it the intent of the committee to allow the state commission the flexibility to move some of those services that are currently provided by CSD to the local level prior to July 1, 1995?

REP. NAITO: We already provided for that.

REP. CAMPBELL: We did, so we don't need subsections (3) and (4). -We excluded CPS, but not the rest.

401 MOTION: REP. CAMPBELL: Moves to combine subsections (1) and (2) in section 39 to abolish CSD by July 1, 1995 and to delete subsections (3) and (4).

411 REP. SHIBLEY: Would it then follow to say, "services provided by CSD on the date of this abolishment shall be transferred to the local commissions via the state commission"?

REP. NAITO: On that date they're transferred to the state office.

REP. CAMPBELL: Or under the commission. -CPS is automatically transferred to the state office in 1995. -The local services should be provided by the local jurisdictions. -The state commission has the ability to move services before that date. -We have to make arrangements to move the dollars.

440 REP. NAITO: We may want to move this to the section where we establish the state office.

CHAIRMAN MEEK: We could let LC combine it.

REP. CAMPBELL: Accepts Rep. Naito's suggestion as a friendly amendment.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

TAPE 83, SIDE A

011 CHAIRMAN MEEK: Section 40. -We need to change the date or delete it.

REP. ADAMS: Thinks we can eliminate it.

REP. NAITO: What is that fiscal analysis staff?

CHAIRMAN MEEK: That's part of looking at the federal mandates, funding and waivers.

REP. NAITO: Can't we provide for the state commission to do that and give them the funding?

REP. CAMPBELL: Yes.

020 MOTION: REP. NAITO: Moves to delete section 40.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: We need an effective date in section 41.

REP. NAITO: Thinks we already provided for that.

030 REP. CAMPBELL: In section 41 delete subsection (1) and on page 27, line 5, delete the first "and" and insert a "comma" and after "powers" insert "and personnel". -In line 7, after "Families" insert a

period and delete the rest of the line and delete lines 8 and 9.

043 REP. NAITO: As a friendly amendment, move this whole section to section 5.

REP. CAMPBELL: Concurs. -On line 8, we should say, "vested in the Human Resources Department until the creation of the State Office for Services to Children and Families."

REP. SHIBLEY: Thought he finished the sentence after "Families".

REP. CAMPBELL: He was, but what are the "except services"? -There are none; let's put a period there.

052 REP. NAITO: Do we want to say, "vested in the state Commission on Children and Families at the time--"

REP. CAMPBELL: We don't need that.

REP. CAMPBELL: We'd put that paragraph in section 5. -He re-reads the section.

060 MOTION: REP. CAMPBELL: Moves to delete subsection (1), section 41. -In line 5, after "powers" insert "and personnel". -In line 7, after "Families" insert a "period" and delete the rest of the line and delete lines 8 and 9. -Move it to it's proper place in section 5.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

067 CHAIRMAN MEEK: Sections 42 through 49 is language dealing with the transfer of employees.

REP. NAITO: Section 46, struck me that the officer was a continuation of themselves.

086 MOTION: REP. CAMPBELL: Moves to adopt sections 42 through 49.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 50.

MOTION: REP. SHIBLEY: Moves to adopt section 50.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Sections 52 and 53.

106 REP. SHIBLEY: In section 53, CASA will be in the state office?
REP. NAITO: Thinks you'd want the CASAs under the state commission.

REP. CAMPBELL: CASA agrees.

REP. NAITO: The CRB agrees.

MOTION: CHAIRMAN MEEK: Moves on page 31, line 8, change the "state office" to the "state commission".

123 REP. SHIBLEY: Page 31, lines 13, 18 and 21 should also read "state commission".

CHAIRMAN MEEK: Can we move 52, 53, 54?

REP. CAMPBELL: Asks for clarification.

REP. NAITO: CASA's under the state commission, rather than the state office.

136 MOTION: REP. MILNE: Moves to conceptually adopt sections 52, 53 and 54.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 55 and 56.

144 MOTION: REP. NAITO: Moves to adopt section 55.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

MOTION: REP. NAITO: Moves to adopt section 56.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

154 CHAIRMAN MEEK: Section 57.

MOTION: REP. CAMPBELL: Moves to adopt section 57.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

166 REP. SHIBLEY: On page 27, lines 5 through 9. -Reads this to mean that all staff people are transferred to the state commission, but retain their current status. -Is that the intent?

REP. CAMPBELL: Yes.

REP. SHIBLEY: We have a new commission, do we have new commission members per section 4?

REP. CAMPBELL: Yes.

REP. SHIBLEY: We provide that the state commission may employ a staff director, who is responsible for hiring and supervising. -But we've already given them--

184 REP. CAMPBELL: But they can change as they see fit. -The idea is to move personnel and funding in the transition. -All of the things that commission has been doing at the local level will continue to operate. -If they decide they want to change the staff head, they can.

189 CHAIRMAN MEEK: They still need to hire a staff director for the commission.

REP. CAMPBELL: We're transferring the director too. -They have the authority to hire that one or hire another one.

REP. SHIBLEY: Is not sure of the staff structure of OCCYSC. -The Governor appoints the OCCYSC members, does the Governor also appoint the staff director?

REP. CAMPBELL: The Governor appoints them.

REP. SHIBLEY: This is different. -The commission may employ a staff director.

203 CHAIRMAN MEEK: The staff and personnel of OCCYSC will transfer to the state commission. -The state commission may hire the current OCCYSC director or hire another one.

212 REP. CAMPBELL: We're trying to move personnel and money so we don't have to create new staff.

REP. SHIBLEY: She doesn't understand the employment contracts for that.

REP. CAMPBELL: There is no employment contract, the department heads of state government serve at the wishes of the Governor.

REP. SHIBLEY: The commission can't fire them, only the Governor can?

REP. CAMPBELL: My guess is, if the Governor selects 12 new commission members and they don't want the director that is there, the Governor would accede to their wishes.

241 MOTION: REP. NAITO: Moves to adopt section 58.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 59.

REP. SHIBLEY: Are we telling CSD not to develop an interim plan? -We may need to say, "CSD shall develop annually.... Upon establishment of the State Office for Services to Children and Families".

254 REP. CAMPBELL: They're required to prepare a plan, based on this language, until the effective date of the establishment of the state office. -This language doesn't take effect until July 1, 1995.

CHAIRMAN MEEK: We'll check on that.

272 MOTION: REP. NAITO: Moves to adopt section 59.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Section 60.

MOTION: REP. CAMPBELL: Moves to adopt section 60.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

277 REP. NAITO: What does 60 do?

REP. CAMPBELL: Nothing until July 1, 1995. -At that point the state commission replaces CSD.

REP. SHIBLEY: Takes that to mean right away.

REP. NAITO: Right now the state commission--

CHAIRMAN MEEK: This says that the Department of Ed. and Office of Community College Services advisory committee, instead of being part of CSD are going to have to pull it in front of the state commission.

REP. CAMPBELL: No; this is present language. -This language applies until July 1, 1995.

297 REP. SHIBLEY: The state commission becomes effective immediately.

CHAIRMAN MEEK: The Dept. of Ed. and the Office of Community College Services form an advisory committee and will have to add someone from the state commission. -Section 61.

326 MOTION: REP. CAMPBELL: Moves to adopt section 61.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

330 REP. SHIBLEY: Would like staff to double check on the effective dates. REP. NAITO: Is section 62 the same way?

CHAIRMAN MEEK: It won't be effective until the state office. -We'll double check that.

REP. NAITO: Are we sure this is something we want in the state office?

343 PAM PATTON, Oregon Alliance of Children's Programs: This refers to youth care centers. -CSD gives the Dept. of Ed. the number of how many kids are in the program so they know how much funding to give them.

REP. NAITO: This is something you did through the state office?

PATTON: If the youth care centers stay in the state office.

MOTION: REP. NAITO: Moves to adopt section 62.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

353 CHAIRMAN MEEK: Section 63.

MOTION: REP. CAMPBELL: Moves to adopt section 63.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: Sections 64 and 65.

REP. NAITO: As long as those repealed sections are technical.

CHAIRMAN MEEK: Conceptually they are.

365 MOTION: REP. NAITO: Moves to adopt sections 64 and 65.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

CHAIRMAN MEEK: We need direction dealing with section 5. -Page 7, deals with the state commission's role dealing with the requirements for federal funding. -We need direction on whether the entitlement responsibility is placed under the state commission or whether there is an interagency agreement between the state commission and DHR; DHR would retain that responsibility. -Would like to have a contractual arrangement with DHR to carry out that service for the state commission. -Have them report back on that during the interim. -It's very cumbersome and would take a great deal of time for LC to get the correct language. -We develop an agreement to carry on those functions, the State Office will take over oversight. -During that interim, either continue that recommendation or it becomes part of creating an office. 426 REP. CAMPBELL: What's that have to do with the block grants?

CHAIRMAN MEEK: That's part of that piece.

REP. CAMPBELL: Let's make the commission responsible and work interagency agreements with DHR.

TAPE 82, SIDE B

007 CHAIRMAN MEEK: That's preferable. -During the interim they report back.

REP. NAITO: Discussing the waivers?

CHAIRMAN MEEK: The whole aspect of the federal funding.

REP. CAMPBELL: The commission can do it directly or have the interagency agreement.

CHAIRMAN MEEK: By January 1, 1994, they have to have an interagency agreement.

015 REP. NAITO: How long do these take to put together?

CHAIRMAN MEEK: They'll do them very rapidly.

CHAIRMAN MEEK: We can conceptually agree on that direction, we'll get that taken care of.

026 MOTION: REP. NAITO: Moves to conceptually adopt language requiring interagency agreements between the state Commission on Children and Families and DHR.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

REP. SHIBLEY: Does not understand what "very limited personnel" are on page 7, line 31.

CHAIRMAN MEEK: Can we delete section 5a? -It'll get taken care of in the interagency agreement.

REP. SHIBLEY: As long as subsection (2) stays. -Maybe we can put that language somewhere else?

040 REP. NAITO: As a responsibility of the state commission.

REP. CAMPBELL: Let's put it under the state commission's responsibility.

REP. SHIBLEY: It says "negotiate federal waivers".

CHAIRMAN MEEK: That would be part of the interagency agreement.

REP. SHIBLEY: "Insure that federal requirements are met to eliminate any cut in federal funding."

CHAIRMAN MEEK: We're deleting section 5a, but retain the second half of 5a (2).

REP. SHIBLEY: Put that under section 5.

CHAIRMAN MEEK: LC will find a place for it.

060 REP. SHIBLEY: Moves to move page 8, lines 3 to 6 to the appropriate place in section 5 and to delete the remainder of section 5a.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

064 REP. SHIBLEY: Shouldn't corollary language on local technical advisory committees be included?

REP. CAMPBELL: Doesn't think you need any language for local agencies.

CHAIRMAN MEEK: The counties will adopt resolutions and ordinances. -They'll adopt those.

REP. SHIBLEY: Okay.

077 REP. NAITO: Will work on language for page 11, sub (3) and deliver it to staff.

083 CHAIRMAN MEEK: Rep. Naito has moved page 10, lines 20 and 21 be deleted. -We have not adopted section 13.

092 REP. CAMPBELL: The Governor and I agree on this section. -The county commissions have been given a substantial amount of power. -A main concern is that we don't want county commissions to assign other responsibilities to those who work for the local commissions. -He feels very strongly that it's important that the commission supervises the staff. -If the commissioners don't supervise the staff in an appropriate manner, the county commissioners have the ability to remove those commissioners.

110 REP. NAITO: Withdraws her motion.

MOTION: REP. NAITO: Moves to adopt section 13.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

118 CHAIRMAN MEEK: We've conceptually adopted each section. -We may have to work on some of this again to get make sure our intent is very clear. -He'd like agreement to get this to LC, so they can get to work.

127 REP. CAMPBELL: Moves HB 2004-15 as conceptually amended

for the purpose of forwarding to Legislative Counsel.

CHAIRMAN MEEK: Hearing no objection the motion is adopted.

132 CHAIRMAN MEEK: Adjourns at 10:14 p.m.

Submitted by, Reviewed by,

Edward C. Klein, Annette Price, Committee Assistant
Committee Administrator

EXHIBIT LOG:

A - Amendments to HB 2004 - Staff - 41 pages B - Clackamas County
Amendments to HB 2004 - Ed Linquist - 20 pages