

# House Bill 3101

Sponsored by Representatives HUNT, THOMPSON

## SUMMARY

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

Modifies duties of State Commission on Children and Families and abolishes State Commission on Children and Families Account.

Transfers certain responsibilities of state commission to Department of Human Services. Directs department to disburse funds to certain programs and to local commissions on children and families.

Establishes Local Commissions on Children and Families Fund. Continuously appropriates moneys in fund to department for specified purposes.

Becomes operative June 30, 2012.

## A BILL FOR AN ACT

1  
2 Relating to commissions on children and families; creating new provisions; amending ORS 131A.360,  
3 131A.365, 181.715, 181.725, 182.515, 329.155, 329.156, 329.159, 329.190, 343.499, 343.507, 417.710,  
4 417.728, 417.730, 417.735, 417.750, 417.760, 417.775, 417.780, 417.785, 417.787, 417.788, 417.790,  
5 417.793, 417.795, 417.797, 417.799, 417.800, 417.801, 417.845, 417.855, 417.857, 418.751, 418.975,  
6 419A.170, 419B.005, 419C.453, 430.257, 458.525, 609.652 and 657A.490; repealing ORS 417.733,  
7 417.740 and 417.745; and appropriating money.

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

9 **SECTION 1.** ORS 417.710 is amended to read:

10 417.710. Subject to the availability of funds [*therefor*] and the specific provisions of ORS 417.705  
11 to 417.801 and 419A.170, it is the purpose of ORS 417.705 to 417.801 and 419A.170 to:

12 (1) Authorize the [*State Commission on Children and Families*] **Department of Human Services**  
13 to set statewide guidelines for the planning, coordination and delivery of services for children and  
14 families in conjunction with other state **and local** agencies and other planning bodies;

15 (2) Vest in local commissions on children and families the authority to distribute state and fed-  
16 eral funds allocated to the local commissions to supervise services or to purchase services for chil-  
17 dren and families in the local area and to supervise the development of the local coordinated  
18 comprehensive plan;

19 (3) Provide a process for comprehensive local planning for services for children and families to  
20 provide local services that are consistent with statewide guidelines;

21 (4) Retain in the state the responsibility for funding of services for children and families through  
22 a combination of local, state and federal funding, including the leveraging of public and private  
23 funds available under ORS 417.705 to 417.801 and 419A.170; and

24 (5) Retain state supervision of child protection and other services that should be uniform  
25 throughout the state and that are necessarily the state's responsibility.

26 **SECTION 2.** ORS 417.730 is amended to read:

27 417.730. (1) There is established a State Commission on Children and Families consisting of:

28 (a) The Director of Human Services;

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (b) The Superintendent of Public Instruction;

2 (c) The Director of the Employment Department or, at the Governor's direction, the chairperson  
3 of the Commission for Child Care;

4 (d) The Director of the Oregon Health Authority;

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

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

9 (g) Twelve members appointed by the Governor.

10 (2) The appointments made by the Governor shall reflect the state's diverse populations and  
11 regions and shall include representatives with expertise along the full developmental continuum of  
12 a child from the prenatal stage through 18 years of age. The members appointed by the Governor  
13 shall include:

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

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

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

20 (d) One social service professional; and

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

22 (3) The term of office of each member appointed by the Governor, **the President of the Senate**  
23 **or the Speaker of the House of Representatives** is four years. Before the expiration of the term  
24 of an appointed member, the [*Governor*] **appointing authority** shall appoint a successor whose term  
25 begins on October 1. An appointed member is eligible for reappointment. If there is a vacancy in  
26 an appointed position for any cause, the [*Governor*] **appointing authority** shall make an appoint-  
27 ment to become immediately effective for the unexpired term.

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

30 (5) [*An appointed member of the state commission who is not a member of the Legislative Assembly*  
31 *is entitled to compensation and expenses as provided in ORS 292.495. Members who are members of*  
32 *the Legislative Assembly shall be paid compensation and expense reimbursement as provided in ORS*  
33 *171.072, payable from funds appropriated to the Legislative Assembly.*] **Members of the state com-**  
34 **mission serve in an advisory capacity only as volunteers and are not entitled to compen-**  
35 **sation or reimbursement of expenses.**

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

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

40 (7) **The state commission shall select one of its members, who shall be a layperson as**  
41 **defined in subsection (6) of this section, as chairperson. The chairperson shall serve for a**  
42 **term and with duties and powers as the state commission determines to be necessary for the**  
43 **performance of the functions of the office.**

44 (8) **A majority of the members of the state commission constitutes a quorum for the**  
45 **transaction of business. The affirmative vote of a majority of the members of the state**

1 **commission is required for action by the state commission.**

2 **(9) The state commission shall meet at times and places specified by the call of the**  
 3 **chairperson or of a majority of the members of the state commission.**

4 **SECTION 3. ORS 417.733, 417.740 and 417.745 are repealed.**

5 **SECTION 4.** ORS 417.735 is amended to read:

6 417.735. [(1)] The State Commission on Children and Families shall **advise the Department of**  
 7 **Human Services in the department's administration of the provisions of ORS 417.705 to**  
 8 **417.801 and 419A.170, including but not limited to the following matters:**

9 **(1) Policies and practices that** promote the wellness of children and families at the state level  
 10 and [shall act in accordance] **that are aligned** with the principles, characteristics and values iden-  
 11 tified in ORS 417.708 to 417.725[. *The state commission shall provide no direct services.*];

12 [(2)(a)] **(2) [Funds for local commissions shall consist of payments from moneys appropriated for**  
 13 **local commissions to the State Commission on Children and Families by the Legislative Assembly. The**  
 14 **state commission shall develop]** An equitable formula for the distribution of funds to counties or re-  
 15 gions for services for children and families[, and a minimum annual grant shall be provided to each  
 16 county or region.];

17 [(b)] **(3) [The state commission shall provide]** Technical assistance and research-based information  
 18 [to] **necessary for** local commissions to support the development of county goals, performance  
 19 measures and outcomes for services and programs[.];

20 [(c) *The state commission may withhold funds from a local commission if services and programs*  
 21 *funded through the local commission do not meet appropriate performance measures and outcomes.*]

22 [(3) *The state commission shall:*]

23 [(a)] **(4) [Set] Recommendations for** guidelines for the planning, coordination and delivery of  
 24 services by local commissions in partnership with other planning bodies and agencies providing  
 25 services for children and families[. *The guidelines shall be consistent with the key elements of the*  
 26 *service system developed and implemented under ORS 417.705 to 417.801. In conjunction with other*  
 27 *planning bodies and agencies providing social supports, the state commission shall use the local coor-*  
 28 *ordinated comprehensive plans to advise agencies, the Legislative Assembly and the Governor];*

29 [(b)] **(5) [Advise the Legislative Assembly and the Governor concerning]** Possible solutions to  
 30 problems facing children and families;

31 [(c)] **(6) [In consultation with other agencies, identify]** High-level and intermediate outcomes re-  
 32 lating to children and families and [monitor] **indicators of** the progress of local coordinated com-  
 33 prehensive plans in meeting intermediate outcome targets;

34 [(d)] **(7) [Encourage The]** Development of innovative projects, based on proven practices of ef-  
 35 fectiveness, that benefit children and families;

36 [(e)] **(8) [Ensure] Recommendations for ensuring** that all services for children and families are  
 37 integrated and evaluated according to their outcomes;

38 [(f)] **(9) The need for and the means to** compile, analyze and distribute information that in-  
 39 forms and supports statewide coordinated planning;

40 [(g)] **(10) The need for and the means to** establish a uniform system of reporting and collecting  
 41 statistical data from counties and other agencies serving children and families;

42 [(h) *Provide a process whereby the Department of Human Services, Oregon Health Authority, Ju-*  
 43 *venile Crime Prevention Advisory Committee, Oregon Youth Authority, Department of Education, De-*  
 44 *partment of Community Colleges and Workforce Development, Employment Department, Housing and*  
 45 *Community Services Department and Oregon Business Development Department review all findings*

1 from data collected by the local commissions through the local coordinated comprehensive plans. The  
 2 information gathered in this review shall be considered by those agencies in designing future economic  
 3 resources and services and in the coordination of services;]

4 [(i) (11) [Make] Recommendations [to the Commission for Child Care] for the development of the  
 5 state's biennial child care plan; [and]

6 [(j) (12) [Communicate information and policy advice on] Current research and proven practices  
 7 of effectiveness, from both inside and outside the state, including successful local strategies[, to local  
 8 commissions, the Governor, the Legislative Assembly, state agencies and the public. The information  
 9 shall include progress in meeting intermediate outcome targets identified in the local coordinated com-  
 10 prehensive plans.]; **and**

11 [(4)(a) (13) [The state commission shall develop] A review and approval process for local coor-  
 12 dinated comprehensive plans [that includes:].

13 [(A) A requirement that the local plan has been approved by the board or boards of county com-  
 14 missioners;]

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

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

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

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

23 [(d) The state commission may disapprove a local plan for failure to address the elements described  
 24 in paragraph (a) of this subsection within 90 days after receipt of the request.]

25 [(5) The state commission, in coordination with the local commissions on children and families,  
 26 shall:]

27 [(a) Assist the local commissions in the development and implementation of performance measures  
 28 and outcomes for evaluating services at the local level;]

29 [(b) Monitor the progress in meeting intermediate outcome targets in the local coordinated com-  
 30 prehensive plans;]

31 [(c) In conjunction with the Department of Human Services and using the staff resources and other  
 32 resources of the state commission, educate, inform and provide technical assistance to local commis-  
 33 sions, including but not limited to technical assistance with:]

34 [(A) Federal and state laws, regulations and rules, and changes therein, governing the use of fed-  
 35 eral and state funds;]

36 [(B) Facilitation;]

37 [(C) Planning;]

38 [(D) Policy development;]

39 [(E) Proven practices of effectiveness;]

40 [(F) Local systems development;]

41 [(G) Community problem solving and mobilization; and]

42 [(H) Other services, as appropriate;]

43 [(d) Conduct research and disseminate information to local commissions on children and  
 44 families;]

45 [(e) Negotiate federal waivers in consultation with the Department of Human Services; and]

1        *[(f) Develop a process for reviewing requests for waivers from requirements of the state commission.*  
2        *Requests for waivers shall be granted or denied as a part of the approval process for a local coordi-*  
3        *nated comprehensive plan. The state commission shall not grant a request for waiver that allows funds*  
4        *to be used for any purpose other than early childhood prevention, intervention and treatment*  
5        *programs.]*

6        *[(6) The state commission shall employ a staff director who shall be responsible for hiring and*  
7        *supervising any additional personnel necessary to assist the state commission in performing its duties.*  
8        *The staff director shall be responsible for management functions of the state commission subject to*  
9        *policy direction by the state commission.]*

10       *[(7) To the extent that federal funding is not jeopardized, the State Commission on Children and*  
11       *Families shall enter into an interagency agreement with the Department of Human Services in which*  
12       *they agree on a system to:]*

13       *[(a) Distribute all Title XX Social Services Block Grant funds;]*

14       *[(b) Ensure that federal and state requirements are met for federal funds administered by the state*  
15       *commission; and]*

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

18       *[(8) In addition to the authority under subsection (5)(e) of this section, the state commission may*  
19       *direct the Department of Human Services or the appropriate state department providing services for*  
20       *children and families to negotiate federal waivers. If the Department of Human Services or any other*  
21       *state agency does not pursue a federal waiver recommended by the state commission, the state com-*  
22       *mission may ask the Governor to direct the Department of Human Services or other state agency to*  
23       *apply for and negotiate the waiver.]*

24       *[(9) If the Department of Human Services or any other state agency refuses to distribute state or*  
25       *federal funds as requested by the state commission, the state commission may ask the Governor to direct*  
26       *the Department of Human Services or other state agency to distribute the funds.]*

27       *[(10) The programs shall be funded as fully as possible by Title XX of the federal Social Security*  
28       *Act, consistent with the terms and conditions of the block grant program and the local coordinated*  
29       *comprehensive plans that reflect community priorities established by the local planning process.]*

30       *[(11) In conjunction with the Department of Human Services, the state commission, as soon as*  
31       *possible, shall develop a plan to re-engineer and integrate the data processing systems related to*  
32       *children's programs with the objective of making management information more accessible. The state*  
33       *commission shall make regular presentations to the Joint Legislative Committee on Information Man-*  
34       *agement and Technology on its progress in developing and implementing the plan.]*

35       *[(12) Before each regular session of the Legislative Assembly, the state commission shall report, to*  
36       *the Governor and to the appropriate joint interim committee as determined by the Speaker of the House*  
37       *of Representatives and the President of the Senate, the following:]*

38       *[(a) Any additional proposals contained in "A Positive Future for Oregon's Children and*  
39       *Families" by the 1991-1992 Oregon Children's Care Team Interim Task Force that should be under-*  
40       *taken;]*

41       *[(b) The status in all counties of local service systems related to the health and wellness of children*  
42       *and the adequacy of financial resources to deliver services;]*

43       *[(c) The progress in achieving desired outcomes, including but not limited to the statewide guide-*  
44       *lines set by the state commission under ORS 417.710 (1);]*

45       *[(d) Barriers to achieving intermediate and high-level outcome targets as identified in local coor-*

1 *minated comprehensive plans;]*

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

4 *[(f) County and community mobilization to increase public awareness and involvement and funding*  
 5 *of community determined priorities.]*

6 *[(13)(a) The state commission may solicit, accept and receive federal moneys or moneys or other*  
 7 *property from persons or corporations, public or private, for the purpose of carrying out the provisions*  
 8 *of ORS 417.705 to 417.801 and 419A.170.]*

9 *[(b) All federal moneys collected or received under paragraph (a) of this subsection shall be ac-*  
 10 *cepted and transferred or expended by the state commission upon such terms and conditions as are*  
 11 *prescribed by the federal government.]*

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

15 *[(14) The state commission shall:]*

16 *[(a) Implement the recommendations of the Juvenile Crime Prevention Advisory Committee, as ap-*  
 17 *proved by the Governor; and]*

18 *[(b) In cooperation with other state and federal agencies, coordinate technical assistance efforts on*  
 19 *a statewide and county-specific basis relating to juvenile crime prevention programs and services.]*

20 *[(15) The state commission may contract with local governments or other entities to administer ju-*  
 21 *venile crime prevention programs and services. In accordance with the applicable provisions of ORS*  
 22 *chapter 183, the state commission may adopt rules necessary for the administration of juvenile crime*  
 23 *prevention programs and services.]*

24 **SECTION 5. Sections 5a and 7 of this 2011 Act are added to and made a part of ORS**  
 25 **417.705 to 417.801.**

26 **SECTION 5a. (1) In its administration of ORS 417.705 to 417.801 and 419A.170, the De-**  
 27 **partment of Human Services shall do all of the following:**

28 **(a) Provide a process whereby the Oregon Health Authority, Juvenile Crime Prevention**  
 29 **Advisory Committee, Oregon Youth Authority, Department of Education, Department of**  
 30 **Community Colleges and Workforce Development, Employment Department, Housing and**  
 31 **Community Services Department and Oregon Business Development Department review all**  
 32 **findings from data collected by the local commissions through the local coordinated com-**  
 33 **prehensive plans. The information gathered in this review shall be considered by those**  
 34 **agencies in designing future economic resources and services and in the coordination of**  
 35 **services.**

36 **(b) Develop a review and approval process for local plans that includes:**

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

39 **(B) Assurance that the local plan meets essential criteria and approval required by ap-**  
 40 **propriate entities and meets appropriate systems and planning connections; and**

41 **(C) Review of state expenditures of resources allocated to the local commission on chil-**  
 42 **dren and families.**

43 **(c) Act on any waiver request from a local commission within 90 days after receipt of the**  
 44 **request.**

45 **(d) Disapprove a local plan for failure to address the elements described in paragraph (b)**

1 of this subsection within 90 days after receipt of the request.

2 (e) Assist the local commissions in the development and implementation of performance  
3 measures and outcomes for evaluating services at the local level.

4 (f) Monitor the progress of local commissions in meeting intermediate outcome targets  
5 in the local plans.

6 (g) Educate, inform and provide technical assistance to local commissions with regard  
7 to matters that include, but are not limited to:

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

10 (B) Facilitation;

11 (C) Planning;

12 (D) Policy development;

13 (E) Proven practices of effectiveness;

14 (F) Local systems development;

15 (G) Community mobilization and problem solving; and

16 (H) Other services as appropriate.

17 (h) Conduct research and disseminate information to local commissions on children and  
18 families.

19 (i) Develop a process for reviewing requests for waivers from requirements of the De-  
20 partment of Human Services. Requests for waivers shall be granted or denied as a part of  
21 the approval process for a local plan. The department may not grant a request for a waiver  
22 that allows funds to be used for any purpose other than early childhood prevention, inter-  
23 vention and treatment programs.

24 (j) Apply for and negotiate federal waivers as appropriate and necessary.

25 (k) Before each odd-numbered year regular session of the Legislative Assembly, the de-  
26 partment shall report, to the Governor and to the appropriate joint interim committee as  
27 determined by the Speaker of the House of Representatives and the President of the Senate,  
28 the following:

29 (A) The status in all counties of local service systems related to the health and wellness  
30 of children and the adequacy of financial resources to deliver services;

31 (B) The progress in achieving desired outcomes, including but not limited to meeting the  
32 statewide guidelines set by the department under ORS 417.710 (1);

33 (C) Barriers to achieving intermediate and high-level outcome targets as identified in  
34 local plans;

35 (D) Proposed solutions to barriers identified under subparagraph (C) of this paragraph,  
36 including proven, effective and innovative strategies; and

37 (E) Community mobilization to increase public awareness and involvement and funding  
38 of community determined priorities.

39 (2)(a) The department may solicit, accept and receive federal moneys or moneys or other  
40 property from persons or corporations, public or private, for the purpose of carrying out the  
41 provisions of ORS 417.705 to 417.801 and 419A.170.

42 (b) All federal moneys accepted or received under paragraph (a) of this subsection shall  
43 be transferred or expended by the department upon such terms and conditions as are pre-  
44 scribed by the federal government.

45 (c) All moneys and other property accepted or received by the department under this

1 subsection shall be transferred, expended or used upon such terms and conditions as are  
2 prescribed by the donor in a manner consistent with applicable law.

3 (3) The department shall:

4 (a) Implement the recommendations of the Juvenile Crime Prevention Advisory Com-  
5 mittee, as approved by the Governor; and

6 (b) In cooperation with other state and federal agencies, coordinate technical assistance  
7 efforts on a statewide and county-specific basis relating to juvenile crime prevention pro-  
8 grams and services.

9 (4) The department may contract with local governments or other entities to administer  
10 juvenile crime prevention programs and services. In accordance with the applicable pro-  
11 visions of ORS chapter 183, the department may adopt rules necessary for the administration  
12 of juvenile crime prevention programs and services.

13 (5) The department shall adopt rules to administer the provisions of ORS 417.705 to  
14 417.801 and 419A.170.

15 **SECTION 6.** The State Commission on Children and Families Account is abolished. Any  
16 moneys remaining in the account on June 30, 2012, that are unexpended, unobligated and not  
17 subject to any conditions shall be transferred to the Local Commissions on Children and  
18 Families Fund established under section 7 of this 2011 Act.

19 **SECTION 7.** The Local Commissions on Children and Families Fund is established in the  
20 State Treasury, separate and distinct from the General Fund. Interest earned by the Local  
21 Commissions on Children and Families Fund shall be credited to the fund. All moneys in the  
22 fund are continuously appropriated to the Department of Human Services for the purpose  
23 of carrying out the provisions of ORS 417.705 to 417.801 and 419A.170.

24 **SECTION 8.** ORS 417.750 is amended to read:

25 417.750. (1) To aid and advise the [*State Commission on Children and Families in the performance*  
26 *of its functions*] **Department of Human Services in its administration of ORS 417.705 to 417.801**  
27 **and 419A.170**, the [*state commission*] **department** may establish such advisory and technical com-  
28 mittees as it considers necessary. The [*state commission*] **department** shall determine the represen-  
29 tation, membership, terms and organization of the committees and shall appoint the members. The  
30 advisory and technical committees shall include members of local commissions on children and  
31 families.

32 (2) Members of committees are not entitled to compensation, but at the discretion of the [*state*  
33 *commission*] **department** may be reimbursed from funds available to the [*state commission*] **depart-**  
34 **ment** for actual and necessary travel and other expenses incurred in the performance of their offi-  
35 cial duties, subject to ORS 292.495.

36 **SECTION 9.** ORS 417.760 is amended to read:

37 417.760. (1) The board of county commissioners of a county or the boards of county commis-  
38 sioners of contiguous counties that agree to appoint a regional commission:

39 (a) Shall appoint a chairperson and a minimum of eight members to a local commission on chil-  
40 dren and families in the manner described in ORS 417.765.

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

45 (c) Must approve the local coordinated comprehensive plan before it may be submitted to the



1 [State Commission on Children and Families] **Department of Human Services**. If the local plan has  
 2 been revised or is amended, the revised or amended local plan must be submitted to the board or  
 3 boards for approval before it is submitted to the [state commission] **department**.

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

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

9 **SECTION 10.** ORS 417.775 is amended to read:

10 417.775. (1) Under the direction of the board or boards of county commissioners, and in con-  
 11 junction with the guidelines set by the [State Commission on Children and Families] **Department**  
 12 **of Human Services**, the local commission on children and families shall promote wellness for chil-  
 13 dren of all ages and their families in the county or region, if the families have given their express  
 14 written consent, mobilize communities and develop policy and oversee the implementation of a local  
 15 coordinated comprehensive plan described in this section. A local commission shall:

16 (a) Inform and involve citizens;

17 (b) Identify and map the range of resources in the community;

18 (c) Plan, advocate and fund research-based initiatives for children who are 18 years of age or  
 19 younger, including prenatal, and their families;

20 (d) Develop local policies, priorities, outcomes and targets;

21 (e) Prioritize activities identified in the local plan and mobilize the community to take action;

22 (f) Prioritize the use of nondedicated resources;

23 (g) Monitor implementation of the local plan; and

24 (h) Monitor and evaluate the intermediate outcome targets identified in the local plan that are  
 25 reviewed under ORS 417.797, and report on the progress in addressing priorities and achieving out-  
 26 comes.

27 (2)(a) A local commission may not provide direct services for children and their families.

28 (b) Notwithstanding paragraph (a) of this subsection, a local commission may provide direct  
 29 services for children and their families for a period not to exceed six months if:

30 (A)(i) The local commission determines that there is an emergency;

31 (ii) A provider of services discontinues providing the services in the county or region; or

32 (iii) No provider is able to offer the services in the county or region; and

33 (B) The family has given its express written consent.

34 (3) The local commission shall lead and coordinate a process to assess needs, strengths, goals,  
 35 priorities and strategies, and identify county or regional outcomes to be achieved. The process shall  
 36 be in conjunction with other coordinating bodies for services for children and their families and  
 37 shall include representatives of education, mental health services, developmental disability services,  
 38 alcohol and drug treatment programs, public health programs, local child care resource and referral  
 39 agencies, child care providers, law enforcement and corrections agencies, private nonprofit entities,  
 40 local governments, faith-based organizations, businesses, families, youth and the local community.  
 41 The process shall include populations representing the diversity of the county or region.

42 (4) Through the process described in subsection (3) of this section, the local commission shall  
 43 coordinate the development of a single local plan for coordinating community programs, strategies  
 44 and services for children who are 18 years of age or younger, including prenatal, and their families  
 45 among community groups, government agencies, private providers and other parties. The local plan

1 shall be a comprehensive area-wide service delivery plan for all services to be provided for children  
2 and their families in the county or region, if the families have given their express written consent.  
3 The local plan shall be designed to achieve state and county or regional outcomes based on state  
4 policies and guidelines and to maintain a level of services consistent with state and federal re-  
5 quirements.

6 (5) The local commission shall prepare the local coordinated comprehensive plan and applica-  
7 tions for funds to implement ORS 417.705 to 417.801 and 419A.170. The local plan, policies and pro-  
8 posed service delivery systems shall be submitted to the board or boards of county commissioners  
9 for approval prior to submission to the *[state commission]* **department**. The local plan shall be based  
10 on identifying the most effective service delivery system allowing for the continuation of current  
11 public and private programs where appropriate. The local plan shall address needs, strengths and  
12 assets of all children, their families and communities, including those children and their families at  
13 highest risk.

14 (6) Subject to the availability of funds:

15 (a) The local coordinated comprehensive plan shall include:

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

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

22 (b) The local coordinated comprehensive plan shall reference:

23 (A) A voluntary local early childhood system plan created *[pursuant to]* **under** ORS 417.777;

24 (B) Local alcohol and other drug prevention and treatment plans developed *[pursuant to]* **under**  
25 section 1, chapter 856, Oregon Laws 2009;

26 (C) Local service plans, developed *[pursuant to]* **under** ORS 430.630, for the delivery of mental  
27 health services for children and their families;

28 (D) Local public health plans, developed *[pursuant to]* **under** ORS 431.385, that include public  
29 health issues such as prenatal care, immunizations, well-child checkups, tobacco use, nutrition, teen  
30 pregnancy, maternal and child health care and suicide prevention; and

31 (E) The local high-risk juvenile crime prevention plan developed *[pursuant to]* **under** ORS  
32 417.855.

33 (7) The local coordinated comprehensive plan shall include a list of staff positions budgeted to  
34 support the local commission on children and families. The list shall indicate the status of each po-  
35 sition as a percentage of full-time equivalency dedicated to the implementation of the local coordi-  
36 nated comprehensive plan. The county board or boards of commissioners shall be responsible for  
37 providing the level of staff support detailed in the local plan and shall ensure that funds provided  
38 for these purposes are used to carry out the local plan.

39 (8) The local coordinated comprehensive plan shall:

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

42 (b) Improve results by identifying the methods that work best at the state and local levels to  
43 coordinate resources, reduce paperwork and simplify processes, including data gathering and plan-  
44 ning;

45 (c) Be based on local, state and federal resources;

- 1 (d) Be based on proven practices of effectiveness for the specific community;
- 2 (e) Contribute to a voluntary statewide system of formal and informal services and supports that  
 3 is provided at the community level, that is integrated in local communities and that promotes im-  
 4 proved outcomes for Oregon’s children;
- 5 (f) Be presented to the citizens in each county for public review, comment and adjustment;
- 6 (g) Be designed to achieve outcomes based on research-identified proven practices of effective-  
 7 ness; and
- 8 (h) Address other issues, local needs or children and family support areas as determined by the  
 9 local commission pursuant to ORS 417.735.
- 10 (9) In developing the local coordinated comprehensive plan, the local commission shall:
- 11 (a) Secure active participation [*pursuant to*] **under** subsection (3) of this section;
- 12 (b) Provide for community participation in the planning process, including media notification;
- 13 (c) Conduct an assessment of the community that identifies needs and strengths;
- 14 (d) Identify opportunities for service integration; and
- 15 (e) Develop a local coordinated comprehensive plan and budget to meet the priority needs of a  
 16 county or region.
- 17 (10) The [*state commission*] **department** may disapprove the part of the local coordinated com-  
 18 prehensive plan relating to the planning process required by this section and the voluntary local  
 19 early childhood system plan.
- 20 (11)(a) The [*state commission*] **department** may disapprove the **part of the local coordinated**  
 21 **comprehensive plan relating to the** planning process and the voluntary local early childhood  
 22 system plan only upon making specific findings that the local plan substantially fails to conform to  
 23 the principles, characteristics and values identified in ORS 417.708 to 417.725 [*and 417.735 (4)*] or  
 24 that the local plan fails to conform with the planning process requirements of this section. The staff  
 25 of the [*state commission*] **department** shall assist the local commission in remedying the deficiencies  
 26 in the planning process or the voluntary local early childhood system plan. The [*state commission*]  
 27 **department** shall set a date by which any deficient portions of the planning process or the volun-  
 28 tary local early childhood system plan must be revised and resubmitted to the [*state commission*]  
 29 **department** by the local commission.
- 30 (b) The [*state commission*] **department** does not have approval authority over the following  
 31 service plans referenced in the local coordinated comprehensive plan:
- 32 (A) The local alcohol and other drug prevention and treatment plans developed pursuant to  
 33 section 1, chapter 856, Oregon Laws 2009;
- 34 (B) Local service plans, developed pursuant to ORS 430.630, relating to the delivery of mental  
 35 health services;
- 36 (C) Local public health plans developed pursuant to ORS 431.385; and
- 37 (D) Local high-risk juvenile crime prevention plans developed pursuant to ORS 417.855.
- 38 (12) The [*state commission*] **department**, the Alcohol and Drug Policy Commission[, *the Depart-*  
 39 *ment of Human Services*] and the Juvenile Crime Prevention Advisory Committee may jointly ap-  
 40 prove the community plan that is part of the local coordinated comprehensive plan, but may not  
 41 jointly approve the service plans that are referenced in the local plan. If the community plan is  
 42 disapproved in whole, the agencies shall identify with particularity the manner in which the com-  
 43 munity plan is deficient and the service plans may be implemented. If only part of the community  
 44 plan is disapproved, the remainder of the community plan and the service plans may be implemented.  
 45 The staff of the agencies shall assist the local commission in remedying the disapproved portions

1 of the community plan. The agencies shall jointly set a date by which the deficient portions of the  
 2 community plan shall be revised and resubmitted to the agencies by the local commission. In re-  
 3 viewing the community plan, the agencies shall consider the impact of state and local budget re-  
 4 ductions on the community plan.

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

12 (14) From time to time, the local commission may amend the local coordinated comprehensive  
 13 plan and applications for funds to implement ORS 417.705 to 417.801 and 419A.170. The local com-  
 14 mission must amend the local plan to reflect current community needs, strengths, goals, priorities  
 15 and strategies. Amendments become effective upon approval of the board or boards of county com-  
 16 missioners and the [state commission] **department**.

17 (15) The local commission shall keep an official record of any amendments to the local coordi-  
 18 nated comprehensive plan under subsection (14) of this section.

19 (16) The local commission shall provide an opportunity for public and private contractors to  
 20 review the components of the local coordinated comprehensive plan and any amendments to the lo-  
 21 cal plan, to receive notice of any component that the county or counties intend to provide through  
 22 a county agency and to comment publicly to the board or boards of county commissioners if they  
 23 disagree with the proposed service delivery plan.

24 **SECTION 11.** ORS 417.775, as amended by section 17, chapter 856, Oregon Laws 2009, is  
 25 amended to read:

26 417.775. (1) Under the direction of the board or boards of county commissioners, and in con-  
 27 junction with the guidelines set by the [State Commission on Children and Families] **Department**  
 28 **of Human Services**, the local commission on children and families shall promote wellness for chil-  
 29 dren of all ages and their families in the county or region, if the families have given their express  
 30 written consent, mobilize communities and develop policy and oversee the implementation of a local  
 31 coordinated comprehensive plan described in this section. A local commission shall:

- 32 (a) Inform and involve citizens;
- 33 (b) Identify and map the range of resources in the community;
- 34 (c) Plan, advocate and fund research-based initiatives for children who are 18 years of age or  
 35 younger, including prenatal, and their families;
- 36 (d) Develop local policies, priorities, outcomes and targets;
- 37 (e) Prioritize activities identified in the local plan and mobilize the community to take action;
- 38 (f) Prioritize the use of nondedicated resources;
- 39 (g) Monitor implementation of the local plan; and
- 40 (h) Monitor and evaluate the intermediate outcome targets identified in the local plan that are  
 41 reviewed under ORS 417.797, and report on the progress in addressing priorities and achieving out-  
 42 comes.

43 (2)(a) A local commission may not provide direct services for children and their families.

44 (b) Notwithstanding paragraph (a) of this subsection, a local commission may provide direct  
 45 services for children and their families for a period not to exceed six months if:

- 1 (A)(i) The local commission determines that there is an emergency;
- 2 (ii) A provider of services discontinues providing the services in the county or region; or
- 3 (iii) No provider is able to offer the services in the county or region; and
- 4 (B) The family has given its express written consent.
- 5 (3) The local commission shall lead and coordinate a process to assess needs, strengths, goals,
- 6 priorities and strategies, and identify county or regional outcomes to be achieved. The process shall
- 7 be in conjunction with other coordinating bodies for services for children and their families and
- 8 shall include representatives of education, mental health services, developmental disability services,
- 9 alcohol and drug treatment programs, public health programs, local child care resource and referral
- 10 agencies, child care providers, law enforcement and corrections agencies, private nonprofit entities,
- 11 local governments, faith-based organizations, businesses, families, youth and the local community.
- 12 The process shall include populations representing the diversity of the county or region.
- 13 (4) Through the process described in subsection (3) of this section, the local commission shall
- 14 coordinate the development of a single local plan for coordinating community programs, strategies
- 15 and services for children who are 18 years of age or younger, including prenatal, and their families
- 16 among community groups, government agencies, private providers and other parties. The local plan
- 17 shall be a comprehensive area-wide service delivery plan for all services to be provided for children
- 18 and their families in the county or region, if the families have given their express written consent.
- 19 The local plan shall be designed to achieve state and county or regional outcomes based on state
- 20 policies and guidelines and to maintain a level of services consistent with state and federal re-
- 21 quirements.
- 22 (5) The local commission shall prepare the local coordinated comprehensive plan and applica-
- 23 tions for funds to implement ORS 417.705 to 417.801 and 419A.170. The local plan, policies and pro-
- 24 posed service delivery systems shall be submitted to the board or boards of county commissioners
- 25 for approval prior to submission to the *[state commission]* **department**. The local plan shall be based
- 26 on identifying the most effective service delivery system allowing for the continuation of current
- 27 public and private programs where appropriate. The local plan shall address needs, strengths and
- 28 assets of all children, their families and communities, including those children and their families at
- 29 highest risk.
- 30 (6) Subject to the availability of funds:
- 31 (a) The local coordinated comprehensive plan shall include:
- 32 (A) Identification of ways to connect all state and local planning processes related to services
- 33 for children and their families into the local coordinated comprehensive plan to create positive
- 34 outcomes for children and their families; and
- 35 (B) Provisions for a continuum of social supports at the community level for children from the
- 36 prenatal stage through 18 years of age, and their families, that takes into account areas of need,
- 37 service overlap, asset building and community strengths as outlined in ORS 417.305 (2).
- 38 (b) The local coordinated comprehensive plan shall reference:
- 39 (A) A voluntary local early childhood system plan created *[pursuant to]* **under** ORS 417.777;
- 40 (B) Local alcohol and other drug prevention and treatment plans developed *[pursuant to]* **under**
- 41 section 1, chapter 856, Oregon Laws 2009;
- 42 (C) Local service plans, developed *[pursuant to]* **under** ORS 430.630, for the delivery of mental
- 43 health services for children and their families;
- 44 (D) Local public health plans, developed *[pursuant to]* **under** ORS 431.385, that include public
- 45 health issues such as prenatal care, immunizations, well-child checkups, tobacco use, nutrition, teen

1 pregnancy, maternal and child health care and suicide prevention; and

2 (E) The local high-risk juvenile crime prevention plan developed [*pursuant to*] **under** ORS  
3 417.855.

4 (7) The local coordinated comprehensive plan shall include a list of staff positions budgeted to  
5 support the local commission on children and families. The list shall indicate the status of each po-  
6 sition as a percentage of full-time equivalency dedicated to the implementation of the local coordi-  
7 nated comprehensive plan. The county board or boards of commissioners shall be responsible for  
8 providing the level of staff support detailed in the local plan and shall ensure that funds provided  
9 for these purposes are used to carry out the local plan.

10 (8) The local coordinated comprehensive plan shall:

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

13 (b) Improve results by identifying the methods that work best at the state and local levels to  
14 coordinate resources, reduce paperwork and simplify processes, including data gathering and plan-  
15 ning;

16 (c) Be based on local, state and federal resources;

17 (d) Be based on proven practices of effectiveness for the specific community;

18 (e) Contribute to a voluntary statewide system of formal and informal services and supports that  
19 is provided at the community level, that is integrated in local communities and that promotes im-  
20 proved outcomes for Oregon's children;

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

22 (g) Be designed to achieve outcomes based on research-identified proven practices of effective-  
23 ness; and

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

26 (9) In developing the local coordinated comprehensive plan, the local commission shall:

27 (a) Secure active participation [*pursuant to*] **under** subsection (3) of this section;

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

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

30 (d) Identify opportunities for service integration; and

31 (e) Develop a local coordinated comprehensive plan and budget to meet the priority needs of a  
32 county or region.

33 (10) The [*state commission*] **department** may disapprove the part of the local coordinated com-  
34 prehensive plan relating to the planning process required by this section and the voluntary local  
35 early childhood system plan.

36 (11)(a) The [*state commission*] **department** may disapprove the **part of the local coordinated**  
37 **comprehensive plan relating to the** planning process and the voluntary local early childhood  
38 system plan only upon making specific findings that the local plan substantially fails to conform to  
39 the principles, characteristics and values identified in ORS 417.708 to 417.725 [*and 417.735 (4)*] or  
40 that the local plan fails to conform with the planning process requirements of this section. The staff  
41 of the [*state commission*] **department** shall assist the local commission in remedying the deficiencies  
42 in the planning process or the voluntary local early childhood system plan. The [*state commission*]  
43 **department** shall set a date by which any deficient portions of the planning process or the volun-  
44 tary local early childhood system plan must be revised and resubmitted to the [*state commission*]  
45 **department** by the local commission.

1 (b) The [state commission] **department** does not have approval authority over the following  
2 service plans referenced in the local coordinated comprehensive plan:

3 (A) The local alcohol and other drug prevention and treatment plans developed pursuant to  
4 section 1, chapter 856, Oregon Laws 2009;

5 (B) Local service plans, developed pursuant to ORS 430.630, relating to the delivery of mental  
6 health services;

7 (C) Local public health plans developed pursuant to ORS 431.385; and

8 (D) Local high-risk juvenile crime prevention plans developed pursuant to ORS 417.855.

9 (12) The [state commission] **department**, [the Department of Human Services] and the Juvenile  
10 Crime Prevention Advisory Committee may jointly approve the community plan that is part of the  
11 local coordinated comprehensive plan, but may not jointly approve the service plans that are refer-  
12 enced in the local plan. If the community plan is disapproved in whole, the agencies shall identify  
13 with particularity the manner in which the community plan is deficient and the service plans may  
14 be implemented. If only part of the community plan is disapproved, the remainder of the community  
15 plan and the service plans may be implemented. The staff of the agencies shall assist the local  
16 commission in remedying the disapproved portions of the community plan. The agencies shall jointly  
17 set a date by which the deficient portions of the community plan shall be revised and resubmitted  
18 to the agencies by the local commission. In reviewing the community plan, the agencies shall con-  
19 sider the impact of state and local budget reductions on the community plan.

20 (13) If a local commission determines that the needs of the county or region it serves differ from  
21 those identified by the [state commission] **department**, it may ask the [state commission] **department**  
22 to waive specific requirements in its list of children's support areas. The process for granting  
23 waivers shall be developed by the [state commission] **department** prior to the start of the review  
24 and approval process for the local coordinated comprehensive plan [described in ORS 417.735 (4)]  
25 and shall be based primarily on a determination of whether the absence of a waiver would prevent  
26 the local commission from best meeting the needs of the county or region.

27 (14) From time to time, the local commission may amend the local coordinated comprehensive  
28 plan and applications for funds to implement ORS 417.705 to 417.801 and 419A.170. The local com-  
29 mission must amend the local plan to reflect current community needs, strengths, goals, priorities  
30 and strategies. Amendments become effective upon approval of the board or boards of county com-  
31 missioners and the [state commission] **department**.

32 (15) The local commission shall keep an official record of any amendments to the local coordi-  
33 nated comprehensive plan under subsection (14) of this section.

34 (16) The local commission shall provide an opportunity for public and private contractors to  
35 review the components of the local coordinated comprehensive plan and any amendments to the lo-  
36 cal plan, to receive notice of any component that the county or counties intend to provide through  
37 a county agency and to comment publicly to the board or boards of county commissioners if they  
38 disagree with the proposed service delivery plan.

39 **SECTION 12.** ORS 417.780 is amended to read:

40 417.780. Funds received by a county or counties from the state to implement ORS 417.705 to  
41 417.801 and 419A.170 shall not be used to replace county general fund moneys, other than federal  
42 or state funds, currently being used by the county for existing programs for children and youth.  
43 However, in case of severe financial hardship demonstrated by a county or counties, the [State  
44 Commission on Children and Families] **Department of Human Services** may waive the require-  
45 ments of this section in approving the local coordinated comprehensive plan.

**SECTION 13.** ORS 417.785 is amended to read:

417.785. A local commission is the recommended local structure for implementation of ORS 417.705 to 417.801 and 419A.170. However, a county or counties may elect to offer another structure but shall submit only one local coordinated comprehensive plan. The alternative structure must be approved by the [*State Commission on Children and Families*] **Department of Human Services**.

**SECTION 14.** ORS 417.787 is amended to read:

417.787. The [*State Commission on Children and Families*] **Department of Human Services** shall:

(1) Determine when funds for services for children and families not described in ORS 409.010 (2)(a) and 430.215 are to be transferred to the local commission. If a local commission with an approved local coordinated comprehensive plan requests a transfer, the [*state commission*] **department** shall determine whether funds can be transferred.

(2) Determine which, if any, services for children and families that are not described in ORS 409.010 (2)(a) and 430.215 are not to be transferred to local commissions but are to remain state responsibilities.

**SECTION 15.** ORS 417.788 is amended to read:

417.788. (1) The [*State Commission on Children and Families*] **Department of Human Services** shall support relief nurseries statewide through local commissions on children and families as funding becomes available. Local commissions may establish relief nurseries for young children who are at risk and their families. Local commissions in adjoining counties may choose to establish regional relief nurseries. The relief nurseries shall:

(a) Be consistent with the voluntary early childhood system plan that is part of the local coordinated comprehensive plan; and

(b) Involve the parents of children served by the relief nurseries.

(2) Programs at the relief nurseries shall include:

(a) Therapeutic early childhood education programs; and

(b) Parent education, training and support.

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

**SECTION 16.** ORS 417.790 is amended to read:

417.790. The [*State Commission on Children and Families*] **Department of Human Services** shall:

(1) Make grants to local commissions on children and families to fund research-based services and initiatives to improve outcomes for children, youth or families. The [*state commission*] **department** shall assist counties in the implementation of community services that are efficient, accountable, coordinated and readily available. Grants for services and initiatives to support children, youth or families shall be used at the local level according to the county's local coordinated comprehensive plan. These services shall be provided in accordance with ORS 417.715 and 417.720.

(2) Make Great Start grants to local commissions on children and families to fund community-based programs for children who are newborn through eight years of age. A county or region shall use Great Start grant funds to provide research-based early childhood programs in community settings and to provide services that have proven to be successful and that meet the needs of the community as described in the county's local coordinated comprehensive plan. These services shall be provided in accordance with ORS 417.728.

**SECTION 17.** ORS 417.793 is amended to read:



1 417.793. The [State Commission on Children and Families] **Department of Human Services**  
2 shall support parents-as-teachers programs statewide through local commissions on children and  
3 families as funding becomes available. If a local commission offers a program, the program shall be  
4 part of a comprehensive, research-based approach to parent education and support. The program  
5 shall be consistent with the voluntary early childhood system plan that is part of the local coordi-  
6 nated comprehensive plan.

7 **SECTION 18.** ORS 417.795 is amended to read:

8 417.795. (1) The [State Commission on Children and Families established under ORS 417.730]  
9 **Department of Human Services** shall establish Healthy Start Family Support Services programs  
10 through contracts entered into by local commissions on children and families in all counties of this  
11 state as funding becomes available.

12 (2) These programs shall be nonstigmatizing, voluntary and designed to achieve the appropriate  
13 early childhood benchmarks and shall:

14 (a) Ensure that express written consent is obtained from the family prior to any release of in-  
15 formation that is protected by federal or state law and before the family receives any services;

16 (b) Ensure that services are voluntary and that, if a family chooses not to accept services or  
17 ends services, there are no adverse consequences for those decisions;

18 (c) Offer a voluntary comprehensive screening and risk assessment of all newly born children  
19 and their families;

20 (d) Ensure that the disclosure of information gathered in conjunction with the voluntary com-  
21 prehensive screening and risk assessment of children and their families is limited [pursuant to] **un-**  
22 **der** ORS 417.728 (6) to the following purposes:

23 (A) Providing services under the programs to children and families who give their express  
24 written consent;

25 (B) Providing statistical data that are not personally identifiable;

26 (C) Accomplishing other purposes for which the family has given express written consent; and

27 (D) Meeting the requirements of mandatory state and federal disclosure laws;

28 (e) Ensure that risk factors used in the risk assessment are limited to those risk factors that  
29 have been shown by research to be associated with poor outcomes for children and families;

30 (f) Identify, as early as possible, families that would benefit most from the programs;

31 (g) Provide parenting education and support services, including but not limited to community-  
32 based home visiting services and primary health care services;

33 (h) Provide other supports, including but not limited to referral to and linking of community and  
34 public services for children and families such as mental health services, alcohol and drug treatment  
35 programs that meet the standards promulgated by the Oregon Health Authority [pursuant to] **under**  
36 ORS 430.357, child care, food, housing and transportation;

37 (i) Coordinate services for children consistent with the voluntary local early childhood system  
38 plan developed [pursuant to] **under** ORS 417.777;

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

40 (k) Integrate data with any common data system for early childhood programs implemented  
41 [pursuant to] **under** section 7, chapter 831, Oregon Laws 2001;

42 (L) Be included in a statewide independent evaluation to document:

43 (A) Level of screening and assessment;

44 (B) Incidence of child abuse and neglect;

45 (C) Change in parenting skills; and

- 1 (D) Rate of child development;
- 2 (m) Be included in a statewide training program in the dynamics of the skills needed to provide  
3 early childhood services, such as assessment and home visiting; and
- 4 (n) Meet voluntary statewide and local early childhood system quality assurance and quality  
5 improvement standards.
- 6 (3) The Healthy Start Family Support Services programs, local health departments and other  
7 providers of prenatal and perinatal services in counties, as part of the voluntary local early child-  
8 hood system, shall:
- 9 (a) Identify existing services and describe and prioritize additional services necessary for a  
10 voluntary home visit system;
- 11 (b) Build on existing programs;
- 12 (c) Maximize the use of volunteers and other community resources that support all families;
- 13 (d) Target, at a minimum, all first birth families in the county; and
- 14 (e) Ensure that home visiting services provided by local health departments for children and  
15 pregnant women support and are coordinated with local Healthy Start Family Support Services  
16 programs.
- 17 (4) Through a Healthy Start Family Support Services program, a trained family support worker  
18 or nurse shall be assigned to each family assessed as at risk that consents to receive services  
19 through the worker or nurse. The worker or nurse shall conduct home visits and assist the family  
20 in gaining access to needed services.
- 21 (5) The services required by this section shall be provided by hospitals, public or private entities  
22 or organizations, or any combination thereof, capable of providing all or part of the family risk as-  
23 sessment and the follow-up services. In granting a contract, a local commission may utilize  
24 collaborative contracting or requests for proposals and shall take into consideration the most ef-  
25 fective and consistent service delivery system.
- 26 (6) The family risk assessment and follow-up services for families at risk shall be provided by  
27 trained family support workers or nurses organized in teams supervised by a manager and including  
28 a family services coordinator who is available to consult.
- 29 (7) Each Healthy Start Family Support Services program shall adopt disciplinary procedures for  
30 family support workers, nurses and other employees of the program. The procedures shall provide  
31 appropriate disciplinary actions for family support workers, nurses and other employees who violate  
32 federal or state law or the policies of the program.
- 33 **SECTION 19.** ORS 417.797 is amended to read:
- 34 417.797. (1) Each state agency or other entity that is responsible for a component of the local  
35 coordinated comprehensive plan shall ensure that a biennial evaluation of the plan component is  
36 conducted according to a consistent framework. The program evaluation shall include:
- 37 (a) An identified goal and associated Oregon benchmarks;
- 38 (b) Proven practices of effectiveness and related Oregon data;
- 39 (c) A target population and a description of local service systems that may be used in identify-  
40 ing, screening, recruiting and serving the target population;
- 41 (d) Specific intermediate outcomes that measure progress in addressing risk contributors or de-  
42 veloping core supports and competencies and specific tools and data sources to measure the inter-  
43 mediate outcomes;
- 44 (e) Baseline data about the incidence of risk and asset and support factors with the goal of  
45 measuring change over time, including an assessment of local need;

1 (f) Measures of fiscal accountability;

2 (g) Identified roles and responsibilities for state agencies and local partners and performance  
3 measures to evaluate effectiveness in agreed-upon roles; and

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

6 (2) The [*State Commission on Children and Families*] **Department of Human Services** shall  
7 disclose the results of the evaluations to any person upon request.

8 (3) The Oregon Progress Board shall conduct a review of the intermediate [*outcome targets*]  
9 **outcomes that were** achieved by local coordinated comprehensive plans in accordance with ORS  
10 417.735 [(3)(c)] **(6)** for the purpose of identifying progress in achieving outcomes specified in local  
11 plans. The Oregon Progress Board shall coordinate the review with the evaluations conducted ac-  
12 cording to subsection (1) of this section.

13 **SECTION 20.** ORS 417.799 is amended to read:

14 417.799. (1) The [*State Commission on Children and Families*] **Department of Human Services**  
15 is responsible for coordinating statewide planning for delivery of services to runaway and homeless  
16 youth and their families.

17 (2) The [*State Commission on Children and Families*] **department** shall lead a process that will  
18 allow the [*state commission*] **department**, the Juvenile Crime Prevention Advisory Committee, the  
19 Employment Department, [*the Department of Human Services,*] the Housing and Community Services  
20 Department, the Department of Community Colleges and Workforce Development, the Department  
21 of Education and the Oregon Youth Authority to develop a comprehensive and coordinated approach  
22 for services and support for runaway and homeless youth and their families. The approach shall in-  
23 clude an assessment of service needs, the integration of existing services and the identification and  
24 tracking of a statewide high-level outcome related to runaway and homeless youth and their fami-  
25 lies.

26 (3) Through the process, the agencies and other persons and entities involved in the process  
27 shall:

28 (a) Recommend funding mechanisms, financial resources and policy changes that will support a  
29 continuum of services and that will ensure integration of services among state agencies that provide  
30 services to runaway and homeless youth and their families;

31 (b) Identify means of service delivery that are culturally competent, gender specific and evidence  
32 based and that reflect differences in approaches for urban and rural runaway and homeless youth  
33 and their families;

34 (c) Develop urban and rural demonstration sites to test effective service delivery models for the  
35 urban and rural populations;

36 (d) Recommend policies and services that specifically address the needs and responsibilities of  
37 parents of runaway and homeless youth;

38 (e) Review existing state laws regarding parental accountability to determine recommended  
39 enforcement levels and examine new strategies to encourage parents to be accountable for positive  
40 development of their children; and

41 (f) Recommend policies that integrate a system of services for runaway and homeless youth into  
42 the state's continuum of care for children who are 0 through 18 years of age.

43 (4) In addition to the state agencies listed in subsection (2) of this section, [*the state*  
44 *commission*] **the joint process described in subsection (2) of this section** shall include represen-  
45 tatives of youth, nonprofit organizations and statewide coalitions related to runaway and homeless

1 youth services and supports *[in the joint process described in subsection (2) of this section]*.

2 **SECTION 21.** ORS 417.800 is amended to read:

3 417.800. The *[State Commission on Children and Families]* **Department of Human Services**  
 4 shall coordinate the collection of data, provision of technical assistance to communities for assessing  
 5 the needs of runaway and homeless youth, and identification and promotion of the best practices for  
 6 service delivery, and shall recommend long term goals to identify and address the underlying causes  
 7 of homelessness of youth.

8 **SECTION 22.** ORS 417.801 is amended to read:

9 417.801. Local commissions on children and families shall consider the needs, resources and  
 10 support for runaway and homeless youth and their families as part of the development of local co-  
 11 ordinated comprehensive plans. As part of this process, local commissions shall provide information  
 12 to the *[State Commission on Children and Families]* **Department of Human Services** on the barriers  
 13 to local implementation of care and services to runaway and homeless youth and their families  
 14 that result from existing state level policies.

15 **SECTION 23.** ORS 417.845 is amended to read:

16 417.845. (1) The Juvenile Crime Prevention Advisory Committee is created within the *[State*  
 17 *Commission on Children and Families]* **Department of Human Services**.

18 (2) The committee shall have the following members:

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

20 (b) *[The staff director of the State Commission on Children and Families or a designee of the staff*  
 21 *director]* **The Director of Human Services or one or more designees of the director;**

22 (c) The Director of the Oregon Health Authority or one or more designees of the director, one  
 23 of whom has expertise in treatment and prevention of substance abuse;

24 (d) The executive director of the Oregon Criminal Justice Commission or a designee of the  
 25 executive director;

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

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

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

29 (h) One designee of the Governor;

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

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

34 (k) One designee of the Chief Justice of the Supreme Court from the Judicial Department who  
 35 serves as a nonvoting member to provide information and support the partnership role of the courts  
 36 in an effective comprehensive statewide approach to high-risk youth and their families.

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

40 (a) To represent local public and private entities:

41 (A) A county commissioner;

42 (B) A local juvenile director;

43 (C) A director of a local commission on children and families;

44 (D) Two law enforcement officials;

45 (E) A county mental health director;

- 1 (F) An alcohol and drug abuse professional;
- 2 (G) A school superintendent;
- 3 (H) A private youth service provider; and
- 4 (I) An elected city official;
- 5 (b) A researcher;
- 6 (c) A citizen member; and
- 7 (d) Other members as determined by the Governor.

8 (4) Each member of the committee appointed by the Governor under subsection (3) of this section shall serve a term of four years. Members appointed by the Governor shall serve at the pleasure of the Governor. A vacancy in the office of any member appointed by the Governor under subsection 9 (3) of this section shall be filled by the Governor by appointment for the unexpired term.

12 (5) The Governor shall select one of the members of the committee as chairperson and one of 13 its members as vice chairperson.

14 (6) The committee shall meet at times, places and intervals deemed advisable by a majority of 15 the members.

16 (7) The *[State Commission on Children and Families]* **Department of Human Services** shall 17 provide staff support to the committee.

18 **SECTION 24.** ORS 417.855 is amended to read:

19 417.855. (1) Each board of county commissioners shall designate an agency or organization to 20 serve as the lead planning organization to facilitate the creation of a partnership among state and 21 local public and private entities in each county. The partnership shall include, but is not limited to, 22 local commissions on children and families, education representatives, public health representatives, 23 local alcohol and drug planning committees, representatives of the court system, local mental health 24 planning committees, city or municipal representatives and local public safety coordinating councils. 25 The partnership shall develop a local high-risk juvenile crime prevention plan that shall be incor- 26 porated into the local coordinated comprehensive plans created *[pursuant to]* **under** ORS 417.775.

27 (2) The local high-risk juvenile crime prevention plans shall use services and activities to meet 28 the needs of a targeted population of youths who:

- 29 (a) Have more than one of the following risk factors:
  - 30 (A) Antisocial behavior;
  - 31 (B) Poor family functioning or poor family support;
  - 32 (C) Failure in school;
  - 33 (D) Substance abuse problems; or
  - 34 (E) Negative peer association; and

35 (b) Are clearly demonstrating at-risk behaviors that have come to the attention of government 36 or community agencies, schools or law enforcement and will lead to imminent or increased involve- 37 ment in the juvenile justice system.

38 (3)(a) The *[State Commission on Children and Families]* **Department of Human Services** shall 39 allocate funds available to support the local high-risk juvenile crime prevention plans to counties 40 based on the youth population age 18 or younger in those counties.

41 (b) The *[state commission]* **department** shall award a minimum grant to small counties. The 42 minimum grant level shall be determined by the Juvenile Crime Prevention Advisory Committee 43 through a public process and reviewed by the committee biennially.

44 **SECTION 25.** ORS 417.857 is amended to read:

45 417.857. (1) Deschutes County may place greater emphasis on early intervention and work with

1 younger children than required by the Juvenile Crime Prevention Advisory Committee if the county  
 2 has been granted a waiver [pursuant to] **under** this section.

3 (2) The Juvenile Crime Prevention Advisory Committee shall develop an objective process, re-  
 4 view criteria and timetable for consideration of a waiver request. A waiver granted under this sec-  
 5 tion applies to the requirements for basic services grants described in ORS 417.850 (8) and high-risk  
 6 juvenile crime prevention resources managed by the [*State Commission on Children and Families*]  
 7 **Department of Human Services**. The waiver shall be consistent with the goals of ORS 417.705 to  
 8 417.801, 417.850 and 417.855.

9 (3) Any documentation required for a waiver under this section shall be obtained to the greatest  
 10 extent possible from material contained in the county’s juvenile crime prevention plan and from  
 11 material as determined through biennial intergovernmental agreements. The Juvenile Crime Pre-  
 12 vention Advisory Committee may ask the county to submit additional information regarding how the  
 13 county intends to use crime prevention funds under the waiver.

14 (4) The Juvenile Crime Prevention Advisory Committee shall grant a waiver or continue a  
 15 waiver based on criteria that include:

16 (a) The rate of Oregon Youth Authority discretionary bed usage compared to other counties;

17 (b) The county’s rates of first-time juvenile offenders, chronic juvenile offenders and juvenile  
 18 recidivism compared to other counties;

19 (c) The amount and allocation of expenditures from all funding sources for juvenile crime pre-  
 20 vention, including prevention and early intervention strategies, and how the requested waiver ad-  
 21 dresses the needs and priorities for the target population described in ORS 417.855 and for the  
 22 target population described in the waiver;

23 (d) Inclusion of prevention or early intervention strategies in the juvenile crime prevention plan;

24 (e) Investments in evidence-based crime prevention programs and practices;

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

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

29 (h) Identification of the risk factors for the target population described in the waiver; and

30 (i) Changes in the risk factors for the target population described in the waiver.

31 (5) The committee shall review and act on any request for a waiver within 90 days after receipt  
 32 of the request.

33 (6) The duration of a waiver granted under this section is four years. Before the expiration of  
 34 a waiver granted under this section, the county may submit a request for another waiver.

35 **SECTION 26.** ORS 417.728 is amended to read:

36 417.728. (1) The [*State Commission on Children and Families, the*] Department of Education, the  
 37 Employment Department, the Department of Human Services and the Oregon Health Authority shall  
 38 lead a joint effort with other state and local early childhood partners to establish the policies nec-  
 39 essary for a voluntary statewide early childhood system that shall be incorporated into the local  
 40 coordinated comprehensive plan.

41 (2) The voluntary statewide early childhood system shall be designed to achieve:

42 (a) The appropriate early childhood benchmarks jointly identified by the [*State Commission on*  
 43 *Children and Families, the*] Department of Education, the Employment Department, the Department  
 44 of Human Services and the Oregon Health Authority, with input from early childhood partners, as  
 45 the appropriate benchmarks; and

1 (b) Any other early childhood benchmark or intermediate outcome jointly identified by the [*State*  
 2 *Commission on Children and Families, the*] Department of Education, the Employment Department,  
 3 the Department of Human Services and the Oregon Health Authority, with input from early child-  
 4 hood partners, as an appropriate benchmark or outcome.

5 (3) The voluntary statewide early childhood system shall include the following components:

6 (a) A process to identify as early as possible children and families who would benefit from early  
 7 childhood services;

8 (b) A plan to support the identified needs of the child and family that coordinates case man-  
 9 agement personnel and the delivery of services to the child and family; and

10 (c) Services to support children who are zero through eight years of age and their families who  
 11 give their express written consent, including:

12 (A) Screening, assessment and home visiting services pursuant to ORS 417.795;

13 (B) Specialized or targeted home visiting services;

14 (C) Community-based services such as relief nurseries, family support programs and parent ed-  
 15 ucation programs;

16 (D) High quality child care, as defined by the Commission for Child Care;

17 (E) Preschool and other early education services;

18 (F) Health services for children and pregnant women;

19 (G) Mental health services;

20 (H) Alcohol and drug treatment programs that meet the standards promulgated by the Oregon  
 21 Health Authority pursuant to ORS 430.357;

22 (I) Developmental disability services; and

23 (J) Other state and local services.

24 (4) The [*State Commission on Children and Families, the*] Department of Education, the Employ-  
 25 ment Department, the Department of Human Services and the Oregon Health Authority shall jointly:

26 (a) Consolidate administrative functions relating to the voluntary statewide early childhood  
 27 system, to the extent practicable, including but not limited to training and technical assistance,  
 28 planning and budgeting. This paragraph does not apply to the administrative functions of the De-  
 29 partment of Education relating to education programs;

30 (b) Adopt policies to establish training and technical assistance programs to ensure that per-  
 31 sonnel have skills in appropriate areas, including screening, family assessment, competency-based  
 32 home visiting skills, cultural and gender differences and other areas as needed;

33 (c) Identify research-based age-appropriate and culturally and gender appropriate screening and  
 34 assessment tools that would be used as appropriate in programs and services of the voluntary  
 35 statewide early childhood system;

36 (d) Develop a plan for the implementation of a common data system for voluntary early child-  
 37 hood programs as provided in section 7, chapter 831, Oregon Laws 2001;

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

40 (f) Establish a common set of quality assurance standards to guide local implementation of all  
 41 elements of the voluntary statewide early childhood system, including voluntary universal screening  
 42 and assessment, home visiting, staffing, evaluation and community-based services;

43 (g) Ensure that all plans for voluntary early childhood services are coordinated and consistent  
 44 with federal and state law, including but not limited to plans for Oregon prekindergarten programs,  
 45 federal Head Start programs, early childhood special education services, early intervention services

1 and public health services;

2 (h) Identify how the voluntary statewide early childhood system for children who are zero  
3 through eight years of age will link with systems of support for older children and their families;

4 (i) Contract for an evaluation of the outcomes of the voluntary statewide early childhood system;  
5 and

6 (j) During January of each odd-numbered year, report to the Governor and the Legislative As-  
7 sembly on the voluntary statewide early childhood system. The report shall include the evaluation  
8 described in paragraph (i) of this subsection.

9 (5) The [*State Commission on Children and Families, the*] State Board of Education, the Em-  
10 ployment Department, the Department of Human Services and the Oregon Health Authority when  
11 adopting rules to administer voluntary early childhood programs under their individual authority  
12 shall adopt rules that are consistent with the requirements of the voluntary statewide early child-  
13 hood system created under this section.

14 (6) Information gathered in conjunction with the voluntary comprehensive screening and as-  
15 sessment of children and their families may be used only for the following purposes:

- 16 (a) Providing services to children and families who give their express written consent;
- 17 (b) Providing statistical data that are not personally identifiable;
- 18 (c) Accomplishing other purposes for which the family has given express written consent; and
- 19 (d) Meeting the requirements of mandatory state and federal disclosure laws.

20 **SECTION 27.** ORS 418.751 is amended to read:

21 418.751. (1) The Department of Human Services, as provided in ORS 418.702, and the Department  
22 of Justice shall ensure that training and education are provided for persons, other than law  
23 enforcement officers, who are required to investigate allegations of child abuse. [*The Department of*  
24 *Human Services and the Department of Justice shall consult with the State Commission on Children*  
25 *and Families in assessing the grant funding that might be distributed to enhance and support training*  
26 *and continuing education for the county multidisciplinary child abuse teams.*]

27 (2) The Department of Human Services and the Department of Justice shall work with the Board  
28 on Public Safety Standards and Training to ensure that the training that is offered to persons under  
29 subsection (1) of this section and ORS 418.702 is coordinated with the training given to law  
30 enforcement officers.

31 **SECTION 28.** ORS 418.975 is amended to read:

32 418.975. As used in ORS 418.975 to 418.985:

33 (1) “Cultural competence” means accepting and respecting diversity and differences in a con-  
34 tinuous process of self-assessment and reflection on one’s personal and organizational perceptions  
35 of the dynamics of culture.

36 (2) “Family” includes, with respect to a youth:

- 37 (a) A biological or legal parent;
- 38 (b) A sibling;
- 39 (c) An individual related by blood, marriage or adoption;
- 40 (d) A foster parent;
- 41 (e) A legal guardian;
- 42 (f) A caregiver;
- 43 (g) An individual with a significant social relationship with the youth; and

44 (h) Any person who provides natural, formal or informal support to the youth that the youth  
45 identifies as important.



1 (3) “Family-run organization” means a private nonprofit entity organized for the purpose of  
 2 serving families with a youth who has a serious emotional disorder that:

3 (a) Has a governing board in which a majority of the members are family members of a youth  
 4 with a serious emotional disorder; and

5 (b) Gives a preference to family members in hiring decisions for the entity.

6 (4) “Identified population” means youth who have or are at risk of developing emotional, be-  
 7 havioral or substance use related needs, and who are involved with two or more systems of care.

8 (5) “Partner agency” includes the Department of Education, Oregon Youth Authority, Depart-  
 9 ment of Human Services[, *State Commission on Children and Families*] and other appropriate agen-  
 10 cies involved in the system of care.

11 (6) “Services and supports” means public, private and community resources that assist youth in  
 12 the achievement of positive outcomes.

13 (7) “System of care” means a coordinated network of services including education, child welfare,  
 14 public health, primary care, pediatric care, juvenile justice, mental health treatment, substance use  
 15 treatment, developmental disability services and any other services and supports to the identified  
 16 population that integrates care planning and management across multiple levels, that is culturally  
 17 and linguistically competent, that is designed to build meaningful partnerships with families and  
 18 youth in the delivery and management of services and the development of policy and that has a  
 19 supportive policy and management infrastructure.

20 (8) “Wraparound” means a definable, team-based planning process involving a youth and the  
 21 youth’s family that results in a unique set of community services and services and supports indi-  
 22 vidualized for that youth and family to achieve a set of positive outcomes.

23 (9) “Youth” means an individual 18 years of age or younger.

24 **SECTION 29.** ORS 419A.170 is amended to read:

25 419A.170. (1) In every case under ORS chapter 419B, the court shall appoint a court appointed  
 26 special advocate. The court appointed special advocate is deemed a party in these proceedings, and  
 27 in the furtherance thereof, may be represented by counsel, file pleadings and request hearings and  
 28 may subpoena, examine and cross-examine witnesses. If the court appointed special advocate is re-  
 29 presented by counsel, counsel shall be paid from funds available to the Court Appointed Special  
 30 Advocate Volunteer Program. No funds from the Public Defense Services Account or Judicial De-  
 31 partment operating funds may be used for this purpose.

32 (2) Subject to the direction of the court, the duties of the court appointed special advocate are  
 33 to:

34 (a) Investigate all relevant information about the case;

35 (b) Advocate for the child or ward, ensuring that all relevant facts are brought before the court;

36 (c) Facilitate and negotiate to ensure that the court, Department of Human Services, if appli-  
 37 cable, and the child or ward’s attorney, if any, fulfill their obligations to the child or ward in a  
 38 timely fashion; and

39 (d) Monitor all court orders to ensure compliance and to bring to the court’s attention any  
 40 change in circumstances that may require a modification of the court’s order.

41 (3) If a juvenile court does not have available to it a CASA Volunteer Program, or a sufficient  
 42 number of qualified CASA volunteers, the court may, in fulfillment of the requirements of this sec-  
 43 tion, appoint a juvenile department employee or other suitable person to represent the child or  
 44 ward’s interest in court [*pursuant to*] **under** ORS 419A.012 or 419B.195.

45 (4) Any person appointed as a court appointed special advocate in any judicial proceeding on

1 behalf of the child or ward is immune from any liability for defamation or statements made in good  
 2 faith by that person, orally or in writing, in the course of the case review or judicial proceeding.

3 (5) Any person appointed as a court appointed special advocate, CASA Volunteer Program di-  
 4 rector, CASA Volunteer Program employee or member of the board of directors or trustees of any  
 5 CASA Volunteer Program is immune from any liability for acts or omissions or errors in judgment  
 6 made in good faith in the course or scope of that person’s duties or employment as part of a CASA  
 7 Volunteer Program.

8 (6) Whenever the court appoints a court appointed special advocate or other person under sub-  
 9 sections (1) to (3) of this section to represent the child or ward, it may require a parent, if able, or  
 10 guardian of the estate, if the estate is able, to pay, in whole or in part, the reasonable costs of CASA  
 11 services including reasonable attorney fees. The court’s order of payment is enforceable in the same  
 12 manner as an order of support under ORS 419B.408.

13 (7) Upon presentation of the order of appointment by the court appointed special advocate, any  
 14 agency, hospital, school organization, division, office or department of the state, doctor, nurse or  
 15 other health care provider, psychologist, psychiatrist, police department or mental health clinic shall  
 16 permit the court appointed special advocate to inspect and copy any records relating to the child  
 17 or ward involved in the case, without the consent of the child, ward or parents.

18 (8) All records and information acquired or reviewed by a court appointed special advocate  
 19 during the course of official duties are deemed confidential under ORS 419A.255.

20 (9) For the purposes of a Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.)  
 21 grant to this state under Public Law No. 93-247, or any related state or federal legislation, a court  
 22 appointed special advocate or other person appointed [*pursuant to*] **under** subsections (1) to (3) of  
 23 this section is deemed a guardian ad litem to represent the interests of the child or ward in pro-  
 24 ceedings before the court. Any provisions of this section and ORS 419B.035 and 419B.045 that cause  
 25 this state to lose federal funding are null and void.

26 (10) There is created a Court Appointed Special Advocate (CASA) Fund in the General Fund.  
 27 The fund consists of all moneys credited to it. Moneys in the Court Appointed Special Advocate  
 28 Fund are continuously appropriated to the [*State Commission on Children and Families*] **Department**  
 29 **of Human Services** and may be used only to carry out the purposes of this section. The  
 30 [*commission*] **department** may apply for and receive funds from federal and private sources for  
 31 carrying out the provisions of this section.

32 (11) The [*state commission*] **department** may expend moneys from the Court Appointed Special  
 33 Advocate Fund directly or indirectly through contracts or grants for the creation, supervision and  
 34 operation of CASA Volunteer Programs statewide in accordance with the provisions of ORS  
 35 419A.045 to 419A.048. The [*commission*] **department** may also expend moneys from the Court Ap-  
 36 pointed Special Advocate Fund to pay the reasonable costs of its administration of the Court Ap-  
 37 pointed Special Advocate Fund. The [*commission*] **department** shall adopt rules for carrying out its  
 38 responsibilities under this section and ORS 419B.035 and 419B.045.

39 **SECTION 30.** ORS 419B.005, as amended by section 4, chapter 60, Oregon Laws 2010, is  
 40 amended to read:

41 419B.005. As used in ORS 419B.005 to 419B.050, unless the context requires otherwise:

42 (1)(a) “Abuse” means:

43 (A) Any assault, as defined in ORS chapter 163, of a child and any physical injury to a child  
 44 which has been caused by other than accidental means, including any injury which appears to be  
 45 at variance with the explanation given of the injury.

1 (B) Any mental injury to a child, which shall include only observable and substantial impairment  
 2 of the child's mental or psychological ability to function caused by cruelty to the child, with due  
 3 regard to the culture of the child.

4 (C) Rape of a child, which includes but is not limited to rape, sodomy, unlawful sexual pene-  
 5 tration and incest, as those acts are described in ORS chapter 163.

6 (D) Sexual abuse, as described in ORS chapter 163.

7 (E) Sexual exploitation, including but not limited to:

8 (i) Contributing to the sexual delinquency of a minor, as defined in ORS chapter 163, and any  
 9 other conduct which allows, employs, authorizes, permits, induces or encourages a child to engage  
 10 in the performing for people to observe or the photographing, filming, tape recording or other ex-  
 11 hibition which, in whole or in part, depicts sexual conduct or contact, as defined in ORS 167.002 or  
 12 described in ORS 163.665 and 163.670, sexual abuse involving a child or rape of a child, but not in-  
 13 cluding any conduct which is part of any investigation conducted [*pursuant to*] **under** ORS 419B.020  
 14 or which is designed to serve educational or other legitimate purposes; and

15 (ii) Allowing, permitting, encouraging or hiring a child to engage in prostitution, as defined in  
 16 ORS chapter 167.

17 (F) Negligent treatment or maltreatment of a child, including but not limited to the failure to  
 18 provide adequate food, clothing, shelter or medical care that is likely to endanger the health or  
 19 welfare of the child.

20 (G) Threatened harm to a child, which means subjecting a child to a substantial risk of harm  
 21 to the child's health or welfare.

22 (H) Buying or selling a person under 18 years of age as described in ORS 163.537.

23 (I) Permitting a person under 18 years of age to enter or remain in or upon premises where  
 24 methamphetamines are being manufactured.

25 (J) Unlawful exposure to a controlled substance, as defined in ORS 475.005, that subjects a child  
 26 to a substantial risk of harm to the child's health or safety.

27 (b) "Abuse" does not include reasonable discipline unless the discipline results in one of the  
 28 conditions described in paragraph (a) of this subsection.

29 (2) "Child" means an unmarried person who is under 18 years of age.

30 (3) "Public or private official" means:

31 (a) Physician, osteopathic physician, physician assistant, naturopathic physician, podiatric phy-  
 32 sician and surgeon, including any intern or resident.

33 (b) Dentist.

34 (c) School employee.

35 (d) Licensed practical nurse, registered nurse, nurse practitioner, nurse's aide, home health aide  
 36 or employee of an in-home health service.

37 (e) Employee of the Department of Human Services, Oregon Health Authority, [*State Commission*  
 38 *on Children and Families,*] Child Care Division of the Employment Department, the Oregon Youth  
 39 Authority, a county health department, a community mental health program, a community develop-  
 40 mental disabilities program, a county juvenile department, a licensed child-caring agency or an al-  
 41cohol and drug treatment program.

42 (f) Peace officer.

43 (g) Psychologist.

44 (h) Member of the clergy.

45 (i) Regulated social worker.

- 1 (j) Optometrist.
- 2 (k) Chiropractor.
- 3 (L) Certified provider of foster care, or an employee thereof.
- 4 (m) Attorney.
- 5 (n) Licensed professional counselor.
- 6 (o) Licensed marriage and family therapist.
- 7 (p) Firefighter or emergency medical technician.
- 8 (q) A court appointed special advocate, as defined in ORS 419A.004.
- 9 (r) A child care provider registered or certified under ORS 657A.030 and 657A.250 to 657A.450.
- 10 (s) Member of the Legislative Assembly.
- 11 (t) Physical, speech or occupational therapist.
- 12 (u) Audiologist.
- 13 (v) Speech-language pathologist.
- 14 (w) Employee of the Teacher Standards and Practices Commission directly involved in investi-  
15 gations or discipline by the commission.
- 16 (x) Pharmacist.
- 17 (y) An operator of a preschool recorded program under ORS 657A.255.
- 18 (z) An operator of a school-age recorded program under ORS 657A.257.
- 19 (aa) Employee of a private agency or organization facilitating the provision of respite services,  
20 as defined in ORS 418.205, for parents [pursuant to] **under** a properly executed power of attorney  
21 under ORS 109.056.

22 (4) "Law enforcement agency" means:

- 23 (a) Any city or municipal police department.
- 24 (b) Any county sheriff's office.
- 25 (c) The Oregon State Police.
- 26 (d) A county juvenile department.

27 **SECTION 31.** ORS 182.515 is amended to read:  
28 182.515. As used in this section and ORS 182.525:

29 (1) "Agency" means:

- 30 (a) The Department of Corrections;
- 31 (b) The Oregon Youth Authority; **and**

32 [(c) *The State Commission on Children and Families; and*]

33 [(d)] (c) That part of the Oregon Health Authority that deals with mental health and addiction  
34 issues.

35 (2) "Cost effective" means that cost savings realized over a reasonable period of time are  
36 greater than costs.

37 (3) "Evidence-based program" means a program that:

- 38 (a) Incorporates significant and relevant practices based on scientifically based research; and
- 39 (b) Is cost effective.

40 (4)(a) "Program" means a treatment or intervention program or service that is intended to:

- 41 (A) Reduce the propensity of a person to commit crimes;
- 42 (B) Improve the mental health of a person with the result of reducing the likelihood that the  
43 person will commit a crime or need emergency mental health services; or
- 44 (C) Reduce the propensity of a person who is less than 18 years of age to engage in antisocial  
45 behavior with the result of reducing the likelihood that the person will become a juvenile offender.

1 (b) "Program" does not include:

2 (A) An educational program or service that an agency is required to provide to meet educational  
3 requirements imposed by state law; or

4 (B) A program that provides basic medical services.

5 (5) "Scientifically based research" means research that obtains reliable and valid knowledge by:

6 (a) Employing systematic, empirical methods that draw on observation or experiment;

7 (b) Involving rigorous data analyses that are adequate to test the stated hypotheses and justify  
8 the general conclusions drawn; and

9 (c) Relying on measurements or observational methods that provide reliable and valid data  
10 across evaluators and observers, across multiple measurements and observations and across studies  
11 by the same or different investigators.

12 **SECTION 32.** ORS 329.155 is amended to read:

13 329.155. (1) State agencies that administer education programs and other programs that provide  
14 services for children and families shall:

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

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

21 (c) Establish plans, interagency partnerships, implementation practices and interactions with  
22 local coordinated comprehensive plans;

23 (d) Utilize the information generated by applicable state advisory groups and by the local plan-  
24 ning process administered by the [*State Commission on Children and Families*] **Department of Hu-**  
25 **man Services** in the program assessment of needs and decisions as to service delivery in a given  
26 community; and

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

29 (2) The processes listed in subsection (1) of this section are for the purpose of generating  
30 interagency coordination so as to serve to the greatest extent possible young children and their  
31 families in a comprehensive and developmentally appropriate fashion. The information generated by  
32 these processes shall be considered as a contribution to subsequent budget decisions by state and  
33 local agencies, the Oregon Department of Administrative Services and **the** Legislative Assembly,  
34 and as a contribution to the planning and coordination tasks of the [*State Commission on Children*  
35 *and Families*] **Department of Human Services in its administration of ORS 417.705 to 417.801**  
36 **and 419A.170.**

37 **SECTION 33.** ORS 329.156 is amended to read:

38 329.156. (1) The Department of Education[,] **and** the Department of Human Services [*and the*  
39 *State Commission on Children and Families*] shall support the development and implementation of a  
40 network of community learning centers across the state.

41 (2) Within available funding, [*the state commission, in conjunction with*] local commissions on  
42 children and families or other organizations that provide training and technical assistance to schools  
43 or community programs[,] shall provide training and technical assistance to promote the develop-  
44 ment and implementation of community learning centers. To the extent possible, the [*state commis-*  
45 *sion*] **Department of Human Services** shall use voluntary organizations to provide the training and

1 technical assistance.

2 (3) If a community learning center is created by a school district, the school district shall co-  
 3 ordinate with the local commission on children and families to ensure that the community learning  
 4 center is referenced in the local coordinated comprehensive plan, implemented [*pursuant to*] **under**  
 5 ORS 417.775.

6 (4) Community learning centers created [*pursuant to*] **under** this section shall:

7 (a) Be located in or near a school or a cluster of schools;

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

9 (c) Involve the local community in developing and overseeing community learning center pro-  
 10 grams;

11 (d) Incorporate the principles of family support services described in ORS 329.150 and 417.342;

12 (e) In partnership with the local school district board, create or designate an advisory committee  
 13 to offer guidance on program development and implementation, with membership that is represen-  
 14 tative of the diversity of community interests, including representatives of businesses, schools,  
 15 faith-based organizations, social service and health care agencies, cultural groups, recreation groups,  
 16 municipal governments, community colleges, libraries, child care providers, parents and youths;

17 (f) Conduct an assessment of strengths, needs and assets within the community to be served by  
 18 the community learning center that identifies services being delivered in the community, defines and  
 19 clarifies services that are missing or overlapping and builds on any existing community assessments;  
 20 and

21 (g) Coordinate the community assessment with the local commission on children and families.

22 (5) The Department of Human Services and the Department of Education shall provide technical  
 23 assistance to community learning centers to develop policies ensuring that confidential information  
 24 is disclosed only in accordance with state and federal laws.

25 **SECTION 34.** ORS 329.159 is amended to read:

26 329.159. (1) Within available funding, the Department of Education shall, in conjunction with the  
 27 Department of Human Services, [*the State Commission on Children and Families,*] representatives of  
 28 local commissions on children and families[,] and the Juvenile Crime Prevention Advisory Commit-  
 29 tee, explore the feasibility of conducting a statewide evaluation of the effectiveness of community  
 30 learning centers. The evaluation may consider the following outcomes:

31 (a) Student attendance;

32 (b) Test scores;

33 (c) Parent involvement;

34 (d) Family mobility;

35 (e) Disciplinary referrals; and

36 (f) Referrals to the juvenile justice system.

37 (2) The Department of Education, in consultation with the Department of Human Services, [*the*  
 38 *State Commission on Children and Families,*] representatives of local commissions on children and  
 39 families[,] and the Juvenile Crime Prevention Advisory Committee, shall create a form for reporting  
 40 and monitoring information collected by community learning centers. The form shall be designed to  
 41 collect the following data:

42 (a) Unduplicated number of children and unduplicated number of adults served in community  
 43 learning center programs;

44 (b) Number of requests for information and other referrals;

45 (c) Level of parent or customer satisfaction;

1 (d) Increases in or reductions of collaboration among agencies and departments;

2 (e) Increases in or reductions of the use of public facilities for community and family programs;

3 and

4 (f) Outcomes listed in subsection (1) of this section.

5 **SECTION 35.** ORS 329.190 is amended to read:

6 329.190. The Department of Education shall establish an advisory committee composed of inter-  
7 ested parents and representatives from the [*State Commission on Children and Families*] **Depart-**  
8 **ment of Human Services**, health care profession, early childhood education and development staff  
9 preparation programs, Oregon Head Start Association, school districts, community colleges, Early  
10 Intervention Council, child care and other organizations. The purpose of the advisory committee is  
11 to provide advice to the Department **of Education** on matters related to the Oregon  
12 prekindergarten program.

13 **SECTION 36.** ORS 343.499 is amended to read:

14 343.499. (1)(a) There is created the State Interagency Coordinating Council.

15 (b) The Governor shall appoint members of the council from a list of eligible appointees provided  
16 by the council and agencies described in subsection (2) of this section and shall ensure that the  
17 membership of the council reasonably represents the population of this state.

18 (c) The Governor shall designate one member of the council to serve as the chairperson, or if  
19 the Governor chooses not to name a chairperson, the council may elect one of its members to serve  
20 as chairperson. However, any member of the council who represents the Department of Education  
21 may not serve as the chairperson of the council.

22 (2) The membership of the council shall be composed as follows:

23 (a) At least 20 percent of the council members shall be parents, including minority parents, of  
24 preschool children with disabilities or of children with disabilities who are 12 years of age or  
25 younger who have knowledge of or experience with programs for infants and toddlers with disabili-  
26 ties. At least one council member shall be a parent of an infant or toddler with a disability or of a  
27 child with a disability who is six years of age or younger.

28 (b) At least 20 percent of the council members shall be public or private providers of early  
29 intervention and early childhood special education services.

30 (c) At least one council member shall be a member of the Legislative Assembly.

31 (d) At least one council member shall be involved in personnel preparation.

32 (e) At least one council member shall represent the Department of Human Services.

33 (f) At least one council member shall represent the federal Head Start program.

34 (g) At least one council member shall represent the Child Care Division of the Employment  
35 Department.

36 (h) At least one council member shall represent the Department of Education.

37 (i) At least one council member shall represent the Department of Consumer and Business Ser-  
38 vices.

39 (j) At least one council member shall represent the [*State Commission on Children and*  
40 *Families*] **local commissions on children and families established under ORS 417.760.**

41 (k) At least one council member shall represent the Child Development and Rehabilitation Cen-  
42 ter of the Oregon Health and Science University.

43 (L) At least one council member shall be a member of the State Advisory Council for Special  
44 Education created under ORS 343.287.

45 (m) At least one council member shall be a representative designated by the state coordinator

1 for homeless education.

2 (n) At least one council member shall represent the state child welfare agency responsible for  
3 foster care.

4 (o) At least one council member shall represent the state agency responsible for children's  
5 mental health.

6 (p) At least one council member shall be from the Oregon Health Authority.

7 (q) The council may include other members appointed by the Governor, including but not limited  
8 to one representative from the United States Bureau of Indian Affairs or, where there is no school  
9 operated or funded by the bureau, from the Indian Health Service or the tribe or tribal council.

10 (3) An individual appointed to represent a state agency that is involved in the provision of or  
11 payment for services for preschool children with disabilities under subsection (2)(e) and (h) to (k)  
12 of this section shall have sufficient authority to engage in making and implementing policy on behalf  
13 of the agency.

14 (4) The State Interagency Coordinating Council shall:

15 (a) Advise the Superintendent of Public Instruction and the State Board of Education on unmet  
16 needs in the early childhood special education and early intervention programs for preschool chil-  
17 dren with disabilities, review and comment publicly on any rules proposed by the State Board of  
18 Education and the distribution of funds for the programs and assist the state in developing and re-  
19 porting data on and evaluations of the programs and services.

20 (b) Advise and assist the represented public agencies regarding the services and programs they  
21 provide to preschool children with disabilities and their families, including public comments on any  
22 proposed rules affecting the target population and the distribution of funds for such services, and  
23 assist each agency in developing services that reflect the overall goals for the target population as  
24 adopted by the council.

25 (c) Advise and assist the Department of Education and other state agencies in the development  
26 and implementation of the policies that constitute the statewide system.

27 (d) Assist all appropriate public agencies in achieving the full participation, coordination and  
28 cooperation for implementation of a statewide system that includes but is not limited to:

29 (A) Seeking information from service providers, service coordinators, parents and others about  
30 any federal, state or local policies that impede timely service delivery; and

31 (B) Taking steps to ensure that any policy problems identified under subparagraph (A) of this  
32 paragraph are resolved.

33 (e) Advise and assist the Department of Education in identifying the sources of fiscal and other  
34 support for preschool services, assigning financial responsibility to the appropriate agencies and  
35 ensuring that the provisions of interagency agreements under ORS 343.511 are carried out.

36 (f) Review and comment on each agency's services and policies regarding services for preschool  
37 children with disabilities, or preschool children who are at risk of developing disabling conditions,  
38 and their families to the maximum extent possible to assure cost-effective and efficient use of re-  
39 sources.

40 (g) To the extent appropriate, assist the Department of Education in the resolution of disputes.

41 (h) Advise and assist the Department of Education in the preparation of applications and  
42 amendments thereto.

43 (i) Advise and assist the Department of Education regarding the transition of preschool children  
44 with disabilities.

45 (j) Prepare and submit an annual report to the Governor and to the United States Secretary of



1 Education on the status of early intervention programs operated within this state.

2 (5) The council may advise appropriate agencies about integration of services for preschool  
3 children with disabilities and at-risk preschool children.

4 (6) Terms of office for council members shall be three years, except that:

5 (a) The representative from the State Advisory Council for Special Education shall serve a  
6 one-year term; and

7 (b) The representatives from other state agencies and the representative from the Legislative  
8 Assembly shall serve indefinite terms.

9 (7) Subject to approval by the Governor, the council may use federal funds appropriated for this  
10 purpose and available to the council to:

11 (a) Conduct hearings and forums;

12 (b) Reimburse nonagency council members [*pursuant to*] **under** ORS 292.495 for attending coun-  
13 cil meetings, for performing council duties, and for necessary expenses, including child care for  
14 parent members;

15 (c) Pay compensation to a council member if the member is not employed or if the member must  
16 forfeit wages from other employment when performing official council business;

17 (d) Hire staff; and

18 (e) Obtain the services of such professional, technical and clerical personnel as may be neces-  
19 sary to carry out its functions.

20 (8) Except as provided in subsection (7) of this section, council members shall serve without  
21 compensation.

22 (9) The Department of Education shall provide clerical and administrative support, including  
23 staff, to the council to carry out the performance of the council's function as described in this sec-  
24 tion.

25 (10) The council shall meet at least quarterly. The meetings shall be announced publicly and,  
26 to the extent appropriate, be open and accessible to the general public.

27 (11) No member of the council shall cast a vote on any matter that would provide direct finan-  
28 cial benefit to that member or otherwise give the appearance of a conflict of interest under state  
29 law.

30 **SECTION 37.** ORS 343.507 is amended to read:

31 343.507. (1) Each contractor for early childhood special education and early intervention ser-  
32 vices shall assist in the development of a local early intervention interagency advisory council in  
33 every county within the contractor's service area.

34 (2) Each local early intervention interagency advisory council shall include as members at least  
35 20 percent parents of preschool children with disabilities, 20 percent providers of early childhood  
36 special education and early intervention services or other services to preschool children with disa-  
37 bilities, a representative of the [*State Commission on Children and Families*] **local commissions on**  
38 **children and families established under ORS 417.760** and representatives from public and private  
39 agencies that serve young children and their families, including but not limited to Head Start and  
40 Oregon prekindergartens, community child care, the Child Care Division of the Employment De-  
41 partment, local school districts, education service districts, Department of Education regional spe-  
42 cial education programs, community mental health and developmental disabilities programs,  
43 Department of Human Services health programs, child welfare programs and public assistance pro-  
44 grams, Indian education agencies, migrant programs serving young children and community colleges.

45 (3) Each local early intervention interagency advisory council shall select its own chairperson

1 and vice chairperson and fix the duties of its officers.

2 (4) The department shall establish procedures pursuant to rules of the State Board of Education  
 3 for seeking and considering local council advice regarding the selection of contractors, coordination  
 4 of services and procedures for local resolution of disputes.

5 **SECTION 38.** ORS 430.257 is amended to read:

6 430.257. (1) The Legislative Assembly finds that alcohol and other drug use, abuse and addiction:

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

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

11 (c) Contribute substantially to the problems faced by a significant number of persons served by  
 12 the Department of Human Services, Department of Corrections, Oregon Health Authority, Oregon  
 13 Youth Authority[,] **and** Juvenile Crime Prevention Advisory Committee [*and State Commission on*  
 14 *Children and Families*].

15 (2) The Department of Human Services, Department of Corrections, Oregon Health Authority,  
 16 Oregon Youth Authority[,] **and** Juvenile Crime Prevention Advisory Committee [*and State Commis-*  
 17 *sion on Children and Families*] shall contribute to the development of a comprehensive state plan for  
 18 alcohol and other drug prevention, intervention and treatment services.

19 (3) The administrative heads of the Department of Education, Department of Human Services,  
 20 Oregon Health Authority, Oregon State Police, Department of Transportation, Oregon Liquor Con-  
 21 trol Commission[,] **and** Juvenile Crime Prevention Advisory Committee [*and State Commission on*  
 22 *Children and Families*] shall each designate an individual, or in the instance of multidivisional de-  
 23 partments, individuals, to serve as liaison to and assist the Governor's Council on Alcohol and Drug  
 24 Abuse Programs in meeting the policies, duties and responsibilities set forth in this section and ORS  
 25 430.250, 430.255, 430.258, 430.259, 430.270, 430.290, 430.359, 430.368, 430.535 and 430.630.

26 **SECTION 39.** ORS 458.525 is amended to read:

27 458.525. (1) The Interagency Council on Hunger and Homelessness is established. The Director  
 28 of the Housing and Community Services Department shall chair the council. In addition to the di-  
 29 rector, the council shall consist of 15 members as follows:

30 (a) One member representing each of the following:

31 (A) The Housing and Community Services Department.

32 (B) The Department of Corrections.

33 (C) The Oregon Business Development Department.

34 (D) The [*State Commission on Children and Families*] **local commissions on children and**  
 35 **families established under ORS 417.760.**

36 (E) The Department of Education.

37 (F) The State Department of Agriculture.

38 (G) The Employment Department.

39 (H) The Department of Veterans' Affairs.

40 (I) The Department of Transportation.

41 (J) The Oregon Youth Authority.

42 (K) The Department of Community Colleges and Workforce Development.

43 (L) The Department of Justice.

44 (M) The Oregon Health Authority.

45 (b) Two members representing the Department of Human Services. Of the two members repre-

1 sending that department:

2 (A) One shall have expertise on issues affecting services to adults and families.

3 (B) One shall have expertise on issues affecting services to seniors and to persons with disabil-  
4 ities.

5 (2) Each council member must be the administrative head of the listed agency or an employee  
6 of that agency who is designated by the administrative head and who has an agency policy-making  
7 role affecting hunger, food programs, nutrition, homelessness or related issues.

8 (3) The Hunger Relief Task Force shall adopt recommendations and proposals as the task force  
9 deems appropriate. The council shall be responsible for receiving the recommendations and pro-  
10 posals adopted by the task force and the recommendations of any state body relating to the issue  
11 of homelessness, and for forwarding the recommendations and proposals to state agencies or other  
12 public or private organizations for action that the council deems appropriate:

13 (a) To ensure the coordination of state agency hunger relief efforts and homelessness relief ef-  
14 forts;

15 (b) To ensure that food and nutrition programs, other hunger relief efforts and homelessness  
16 relief efforts operate efficiently and effectively;

17 (c) To monitor the utilization of federal hunger relief efforts and homelessness relief efforts and  
18 provide outreach to expand underutilized programs; and

19 (d) To encourage the coordination of state and local programs, public and private antipoverty  
20 programs affecting food distribution and programs for assisting the homeless.

21 (4) The Director of the Housing and Community Services Department, in collaboration with the  
22 Director of Human Services, shall convene council meetings at least quarterly.

23 (5) The Director of the Housing and Community Services Department shall provide the council  
24 with staff support the director deems appropriate, by using Housing and Community Services De-  
25 partment employees or by contract. The director shall also provide the council with supplies as the  
26 director deems appropriate.

27 **SECTION 40.** ORS 609.652 is amended to read:

28 609.652. As used in ORS 609.654:

29 (1)(a) "Aggravated animal abuse" means any animal abuse as described in ORS 167.322.

30 (b) "Aggravated animal abuse" does not include:

31 (A) Good animal husbandry, as defined in ORS 167.310; or

32 (B) Any exemption listed in ORS 167.335.

33 (2) "Law enforcement agency" means:

34 (a) Any city or municipal police department.

35 (b) Any county sheriff's office.

36 (c) The Oregon State Police.

37 (d) A law enforcement division of a county or municipal animal control agency that employs  
38 sworn officers.

39 (3) "Public or private official" means:

40 (a) A physician, including any intern or resident.

41 (b) A dentist.

42 (c) A school employee.

43 (d) A licensed practical nurse or registered nurse.

44 (e) An employee of the Department of Human Services, **the** Oregon Health Authority, [*State*  
45 *Commission on Children and Families,*] **the** Child Care Division of the Employment Department, the

1 Oregon Youth Authority, a county health department, a community mental health program, a com-  
2 munity developmental disabilities program, a county juvenile department, a licensed child-caring  
3 agency or an alcohol and drug treatment program.

4 (f) A peace officer.

5 (g) A psychologist.

6 (h) A member of the clergy.

7 (i) A regulated social worker.

8 (j) An optometrist.

9 (k) A chiropractor.

10 (L) A certified provider of foster care, or an employee thereof.

11 (m) An attorney.

12 (n) A naturopathic physician.

13 (o) A licensed professional counselor.

14 (p) A licensed marriage and family therapist.

15 (q) A firefighter or emergency medical technician.

16 (r) A court appointed special advocate, as defined in ORS 419A.004.

17 (s) A child care provider registered or certified under ORS 657A.030 and 657A.250 to 657A.450.

18 (t) A member of the Legislative Assembly.

19 **SECTION 41.** ORS 657A.490 is amended to read:

20 657A.490. If the Department of Education is able to find adequate funding under ORS 657A.493,  
21 the department, in partnership with organizations including, but not limited to, the Institute on Vi-  
22 olence and Destructive Behavior at the University of Oregon, the Child Care Division of the Em-  
23 ployment Department, the [*State Commission on Children and Families*] **Department of Human**  
24 **Services** and the Oregon Center for Career Development in Childhood Care and Education:

25 (1) Shall establish, in coordination with existing training systems, a statewide child care pro-  
26 vider training program that will educate child care providers on:

27 (a) The importance of healthy brain development in the first three years of a child's life.

28 (b) The identification of risk factors and behaviors that indicate that a child:

29 (A) Needs special education or mental health treatment; or

30 (B) Is at risk of becoming involved in the criminal justice system.

31 (c) Appropriate referrals for intervention for the behaviors identified under paragraph (b) of this  
32 subsection.

33 (2) Shall establish an application process for child care providers who wish to attend the pro-  
34 gram and may charge child care providers a fee for attending the program.

35 (3) May adopt any rules necessary to implement this section.

36 **SECTION 42.** ORS 131A.360 is amended to read:

37 131A.360. (1) The provisions of this section apply only to a forfeiting agency other than the  
38 state, and apply only to forfeiture proceeds arising out of prohibited conduct as defined by ORS  
39 131A.005 (12)(a).

40 (2) If the forfeiting agency is not a county, the forfeiting agency shall enter into an agreement,  
41 under ORS chapter 190, with the county in which the property was seized to provide a portion of  
42 the forfeiture proceeds to the county.

43 (3) After entry of a judgment of forfeiture, a forfeiting agency shall first pay from the forfeiture  
44 proceeds the costs incurred by seizing and forfeiting agencies in investigating and prosecuting the  
45 case, including costs, disbursements and attorney fees as defined in ORCP 68 A, special expenses

1 such as the provision of currency for undercover law enforcement operations, the cost of disabling  
2 a hidden compartment in a motor vehicle and the expenses of maintaining the seized property. The  
3 forfeiting agency may not pay expenditures made in connection with the ordinary maintenance and  
4 operation of a seizing or forfeiting agency under this subsection.

5 (4) After payment of costs under subsection (3) of this section, the forfeiting agency shall:

6 (a) Deduct an amount equal to five percent of the forfeiture proceeds and deposit that amount  
7 in the Illegal Drug Cleanup Fund established by ORS 475.495 for the purposes specified in ORS  
8 475.495 (5) and (6);

9 (b) Deduct an amount equal to 2.5 percent of the forfeiture proceeds and deposit that amount  
10 in the Asset Forfeiture Oversight Account;

11 (c) Deduct an amount equal to 20 percent of the forfeiture proceeds and deposit that amount in  
12 the Oregon Criminal Justice Commission Account established under ORS 137.662 for disbursement  
13 to drug court programs as described in ORS 3.450; and

14 (d) Deduct an amount equal to 10 percent of the forfeiture proceeds and deposit that amount in  
15 the [*State Commission on Children and Families Account established by ORS 417.733*] **Local Com-**  
16 **missions on Children and Families Fund established in section 7 of this 2011 Act** for dis-  
17 bursement to relief nurseries as described in ORS 417.788.

18 (5) If the forfeiting agency has entered into an agreement with a county under subsection (2)  
19 of this section, after paying costs under subsection (3) of this section and making the deductions  
20 required by subsection (4) of this section, the forfeiting agency shall pay the county the amounts  
21 required by the agreement.

22 (6) After making all payments and deductions required by subsections (3), (4) and (5) of this  
23 section, the forfeiting agency may use the remaining forfeiture proceeds, including amounts received  
24 by a county under subsection (5) of this section or by a any other public body under an intergov-  
25 ernmental agreement entered into under ORS 131A.355, only for:

26 (a) The purchase of equipment necessary for the enforcement of laws relating to the unlawful  
27 delivery, distribution, manufacture or possession of controlled substances;

28 (b) Currency for undercover law enforcement operations;

29 (c) Drug awareness and drug education programs offered in middle schools and high schools;

30 (d) The expenses of a forfeiting agency in operating joint narcotic operations with other for-  
31 feiting agencies pursuant to the terms of an intergovernmental agreement, including paying for  
32 rental space, utilities and office equipment; and

33 (e) Expenses of a district attorney in criminal prosecutions for unlawful delivery, distribution,  
34 manufacture or possession of controlled substances, as determined through intergovernmental  
35 agreement between the forfeiting agency and the district attorney.

36 (7) Notwithstanding subsection (6) of this section, growing equipment and laboratory equipment  
37 seized by a forfeiting agency that was used, or intended for use, in the manufacturing of controlled  
38 substances may be donated to a public school, community college or institution of higher education.

39 (8) A forfeiting agency shall sell as much property as may be needed to make the distributions  
40 required by this section. Distributions required under subsection (4) of this section must be made  
41 once every three months and are due within 20 days of the end of each quarter. No interest shall  
42 accrue on amounts that are paid within the period specified by this subsection.

43 **SECTION 43.** ORS 131A.365 is amended to read:

44 131A.365. (1) The provisions of this section apply only when the forfeiting agency is the state,  
45 and apply only to forfeiture proceeds arising out of prohibited conduct as defined by ORS 131A.005

1 (12)(a).

2 (2) After entry of a judgment of forfeiture, a forfeiting agency shall first pay from the forfeiture  
3 proceeds the costs incurred by seizing and forfeiting agencies in investigating and prosecuting the  
4 case, including costs, disbursements and attorney fees as defined in ORCP 68 A, special expenses  
5 such as the provision of currency for undercover law enforcement operations, the cost of disabling  
6 a hidden compartment in a motor vehicle and the expenses of maintaining the seized property. The  
7 forfeiting agency may not pay expenditures made in connection with the ordinary maintenance and  
8 operation of a seizing or forfeiting agency under this subsection. Any amount paid to or retained  
9 by the Department of Justice under this subsection shall be deposited in the Criminal Justice Re-  
10 volving Account in the State Treasury. Any amount paid to or retained by the Oregon State Police  
11 under this subsection shall be deposited in the State Police Account.

12 (3) After payment of costs under subsection (2) of this section, the forfeiting agency shall:

13 (a) Deduct an amount equal to 10 percent of the forfeiture proceeds and deposit that amount in  
14 the Illegal Drug Cleanup Fund established by ORS 475.495 for the purposes specified in ORS 475.495  
15 (5) and (6);

16 (b) Deduct an amount equal to three percent of the forfeiture proceeds, not to exceed \$50,000  
17 in a biennium, and deposit that amount in the Asset Forfeiture Oversight Account;

18 (c) Deduct an amount equal to 20 percent of the forfeiture proceeds and deposit that amount in  
19 the Oregon Criminal Justice Commission Account established under ORS 137.662 for disbursement  
20 to drug court programs as described in ORS 3.450; and

21 (d) Deduct an amount equal to 10 percent of the forfeiture proceeds and deposit that amount in  
22 the [*State Commission on Children and Families Account established by ORS 417.733*] **Local Com-**  
23 **missions on Children and Families Fund established in section 7 of this 2011 Act** for dis-  
24 bursement to relief nurseries as described in ORS 417.788.

25 (4) If the forfeiting agency has entered into an intergovernmental agreement with another public  
26 body under ORS 131A.355, or has entered into an agreement with any other law enforcement agency  
27 of the state relating to distribution of forfeiture proceeds, after paying costs under subsection (2)  
28 of this section and making the deductions required by subsection (3) of this section, the forfeiting  
29 agency shall pay an equitable portion of the forfeiture proceeds to each agency participating in the  
30 seizure or forfeiture as provided by the agreement.

31 (5) After making all payments and deductions required by subsections (2), (3) and (4) of this  
32 section, the forfeiting agency shall distribute the remaining forfeiture proceeds as follows:

33 (a) If no law enforcement agency other than the Department of Justice participated in the sei-  
34 zure or forfeiture, the remaining forfeiture proceeds, and forfeiture proceeds received by the De-  
35 partment of Justice under subsection (4) of this section, shall be divided between the Criminal  
36 Justice Revolving Account and the Special Crime and Forfeiture Account according to the following  
37 schedule:

38 (A) One hundred percent of the first \$200,000 accumulated shall be deposited in the Criminal  
39 Justice Revolving Account.

40 (B) Seventy-five percent of the next \$200,000 shall be deposited in the Criminal Justice Revolv-  
41 ing Account and the balance in the Special Crime and Forfeiture Account.

42 (C) Fifty percent of the next \$200,000 shall be deposited in the Criminal Justice Revolving Ac-  
43 count and the balance in the Special Crime and Forfeiture Account.

44 (D) Twenty-five percent of the next \$200,000 shall be deposited in the Criminal Justice Revolving  
45 Account and the balance in the Special Crime and Forfeiture Account.

1 (E) One hundred percent of all additional sums shall be deposited in the Special Crime and  
 2 Forfeiture Account.

3 (b) If no law enforcement agency other than the Department of State Police participated in the  
 4 seizure or forfeiture, the remaining proceeds, and proceeds received by the Department of State  
 5 Police under subsection (4) of this section, shall be divided between the State Police Account and  
 6 the Special Crime and Forfeiture Account according to the following schedule:

7 (A) One hundred percent of the first \$600,000 accumulated shall be deposited in the State Police  
 8 Account.

9 (B) Seventy-five percent of the next \$300,000 shall be deposited in the State Police Account and  
 10 the balance in the Special Crime and Forfeiture Account.

11 (C) Fifty percent of the next \$200,000 shall be deposited in the State Police Account and the  
 12 balance in the Special Crime and Forfeiture Account.

13 (D) Twenty-five percent of the next \$200,000 shall be deposited in the State Police Account and  
 14 the balance in the Special Crime and Forfeiture Account.

15 (E) One hundred percent of all additional sums shall be deposited in the Special Crime and  
 16 Forfeiture Account.

17 (6) Forfeiture proceeds distributed under subsection (5) of this section may be used only for:

18 (a) The purchase of equipment necessary for the enforcement of laws relating to the unlawful  
 19 delivery, distribution, manufacture or possession of controlled substances;

20 (b) Currency for undercover law enforcement operations;

21 (c) Drug awareness and drug education programs offered in middle schools and high schools; and

22 (d) The expenses of a forfeiting agency in operating joint narcotic operations with other for-  
 23 feiting agencies [*pursuant to*] **under** the terms of an intergovernmental agreement, including paying  
 24 for rental space, utilities and office equipment.

25 (7) A forfeiting agency shall sell as much property as may be needed to make the distributions  
 26 required by this section. Distributions required under subsection (3) of this section must be made  
 27 once every three months and are due within 20 days of the end of each quarter. No interest shall  
 28 accrue on amounts that are paid within the period specified by this subsection.

29 **SECTION 44.** ORS 181.715 is amended to read:

30 181.715. (1) The Department of State Police or another criminal justice agency designated by the  
 31 Director of the Oregon Department of Administrative Services shall operate a Criminal Justice In-  
 32 formation Standards program that coordinates information among state criminal justice agencies.  
 33 The program shall:

34 (a) Ensure that in developing new information systems, data can be retrieved to support evalu-  
 35 ation of criminal justice planning and programs, including, but not limited to, the ability of the  
 36 programs to reduce future criminal conduct;

37 (b) Ensure that maximum effort is made for the safety of public safety officers;

38 (c) Establish methods and standards for data interchange and information access between crim-  
 39 inal justice information systems, in compliance with the technology standards and policies of the  
 40 Oregon Department of Administrative Services;

41 (d) Design and implement improved applications for exchange of agency information; and

42 (e) Implement the capability to exchange images between criminal justice agencies.

43 (2) The program shall develop a plan to accelerate data sharing and information integration  
 44 among criminal justice agencies. The plan shall include, but is not limited to, priorities, timelines,  
 45 development costs, resources needed, the projected ongoing cost of support, critical success factors

1 and any known barriers to accomplishing the plan. Representatives of criminal justice agencies and  
 2 public safety agencies, including but not limited to local law enforcement agencies, courts of crimi-  
 3 nal jurisdiction, district attorneys, city attorneys with criminal prosecutive functions, public  
 4 defender organizations established under ORS chapter 151, community corrections directors, jail  
 5 managers and county juvenile departments, shall be invited to participate in the planning process.  
 6 The program shall present the plan to the Director of the Oregon Department of Administrative  
 7 Services no later than May 30 of each even-numbered year for development of the Governor's budget  
 8 report. The program shall submit the plan to the Joint Legislative Committee on Information Man-  
 9 agement and Technology no later than December 31 of each even-numbered year.

10 (3) Notwithstanding the meaning given "criminal justice agency" in ORS 181.010, as used in this  
 11 section and ORS 181.720, "criminal justice agency" includes, but is not limited to:

12 (a) The Judicial Department;

13 (b) The Attorney General;

14 (c) The Department of Corrections;

15 (d) The Department of State Police;

16 (e) Any other state agency with law enforcement authority designated by order of the Governor;

17 (f) The Department of Transportation;

18 (g) The State Board of Parole and Post-Prison Supervision;

19 (h) The Department of Public Safety Standards and Training;

20 (i) The State Department of Fish and Wildlife;

21 (j) The Oregon Liquor Control Commission;

22 (k) The Oregon Youth Authority; and

23 (L) The [State Commission on Children and Families] **Department of Human Services in its**  
 24 **administration of ORS 417.705 to 417.801 and 419A.170.**

25 **SECTION 45.** ORS 181.725 is amended to read:

26 181.725. (1) There is established a Criminal Justice Information Standards Advisory Board to  
 27 advise the Department of State Police or the criminal justice agency designated by the Director of  
 28 the Oregon Department of Administrative Services under ORS 181.715 (1) about the department's  
 29 or the agency's duties under ORS 181.715. The board consists of the following members:

30 (a) The State Court Administrator or the administrator's designee;

31 (b) The Director of the Department of Corrections or the director's designee;

32 (c) The Superintendent of State Police or the superintendent's designee;

33 (d) The executive director of the Oregon Criminal Justice Commission or the executive  
 34 director's designee;

35 (e) The Director of Transportation or the director's designee;

36 (f) The chairperson of the State Board of Parole and Post-Prison Supervision or the  
 37 chairperson's designee;

38 (g) The Director of the Department of Public Safety Standards and Training or the director's  
 39 designee;

40 (h) A chief of police designated by the Oregon Association Chiefs of Police;

41 (i) A sheriff designated by the Oregon Sheriffs' Association;

42 (j) A jail manager designated by the Oregon Jail Managers' Association;

43 (k) A county juvenile department director designated by the Oregon Juvenile Department  
 44 Directors' Association;

45 (L) A community corrections agency director designated by the Oregon Association of Commu-



1 nity Corrections Directors;

2 (m) A district attorney designated by the Oregon District Attorneys Association;

3 (n) The administrator of the Enterprise Information Strategy and Policy Division of the Oregon  
4 Department of Administrative Services or the administrator's designee;

5 (o) The Director of the Oregon Youth Authority or the director's designee;

6 (p) The State Fish and Wildlife Director or the director's designee;

7 (q) The administrator of the Oregon Liquor Control Commission or the administrator's designee;

8 *[and]*

9 (r) The *[staff director of the State Commission on Children and Families or the staff director's*  
10 *designee]* **Director of Human Services in the administration of ORS 417.705 to 417.801 and**  
11 **419A.170.**

12 (2) The board shall meet at such times and places as the board deems necessary.

13 (3) The members of the board are not entitled to compensation but are entitled to expenses as  
14 provided in ORS 292.495.

15 **SECTION 46.** ORS 419C.453 is amended to read:

16 419C.453. (1) Pursuant to a hearing, the juvenile court may order a youth offender placed in a  
17 detention facility for a specific period of time not to exceed eight days, in addition to time already  
18 spent in the facility, unless a program plan that is in conformance with standards established by the  
19 *[State Commission on Children and Families]* **Department of Human Services in its adminis-**  
20 **tration of ORS 417.705 to 417.801 and 419A.170** has been filed with and approved by the *[commis-*  
21 *sion]* **department**, in which case the youth offender may be held in detention for a maximum of 30  
22 days in addition to time already spent in the facility, when:

23 (a) The youth offender has been found to be within the jurisdiction of the juvenile court by  
24 reason of having committed an act *[which]* **that** would be a crime if committed by an adult; or

25 (b) The youth offender has been placed on formal probation for an act *[which]* **that** would be a  
26 crime if committed by an adult, and has been found to have violated a condition of that probation.

27 (2) Pursuant to a hearing, the juvenile court may order a youth offender who is at least 18 years  
28 of age placed in a jail or other place where adults are detained. The placement must be for a specific  
29 period of time and may not exceed eight days in addition to time already spent in a juvenile de-  
30 tention facility or jail. The court may order placement under this subsection when:

31 (a) The youth offender has been found to be within the jurisdiction of the juvenile court by  
32 reason of having committed an act *[which]* **that** would be a crime if committed by an adult; or

33 (b) The youth offender has been placed on formal probation for an act *[which]* **that** would be a  
34 crime if committed by an adult, and has been found to have violated a condition of that probation.

35 (3) In order to detain a youth offender under subsection (2) of this section, the court shall make  
36 case-specific findings that placement in a jail or other place where adults are detained meets the  
37 specific needs of the youth offender.

38 (4) As used in this section, "adult" does not include a person who is 18 years of age or older  
39 and is alleged to be, or has been found to be, within the jurisdiction of the juvenile court under ORS  
40 419C.005.

41  
42 **TRANSITIONAL PROVISIONS**

43  
44 **SECTION 47. (1) On the operative date of this section, all duties, functions and powers**  
45 **of the State Commission on Children and Families are imposed upon, transferred to and**

1 vested in the Department of Human Services, except for those under ORS 417.735.

2 (2) The staff director of the State Commission on Children and Families shall:

3 (a) Deliver to the Department of Human Services all records and property within the  
4 jurisdiction of the staff director and the state commission that relate to the duties, functions  
5 and powers transferred to and assumed by the department under the provisions of this sec-  
6 tion; and

7 (b) Transfer to the department those employees engaged primarily in the exercise of the  
8 duties, functions and powers transferred to and assumed by the department under the pro-  
9 visions of this section.

10 (3) The Director of Human Services shall take possession of the records and property,  
11 and shall take charge of the employees and employ them in the exercise of the duties, func-  
12 tions and powers transferred by the provisions of this section, without reduction of com-  
13 pensation but subject to change or termination of employment or compensation as provided  
14 by law.

15 (4) The Governor shall resolve any dispute between the State Commission on Children  
16 and Families and the Department of Human Services relating to transfers of records, prop-  
17 erty and employees under this section, and the Governor's decision is final.

18 **SECTION 48.** (1) The unexpended balances of amounts authorized to be expended by the  
19 State Commission on Children and Families for the biennium beginning July 1, 2009, from  
20 revenues dedicated, continuously appropriated, appropriated or otherwise made available for  
21 the purpose of administering and enforcing the duties, functions and powers transferred by  
22 the provisions of section 47 of this 2011 Act are transferred to and are available for expend-  
23 iture by the Department of Human Services for the biennium beginning July 1, 2011, for the  
24 purpose of administering and enforcing the duties, functions and powers transferred by the  
25 provisions of section 47 of this 2011 Act.

26 (2) The expenditure classifications, if any, established by Acts authorizing or limiting  
27 expenditures by the state commission remain applicable to expenditures by the department  
28 under this section.

29 **SECTION 49.** The transfer of duties, functions and powers to the Department of Human  
30 Services by the provisions of section 47 of this 2011 Act does not affect any action, proceed-  
31 ing or prosecution involving or with respect to such duties, functions and powers begun be-  
32 fore and pending at the time of the transfer, except that the department is substituted for  
33 the State Commission on Children and Families in the action, proceeding or prosecution.

34 **SECTION 50.** (1) Nothing in the provisions of sections 5 to 7 and 47 to 54 of this 2011 Act,  
35 the amendments to ORS 131A.360, 131A.365, 181.715, 181.725, 182.515, 329.155, 329.156, 329.159,  
36 329.190, 343.499, 343.507, 417.710, 417.728, 417.730, 417.735, 417.750, 417.760, 417.775, 417.780,  
37 417.785, 417.787, 417.788, 417.790, 417.793, 417.795, 417.797, 417.799, 417.800, 417.801, 417.845,  
38 417.855, 417.857, 418.751, 418.975, 419A.170, 419B.005, 419C.453, 430.257, 458.525, 609.652 and  
39 657A.490 by sections 1, 2, 4 and 8 to 46 of this 2011 Act and the repeal of ORS 417.733, 417.740  
40 and 417.745 by section 3 of this 2011 Act relieves a person of a liability, duty or obligation  
41 accruing under or with respect to the duties, functions and powers transferred by the pro-  
42 visions of section 47 of this 2011 Act. The Department of Human Services may undertake the  
43 collection or enforcement of any such liability, duty or obligation.

44 (2) The rights and obligations of the State Commission on Children and Families legally  
45 incurred under contracts, leases and business transactions executed, entered into or begun

1 before the operative date of section 47 of this 2011 Act are transferred to the department.  
 2 For the purpose of succession to these rights and obligations, the department is a contin-  
 3 uation of the state commission and not a new authority.

4 **SECTION 51.** Notwithstanding the transfer of duties, functions and powers by the pro-  
 5 visions of section 47 of this 2011 Act, the rules of the State Commission on Children and  
 6 Families in effect on the operative date of section 47 of this 2011 Act continue in effect until  
 7 superseded or repealed by rules of the Department of Human Services. References in rules  
 8 of the state commission to the state commission or an officer or employee of the state  
 9 commission are considered to be references to the department or an officer or employee of  
 10 the department.

11 **SECTION 52.** Whenever, in any uncodified law or resolution of the Legislative Assembly  
 12 or in any rule, document, record or proceeding authorized by the Legislative Assembly, ref-  
 13 erence is made to the State Commission on Children and Families or an officer or employee  
 14 of the state commission, the reference is considered to be a reference to the Department of  
 15 Human Services or an officer or employee of the department.

16 **SECTION 53.** The Director of Human Services may take any action before the operative  
 17 date of section 47 of this 2011 Act that is necessary to enable the director to exercise, on and  
 18 after the operative date of section 47 of this 2011 Act, the duties, functions and powers of  
 19 the director under the provisions of section 47 of this 2011 Act.

20 **SECTION 54.** For the purpose of harmonizing and clarifying statutory law, the Legislative  
 21 Counsel may substitute for words designating the “State Commission on Children and Fam-  
 22 ilies Account,” wherever they occur in statutory law, words designating the “Local Com-  
 23 missions on Children and Families Fund.”

24 **SECTION 55.** Sections 5 to 7 and 47 to 54 of this 2011 Act, the amendments to ORS  
 25 131A.360, 131A.365, 181.715, 181.725, 182.515, 329.155, 329.156, 329.159, 329.190, 343.499, 343.507,  
 26 417.710, 417.728, 417.730, 417.735, 417.750, 417.760, 417.775, 417.780, 417.785, 417.787, 417.788,  
 27 417.790, 417.793, 417.795, 417.797, 417.799, 417.800, 417.801, 417.845, 417.855, 417.857, 418.751,  
 28 418.975, 419A.170, 419B.005, 419C.453, 430.257, 458.525, 609.652 and 657A.490 by sections 1, 2, 4  
 29 and 8 to 46 of this 2011 Act and the repeal of ORS 417.733, 417.740 and 417.745 by section 3  
 30 of this 2011 Act become operative on June 30, 2012.

31  
 32 **DISCLAIMER**  
 33

34 **SECTION 56.** The unit captions used in this 2011 Act are provided only for the conven-  
 35 ience of the reader and do not become part of the statutory law of this state or express any  
 36 legislative intent in the enactment of this 2011 Act.  
 37