

Enrolled
House Bill 3260

Sponsored by Representative BARKER; Representative BOONE (at the request of Oregon Alliance of Children's Programs)

CHAPTER

AN ACT

Relating to support services for youth; creating new provisions; amending ORS 417.799 and 417.800; repealing ORS 417.801; appropriating money; limiting expenditures; and declaring an emergency.

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

SECTION 1. ORS 417.801 is repealed.

SECTION 2. ORS 417.799 is amended to read:

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

(2) The department shall recommend policies that integrate a system of services and support for runaway and homeless youth into the state's continuum of care for children who are 0 through 18 years of age.

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

[(3) *Through the process, the agencies and other persons and entities involved in the process shall:*]

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

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

[(c) *Develop urban and rural demonstration sites to test effective service delivery models for the urban and rural populations;*]

[(d) *Recommend policies and services that specifically address the needs and responsibilities of parents of runaway and homeless youth;*]

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

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

(4) In addition to the state agencies listed in subsection [(2)] (3) of this section, the [state commission] **department** shall include representatives of youth, nonprofit organizations and statewide coalitions related to runaway and homeless youth services and supports in the joint process described in subsection [(2)] (3) of this section.

(5) The department may enter into and renew contracts with providers for the provision of services to runaway and homeless youth and their families.

SECTION 3. ORS 417.800 is amended to read:

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

TRANSFER

SECTION 4. All the duties, functions and powers of the State Commission on Children and Families relating to the coordination and delivery of services to runaway and homeless youth and their families are imposed upon, transferred to and vested in the Department of Human Services.

RECORDS AND PROPERTY

SECTION 5. The staff director of the State Commission on Children and Families shall deliver to the Department of Human Services all records and property within the jurisdiction of the staff director that relate to the duties, functions and powers of the State Commission on Children and Families with respect to the coordination and delivery of services to runaway and homeless youth and their families, and the Department of Human Services shall take possession of the records and property delivered under this section.

UNEXPENDED REVENUES

SECTION 6. (1) The unexpended balances of amounts authorized to be expended by the State Commission on Children and Families for the biennium beginning July 1, 2011, from revenues dedicated, continuously appropriated, appropriated or otherwise made available for the purpose of administering and enforcing the duties, functions and powers transferred by section 4 of this 2011 Act are transferred to and are available for expenditure by the Department of Human Services for the biennium beginning July 1, 2011, for the purpose of administering and enforcing the duties, functions and powers transferred by section 4 of this 2011 Act.

(2) The expenditure classifications, if any, established by Acts authorizing or limiting expenditures by the State Commission on Children and Families remain applicable to expenditures by the department under this section.

ACTION, PROCEEDING, PROSECUTION

SECTION 7. The transfer of duties, functions and powers to the Department of Human Services by section 4 of this 2011 Act does not affect any action, proceeding or prosecution

involving or with respect to the duties, functions and powers begun before and pending at the time of the transfer, except that the department is substituted for the State Commission on Children and Families in the action, proceeding or prosecution.

LIABILITY, DUTY, OBLIGATION

SECTION 8. (1) Nothing in sections 4 to 10 of this 2011 Act relieves a person of a liability, duty or obligation accruing under or with respect to the duties, functions and powers transferred by section 4 of this 2011 Act. The Department of Human Services may undertake the collection or enforcement of any such liability, duty or obligation.

(2) The rights and obligations of the State Commission on Children and Families legally incurred under contracts, leases and business transactions executed, entered into or begun before the effective date of section 4 of this 2011 Act are transferred to the department. For the purpose of succession to these rights and obligations, the department is a continuation of the State Commission on Children and Families and not a new authority.

RULES

SECTION 9. Notwithstanding the transfer of duties, functions and powers by section 4 of this 2011 Act, the rules of the State Commission on Children and Families that pertain to the coordination and delivery of services to runaway and homeless youth and their families in effect on the effective date of section 4 of this 2011 Act continue in effect until superseded or repealed by rules of the Department of Human Services. References in rules of the State Commission on Children and Families to the State Commission on Children and Families, or to an officer or employee of the State Commission on Children and Families, that pertain to the coordination and delivery of services to runaway and homeless youth and their families are considered to be references to the department or to an officer or employee of the department.

SECTION 10. Whenever, in any uncodified law or resolution of the Legislative Assembly or in any rule, document, record or proceeding authorized by the Legislative Assembly pertaining to the duties, functions and powers transferred by section 4 of this 2011 Act, reference is made to the State Commission on Children and Families, or to an officer or employee of the State Commission on Children and Families, the reference is considered to be a reference to the Department of Human Services or to an officer or employee of the department.

FINANCE

SECTION 11. (1) Notwithstanding any other provision of law, the General Fund appropriation made to the State Commission on Children and Families by section 1, chapter _____, Oregon Laws 2011 (Enrolled Senate Bill 5550), for the biennium beginning July 1, 2011, is decreased by \$159,913.

(2) Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter _____, Oregon Laws 2011 (Enrolled Senate Bill 5550), for the biennium beginning July 1, 2011, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, and including federal funds received from the Department of Human Services for family preservation and support and other services supporting children and families, but excluding lottery funds and federal funds not described in section 2, chapter _____, Oregon Laws 2011 (Enrolled Senate Bill 5550), collected or received by the State Commission on Children and Families, is decreased by \$600,000.

SECTION 12. (1) Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (2), chapter _____,

Oregon Laws 2011 (Enrolled House Bill 5030), for the biennium beginning July 1, 2011, is increased by \$159,913 for children, adults and families.

(2) Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter _____, Oregon Laws 2011 (Enrolled House Bill 5030), for the biennium beginning July 1, 2011, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, Medicare receipts and federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care and Development Fund, but excluding lottery funds and federal funds not described in section 2 (4), chapter _____, Oregon Laws 2011 (Enrolled House Bill 5030), collected or received by the Department of Human Services, is increased by \$25,000 for shared services.

(3) Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (2), chapter _____, Oregon Laws 2011 (Enrolled House Bill 5030), for the biennium beginning July 1, 2011, as the maximum limits for payment of expenses from federal funds, excluding federal funds described in section 2, chapter _____, Oregon Laws 2011 (Enrolled House Bill 5030), collected or received by the Department of Human Services, is increased by \$801,661 for children, adults and families.

UNIT CAPTIONS

SECTION 13. The unit captions used in this 2011 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2011 Act.

EMERGENCY CLAUSE

SECTION 14. This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect on its passage.

Passed by House June 27, 2011

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Passed by Senate June 29, 2011

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2011

Approved:

.....M,....., 2011

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2011

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Kate Brown, Secretary of State