

SENATE COMMITTEE ON EDUCATION

March 7, 1991 Hearing Room 343 3:00 p.m. Tapes 33 - 34
MEMBERS PRESENT: Sen. Shirley Gold, Chair Sen. Bill McCoy, Vice-Chair
Sen. Joan Dukeo Sen. Peter Brockman Sen. Ron Grensky Sen. Paul Phillips
Sen. Cliff Trow MEMBER EXCUSED: Sen. Peter Brockman STAFF
PRESENT: Jan Barga, Committee Administrator Angela Muir, Committee
Assistant MEASURES HEARD: SB 116 - DARTS Program - PH SB 661- Oregon
Climate Control Program - PH SB 782 - Early Intervention Program - PH

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.

TAPE 33, SIDE A

005 CHAIR GOLD: Calls the hearing to order at 3:05 p.m.

INTRODUCTION OF MEASURES:

028 JAN BARGA, Committee Administrator: Presents LC 3952 that says
Oregon should comply with new federal regulations for Early Intervention
services. It was drafted in conjunction with SB 782 which restores
funding for Early Intervention. The bill draft does not have all the
revisions we would have liked, but it can be used as a vehicle. It is at
the request of the Oregon Early Intervention Council. MOTION: Sen. McCoy
moves to file LC 3952 for introduction. VOTE: In a voice vote there were
no objections. SEN. DUKES: Has no objections to introducing the bill,
but has some concerns about part of the bill. CHAIR GOLD: One major
concern is the money. SEN. MCCOY: Also has reservation, but if going to
hear the bill in committee, it should be Senate Committee on March 7,
1991 - Page 2

the full bill. We will have the opportunity to make corrections later.

SB 116 - DARTS PROGRAM - PUBLIC HEARING: Witnesses: Christopher White,
Poyama Land Pam Patton, Morrison Center

097 CHRIS WHITE, Executive Director, Poyama Land: Presents written
testimony (EXHIBIT A). Describes history of the Day and Residential
Treatment program (DARTS). Because of legislation passed in 1989,
children not of school age were referred to DARTS. Only about 35 additional
children would need transportation. . 230 PAM PATTON, Morrison Center:
Presents written testimony (EXHIBIT B). Explains how 3 to 6 year olds
became involved in DARTS. Only way could get transportation for these
young children was if they qualified for Early Intervention.

327 SEN. TROW: The DARTS programs are good programs. Now that they are
serving this younger group of children, transportation should be
provided. The bill is worthwhile. There is a concern now with cuts in
the governor's budget that there will be more Medicaid-eligible children
in the program whether the children need it or not. Should give the
program this much.

CHAIR GOLD: This bill would add the pre-school aged children. You're
referring to the bigger issue of their budget. This bill would add about
40 children statewide. The subsequent referral to Rules Committee is
because it appears to be a mandate, but this is an addition to a mandate
enacted last session.

WHITE: What Sen. Trow is saying is that if the budget aspects are not taken care of the transportation will not be a problem because there will be no DARTS program.

CHAIR GOLD: Sen. Trow does a good job of bring the Ways and Means situation into play. Our job is merely to consider this addition.

WHITE: Spoke to lobbyist from the school boards association about concerns they may have. He did not have concerns other than the number of children returning quickly to the schools in the DARTS program.

CHAIR GOLD: They are concerned with the larger issue.

SB 661- OREGON CLIMATE CONTROL PROGRAM - PUBLIC HEARING: Witnesses: George Keller, Oregon State University George Taylor, Oregon State University Mike Grainey, Department of Energy Barry Norris, Water Resources Phil Ward, Oregon Department of Agriculture

420 SEN. TROW: Is the chief sponsor of SB 661. The bill was also presented last session. Wasn't sure about introducing it again after Measure 5, but the program is needed. The bill needs amending for the name of the program. Gives background on the bill: The federal government provided money several years ago to establish an office of the state climatologist. The state Senate Committee on Education March 7, 1991 - Page 3

climatologist was lodged at Oregon State University and provided a variety a services. The federal monies went away and the state picked up the costs of the program. It was difficult to find someone to pick up the program. Did get several agencies to fund part of it, but the funding was barely enough to keep it going. It won't survive unless permanent funding is found. Was supported by former governor Neil Goldschmidt, but in light of Measure 5 it was dropped. It is an important and needed service because portions of the state are facing drought. Doesn't want to put it up against the higher education budget in Ways and Means, but may be able to find some savings in the Natural Resources Subcommittee.

TAPE 34, SIDE A

043 SEN. GRENSKY: Is there a reason why this can't be submitted through the higher education budget and funded that way? SEN. TROW: It hasn't been funded in the higher education budget previously. The witnesses may address why that hasn't happened. SEN. GRENSKY: Raises the question because last session there was the veterinarian school at OSU that came before the Legislature independently. The president at Southern Oregon State College was astounded to see individual programs come before the Legislature without going through the chancellor and Board of Higher Education. SEN. TROW: Was not asked by OSU to sponsor this bill, although they are concerned about it. It was the Goldschmidt staff that believed the program should come forward this year. It is not a program that OSU has been responsible for. It is a program that is lodged at the university. OSU would like to see the program continue, but it does not have to be lodged at OSU. CHAIR GOLD: Sen. Grensky, you could get interested in some of the programs at SOSOC and introduce bills similar to this one. SEN. GRENSKY: The SOSOC president said they had orders not to go outside of the regular system. The climate program sounds different from the typical funding project at universities. SEN. DUKES: It's awkward when groups go around the regular budget process,

but has never been willing to grant the Executive Department total say over what should go in the budget and what shouldn't. CHAIR GOLD: What the Executive Department recommends is its priorities. Legislators may have other priorities and recommend them. 078 GEORGE KELLER, Vice President for Research, Oregon State University: This is not an OSU emphasis or promotion. Is concerned that the state is shooting itself in the foot by not emphasizing this program area. The program does not have to be located at OSU. The main concern is that it is funded. Presents written testimony describing the information that the hat it is funded. Presents written testimony describing the information that the program provides (EXHIBIT C). Provides list of applications of the Climate Control Program. program provides (EXHIBIT C). Provides list of applications of the Climate Control Program. 230 SEN. MCCOY: What was last biennium's budget for this program? Senate Committee on Education March 7, 1991 - Page 4

SEN. TROW: It's about the same. Total for the biennium is \$200,000.

KELLER: The governor's office was able to draw some state agencies together to fund the program last biennium.

SEN. TROW: The Water Policy Board did allocate \$20,000 to buy the services from the State Climatologist. But they have reduced that this year. There is no money in the Water Policy budget this year.

SEN. MCCOY: Are there any federal dollars?

KELLER: Not that he knows of.

CHAIR GOLD: Presents a letter from Congressman Mike Kopetski for the record supporting SB 661 (EXHIBIT D).

256 GEORGE TAYLOR, Department of Atmospheric Sciences, Oregon State University: Presents written testimony (EXHIBIT E). Displays a map showing the only two states that do not have state climate program: Oregon and New Mexico. New Mexico has tried to have a program subsidized only by user fees and failed. Provides information to the Oregon Drought Council about water supply resources. The state climatologist received about 3,784 requests during its last year of operation. Everybody benefits from information. Many business have located in Oregon because of the climate. Having access to up to date information about the climate is important in that decision. For example, the film and video section of the Economic Development Department uses the climate information to attract movie and advertisers to Oregon. The service collects the information and interprets it for the people who request it.

417 SEN. GRENSKY: Has had to get some basic climate information. Called the U.S. Commerce Bureau of Weather. Isn't that the same kind of information you are talking about?

TAYLOR: The role of the National Weather Service is not to provide historical, archival information. SEN. GRENSKY: But they do have the information. It was easy to get the information requested.

TAYLOR: There are some limited types of information they can provide. But their role is to forecast not to provide a history. They are reluctant about doing that.

SEN. GRENSKY: Found them helpful, but wasn't asking for climate or a

20-year history of a region.

463 TAYLOR: Get a lot of referrals from the National Weather Service because they did not have that information available. The amount of money for the program can be recouped through benefits to the state. It is hard to quantify, but the benefits are there: Michigan did a survey of the people that used its service. Found they saved about \$990,650 because of timely weather information. This would recoup the \$100,000 several times over. Senate Committee on Education March 7, 1991- Page S

TAPE 33, SIDE B

060 MIKE GRAINEY, Deputy Director, Department of Energy: Presents written testimony in support of the bill (EXHIBIT Ii).

074 BARRY NORRIS, Water Resource Department: Presents written testimony about why the climate service was cut from the water resources budget (EXHIBIT G). Support the program, but had to cut because of Measure 5. The program is good and has provided a wealth of information to the department. Presents a report that the department submits using data from the climate program (EXHIBIT H). It is essential to continue this program so that the data is not lost forever.

120 SEN. MCCOY: Where will you get the information now that you won't have it from the climate service.

NORRIS: Without access to the state climatologist data, will not get the information. Will have to do without it and the quality of their finished products will suffer.

SEN. MCCOY: Seems like you should be able to find the money somewhere in your budget. \$20,000 is not that much. Also is asking the Department of Energy to come up with some money. Have to keep this program functioning. We have three heads of three departments that all use this information. You all should go back and find some funds in your budgets.

SEN. TROW: Send it to Ways and Means so we can find it in the budgets.

151 PHIL WARD, Assistant Director, Department of Agriculture: Presents written testimony in support of SB 661 (EXHIBIT I).

SB 782 - EARLY INTERVENTION - PUBLIC HEARING: Witnesses: Alan Tresidder, OSB A Margie Lowe, Executive Department Karen Brazeau, Department of Education Mike Barker, Department of Education Rick Burke, Department of Education

180 ALAN TRESIDDER, Oregon School Boards Association: Early Intervention is an important program that the Legislature should address. Supports the transfer of Early Intervention programs to the Department of Education.

198 MARGIE LOWE, Budget Supervisor, Executive Department: The Department of Education is working on revising the numbers for Early Intervention compliance costs. Is looking at program linkages possible between the Early Intervention program and services provided elsewhere, such as the Early Periodic Screening Diagnosis and Treatment program. These programs are important because federal participation is higher than what they provided for special education support. The match rate for the EPSDT program is about 53%. Also looking at using Medicaid case

management services which has a better federal match rate. Examining s a better federal match rate. Examining possibility of using a portion of the federal child care and development block grant funds. The Head Start program has a proposed increase in the number of handicapped children it serves. Former Senate Committee on Education March 7, 1991- Page 6

governor Goldschmidt looked at the possibility of program linkage to make the most of the funds available for Early Intervention.

287 CHAIR GOLD: SB 782 proposes to put the Early Intervention program into the Department of Education. Is that a problem with the federal government and its funds?

LOWE: The use of the Medicaid resources is not a problem. Federal law has been changed to say that if the services are provided as part of an Early Intervention program they are still eligible if properly billed. The challenge is you have to have the billing system and determine eligibility.

CHAIR GOLD: Does it still have to pass through the Department of Human Resources?

LOWE: No. It will still go through the Human Resources Department because it is the state Medicaid authority, but currently there are funds in the Department of Education to provide a match for school age children receiving services.

CHAIR GOLD: From what you say, discussions are still on going about how to accommodate the new Early Intervention regulations from the federal government. LOWE: Yes, has not seen the department's details. Has spoke with Rick Burke in the Department of Education who thinks that by next week will be able to discuss assumptions and the feasibility of all these different aspects.

326 SEN. MCCOY: How much money would all of these dovetailings bring in?

LOWE: Doesn't have the details. Thinks it would mean an additional \$9 million to continue the current level of services if the state doesn't comply with the federal regulation. It would cost as much as \$15 million to \$30 million to come into compliance with the regulation. CHAIR GOLD: You don't know about the little pieces you mentioned and what they may add up to? You may know in about a week, or longer?

LOWE: No.

346 KAREN BRAZEAU, Department of Education: Will have some figures for discussion by next week. Wants to be sure about dollar figures before they are presented. There are a lot of assumptions involved such as if prekindergarten is expanded, can we take advantage of that expansion to lower the cost of early intervention. Trying to build those assumptions into the figures.

SEN. TROW: Wondering about the expansion of Head Start on the federal level. Is there substantially more money to expand the federal program than we thought?

BRAZEAU: They are planning some expansion. Doesn't think it was what was originally discussed.

377 MIKE BARKER, Department of Education: The projections for this region would be an additional 350-370 federal funded Head Start slots for 1991-92. There is a potential to double

. Senate Committee on Educstbn March 7, 1991- Page 7

that in 1992-93, but the appropriations have not been decided yet. There is a potential of 1,000 additional Head Start slots in Oregon for the biennium.

BARGEN: Presents an updated chart with budget numbers for Early Intervention. The compliance issue is reflected in the fourth row (EXHIBIT J). CHAIR GOLD: Are any of the Ways and Means subcommittees reviewing these budgets yet?

SEN. TROW: Haven't gotten to the Mental Health budget. When we had an overview, we starred Early Intervention for consideration to restore its funding in the budget. Haven't dealt with it again.

CHAIR GOLD: Is the prekindergarten funding in the Education Subcommittee?

450 RICK BURKE, Department of Education: Four members of the Education Subcommittee are also members of the Human Resources Subcommittee, so there is a high linkage between these budgets. CHAIR GOLD: SB 782 takes a program from the Mental Health Division and puts it in the Department of Education. Has not spoken to Ways and Means subcommittee members about that yet.

SEN. TROW: There is time to do that.

TRESIDDER: Members of the Education Subcommittee are aware of this issue, and the general amounts working groups are talking about.

SEN. TROW: May want to talk to the subcommittees soon. Believes the Department of Education's budget is being considered now.

CHAIR GOLD: Prekindergarten was under the grant in aid portion.

BRAZEAU: That's correct. It has not come up for work session yet, but there was an overview presentation on that program.

TAPE 34, SIDE B

028 CHAIR GOLD: How did the grant and aid budget presented by the Education Department for prekindergarten end up in the governor's budget. Is it the same figure?

LOWE: The base budget for the Department of Education Oregon Prekindergarten Program does not cover the full phase-in cost of slots added in the second year of the biennium. If the resources of the \$10.7 million in lottery funds are considered, then this biennium's program is fully financed and additional slots will be available in 1991-93. Your committee is reviewing whether this program should be funded with lottery funds or with general funds in another bill. That is not a problem for the Executive Department.

BARGEN: On Tuesday, Superintendent Norma Paulus spoke about the prekindergarten program Senate Committee on Education March 7, 1991 - P
- e 8

and creative coordination to reduce costs. Can you help us gather the information to look creatively across program lines? If make some decisions about programs in concert with each other, then there is more leverage for reducing costs.

069 BRAZEAU: There may be some interagency barriers that need to be crossed, but haven't encountered any so far that seem insurmountable. Are looking at estimates of the number of children who would be eligible for Early Intervention who would also be eligible for EPSDT. From there are trying to estimate how much that would reduce from the program.

CHAIR GOLLI: Before we let SB 782 and other Early Intervention bill out of committee, we need to fashion it for something suitable for Ways and Means. Would like the witnesses to look at the wording in the bills and offer comments.

BRAZEAU: Is working on amendments that would allow the department to run a coordinated program from birth to 5.

CHAIR GOLD: Don't we have a purely appropriation bill for prekindergarten?

BARGEN: Yes, but it hasn't been referred to committee yet.

104 CHAIR GOLD: Adjourns the hearing at 4:45 p.m.

Submitted by:	Reviewed by: Angela Muniz	Jan Borgen
Assistant	Administrator	

EXHIBIT LOG: A - Testimony on SB 116 - Christopher White - 4 pages B - Testimony on SB 116 - Pam Patton - 2 pages C - Testimony on SB 661 - George Keller - 11 pages D - Testimony on SB 661 - Mike Kopetski - 1 page E - Testimony on SB 661 - George Taylor - 8 pages F - Testimony on SB 661 - Mike Graine - 1 page G - Testimony on SB 661 - Barry Norris - 2 pages H - Report from the Water Availability Committee - Barry Norris - 17 pages I - Testimony on SB 661 - Phil Ward - 1 page J - Chart on Early Intervention funding - Staff - 1 page

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