

2009 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: HB 2348

STATUS: Original

SUBJECT: Interstate compact on educational opportunity for military children.

GOVERNMENT UNIT AFFECTED: Department of Education, Department of Veterans Affairs, Local Education Agencies, Oregon Judicial Department

PREPARED BY: Erica Kleiner

REVIEWED BY: Monica Brown

DATE: February 3, 2009

EXPENDITURES:

See Comments

REVENUES:

See Comments

EFFECTIVE DATE: January 1, 2010

GOVERNOR'S BUDGET: This bill is not anticipated by the Governor's recommended budget.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

ANALYSIS: This bill enacts the interstate compact on educational opportunity for military children and enters Oregon into the compact with all other joining jurisdictions. The compact applies to children of military families who attend public K-12 schools.

The bill does not clarify which specific state agency is responsible for supporting the compact. The bill requires the creation of a State Council or use of an existing body or board. However, Oregon does not currently have a body or board comprised of the state superintendent of education, a school district superintendent, a representative of a military installation, one representative each from the legislative and executive branches of government, and other stakeholder groups. There would be a fiscal impact to whichever state agency is designated to support the council, however it is indeterminate. Further, language in the bill does not make it clear whether a new state position would be required for the appointed or retained executive director of the commission. If the duties were assigned to an existing position, the impact on the position's current responsibilities would need to be evaluated.

There will also be costs associated with the commission's business such as, meeting administration, travel, and per diem. These costs are also indeterminate as it is unknown where meetings will be held and how often they will occur. The bill also requires that a military family education liaison be designated. It is not possible to predict with any accuracy what the workload associated with the liaison position would be as the number of families that would be transferred to Oregon and fall under the scope of the compact is unknown. There also may be costs (Attorney General expenses) to implement this interstate compact due to work of the Council analyzing how the compact provisions affect Oregon statutes and administrative rules.

Finally, the fiscal impact of this bill includes the collection of an annual assessment by the commission (of which Oregon would be subject) to cover the cost of the commission's operations, activities, and its staff. The total amount of the annual assessment depends on how many children of active duty military personnel are between the ages of five and eighteen.

The Oregon Department of Education (ODE) states that Member states' laws that conflict with the compact would be superseded to the extent of the conflict relating to, among other areas, education records, enrollment, placement, attendance, special education, and graduation. ODE states that its policies may also be affected by the compact provisions. ODE also states that its staff would likely need to provide technical assistance to districts as well.

Both the Oregon Judicial Department (OJD) and the Oregon Department of Veterans' Affairs (ODVA) report the potential for a very minimal fiscal impact. OJD states that because the Interstate Commission may promulgate rules, there may be some judicial review of these rules by the department. OJD states that the degree of fiscal impact depends on many unknown factors making it difficult to ascertain the potential number of cases. OJD states that the potential for review of cases relating to this compact is narrow. OJD doesn't expect this bill to have a measurable impact on the costs of court operation. ODVA states that it would absorb any costs associated with providing information relating to the compact to affected service members.