
MEMORANDUM

Legislative Fiscal Office
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To: Members of the Education Subcommittee

From: Doug Wilson, Legislative Fiscal Office
(503) 986-1837

Date: June 10, 2013

Subject: HB 3231-A -- Work Session Recommendations

Background Information

HB 3231-A establishes Youth Development Division in the Oregon Department of Education (ODE) for purpose of ensuring services provided to youth through 20 years of age in manner that is integrated, measurable, and accountable and supports academic success and reduces criminal involvement. It creates the Youth Development Director position who is appointed by the Governor. The bill also provides for the transfer of the records and property of the Youth Development Council to the Director and has standard transfer language from one agency to another.

Recommended Changes to HB 3231:

LFO recommends one amendment (A5) which clarifies the duties of the division and the Youth Development Council. It also authorizes the Council to enter into performance-based intergovernmental agreements with regional, county or tribal governments to locally provide services. Finally it requires the Council to submit a report to the appropriate interim legislative committees before July 2014 providing a funding allocation plan.

Please see the attached amendment for the LFO recommend changes to the bill.

Sen./Rep. _____ moves the –A5 amendment to HB 3231-A.

HB 3231-A Final Subcommittee Action:

Final Motion:

Sen./Rep. _____ moves HB 3231-A to the full committee as amended with a “do pass” recommendation.

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Without Recommendation as to Passage and Be Referred to Committee on Ways and Means by Prior Reference
Vote:	6 - 0 - 3
Yeas:	Barnhart, Berger, Hicks, Jenson, Kennemer, Garrett
Nays:	0
Exc.:	Dembrow, Holvey, Hoyle
Prepared By:	Erin Seiler, Administrator
Meeting Dates:	5/8

WHAT THE MEASURE DOES: Establishes Youth Development Division in Oregon Department of Education (ODE) for purpose of ensuring services provided to youth through 20 years of age in manner that is integrated, measurable, and accountable and supports academic success and reduces criminal involvement. Creates position of Youth Development Director to be appointed by the Governor and serve under the Superintendent of Public Instruction. Transfers responsibility for administration and enforcement of Youth Development Council (YDC) to Youth Development Division of ODE. Directs chairperson of YDC to deliver to ODE records, property, and employees relating to duties, functions, and powers transferred by Act. Directs Superintendent of Public Instruction to take possession of records and property, and to take charge of employees and employ them in exercise of duties, functions and powers transferred by Act without reduction of compensation but subject to change or termination of employment. Provides Governor shall resolve any dispute between YDC and ODE relating to transfer of records, property and employees under Act. Transfers monies from YDC to ODE for purpose of administering and enforcing duties. Retains any applicable expenditure classifications. Renames Youth Development Council Fund to Youth Development Division Fund in Treasury, separate and distinct from the General Fund.

ISSUES DISCUSSED:

- Contents of measure

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The Youth Development Council (YDC) was created by House Bill 4165 (2012) for the purpose of assisting the Oregon Education Investment Board in overseeing a unified system that provides services to school-age children through 20 years of age in a manner that supports academic success, reduces criminal involvement and is integrated, measurable and accountable. The council is composed of no fewer than 15 members who are appointed by the Governor. The membership of the council must satisfy federal requirements for membership of a state advisory committee on juvenile justice, and includes tribal representation.

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 3231 - A5

Seventy-Seventh Oregon Legislative Assembly – 2013 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Tim Walker
Reviewed by: Doug Wilson, Daron Hill, Laurie Byerly
Date: 06/10/2013

Measure Description:

Establishes Youth Development Division in Department of Education.

Government Unit(s) Affected:

Department of Community Colleges and Workforce Development, Department of Education, Office of the Governor, Oregon Educational Investment Board

Summary of Expenditure Impact:

Summary of Expenditure Impact		
	2013-15 Biennium	2015-17 Biennium
General Fund	\$8,423,560	\$8,423,560
Lottery Funds		
Other Funds	7,407,055	7,407,055
Federal Funds	3,767,893	3,767,893
Total Funds	\$19,598,508	\$19,598,508
Positions	10	10
FTE	9.88	9.88

Local Government Mandate:

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

Analysis: This bill establishes the Youth Development Division in Oregon Department of Education (ODE), and moves the Youth Development Council from the Governor's Office to the new Youth Development Division. The Division functions under the direction and control of the Youth Development Council, with the Director serving as administrative officer to the Council. The Director of the Division is appointed by and serves at the pleasure of the Governor and is directly responsible to the Superintendent of Public Instruction (the Governor). The Youth Development Council remains under the direction and control of the Oregon Education Investment Board.

The effects of this bill are anticipated by the Governor's budget and included in Policy Option Package 502 that will be worked as part of the budget for ODE and the table above reflects the funding that is transferred into ODE.

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed, Be Referred to the Committee on Rules and then to the Committee on Ways and Means by Prior Reference
Vote:	9 - 0 - 0
Yeas:	Fagan, Gomberg, Gorsek, Huffman, Parrish, Reardon, Sprenger, Whisnant, Gelser
Nays:	0
Exc.:	0
Prepared By:	Rick Berkobien, Administrator
Meeting Dates:	3/15, 4/15, 4/17

WHAT THE MEASURE DOES: Establishes Youth Development Division in Oregon Department of Education (ODE) for purpose of ensuring services provided to youth through 20 years of age in manner that is integrated, measurable, and accountable and supports academic success and reduces criminal involvement. Creates position of Youth Development Director to be appointed by the Governor and serve under the Superintendent of Public Instruction. Transfers responsibility for administration and enforcement of Youth Development Council (YDC) to Youth Development Division of ODE. Directs chairperson of YDC to deliver to ODE records, property, and employees relating to duties, functions, and powers transferred by Act. Directs Superintendent of Public Instruction to take possession of records and property, and to take charge of employees and employ them in exercise of duties, functions and powers transferred by Act without reduction of compensation but subject to change or termination of employment. Provides Governor shall resolve any dispute between YDC and ODE relating to transfer of records, property and employees under Act. Transfers monies from YDC to ODE for purpose of administering and enforcing duties. Retains any applicable expenditure classifications. Renames Youth Development Council Fund to Youth Development Division Fund in Treasury, separate and distinct from the General Fund.

ISSUES DISCUSSED:

- Youth Conservation Corps
- Streamlining services
- Purpose of amendment

EFFECT OF COMMITTEE AMENDMENT: Clarifies duties and responsibilities of Youth Development Council (YDC) and Oregon Department of Education (ODE). Transfers responsibility for administration and enforcement of YDC to Youth Development Division of ODE. Directs chairperson of YDC to deliver to ODE records, property, and employees relating to duties, functions, and powers transferred by Act. Directs Superintendent of Public Instruction to take possession of records and property, and to take charge of employees and employ them in exercise of duties, functions and powers transferred by Act without reduction of compensation but subject to change or termination of employment. Provides Governor shall resolve any dispute between YDC and ODE relating to transfer of records, property and employees under Act. Transfers monies from YDC to ODE for purpose of administering and enforcing duties. Retains any applicable expenditure classifications. Renames Youth Development Council Fund to Youth Development Division Fund in Treasury, separate and distinct from the General Fund.

BACKGROUND: The YDC was created by House Bill 4165 (2012) for the purpose of assisting the Oregon Education Investment Board in overseeing a unified system that provides services to school-age children through youth 20 years of age in a manner that supports academic success, reduces criminal involvement and is integrated, measurable and accountable. The council is composed of no fewer than 15 members who are appointed by the Governor. The membership of the council must satisfy federal requirements for membership of a state advisory committee on juvenile justice, and includes tribal representation.

4/24/2013 11:39:00 AM

This summary has not been adopted or officially endorsed by action of the committee.

REVENUE: No revenue impact
FISCAL: Fiscal statement issued

Action:	Without Recommendation as to Passage and Be Referred to Committee on Ways and Means by Prior Reference
Vote:	6 - 0 - 3
Yeas:	Barnhart, Berger, Hicks, Jenson, Kennemer, Garrett
Nays:	0
Exc.:	Dembrow, Holvey, Hoyle
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ISSUES DISCUSSED:

- Contents of measure

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The Youth Development Council (YDC) was created by House Bill 4165 (2012) for the purpose of assisting the Oregon Education Investment Board in overseeing a unified system that provides services to school-age children through 20 years of age in a manner that supports academic success, reduces criminal involvement and is integrated, measurable and accountable. The council is composed of no fewer than 15 members who are appointed by the Governor. The membership of the council must satisfy federal requirements for membership of a state advisory committee on juvenile justice, and includes tribal representation.

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 3231**

1 On page 1 of the printed A-engrossed bill, line 8, after “supports” delete
2 the rest of the line and insert “educational success, focuses on crime pre-
3 vention, reduces high risk behaviors”.

4 In line 9, delete “criminal involvement”.

5 On page 3, delete lines 9 through 45.

6 On page 4, delete lines 1 through 33 and insert:

7 **“SECTION 4.** Section 21, chapter 37, Oregon Laws 2012, as amended by
8 section 23, chapter 37, Oregon Laws 2012, is amended to read:

9 **“Sec. 21.** (1) The Youth Development Council is established. **The coun-**
10 **cil shall function under the direction and control of the Oregon Edu-**
11 **cation Investment Board established by section 1, chapter 519, Oregon**
12 **Laws 2011.**

13 **“(2)** The council is established for the purpose of **assisting the board in**
14 **overseeing a unified system that provides services to school-age children**
15 **through youth 20 years of age in a manner that supports [*academic success,***
16 ***reduces criminal involvement*] educational success, focuses on crime pre-**
17 **vention, reduces high risk behaviors** and is integrated, measurable and
18 **accountable. The council shall provide direction to the Youth Develop-**
19 **ment Division.**

20 **“(3)** The council consists of no fewer than 15 members who are appointed
21 by the Governor. The Governor shall ensure that membership of the council
22 satisfies any federal requirements for membership of a state advisory com-

1 mittee on juvenile justice.

2 “(4) The council shall:

3 “[*(a) Prioritize funding for prevention and intervention services related to*
4 *gang violence and gang involvement.*]

5 “(a) **Determine the availability of funding to support community-**
6 **based youth development programs, services and initiatives with**
7 **demonstrated outcomes and strategic objectives established by the**
8 **council by rule.**

9 “(b) **Prioritize funding for services related to:**

10 “(A) **The prevention of and intervention in the risk factors that lead**
11 **to juvenile delinquency and the promotion of protective factors that**
12 **improve the health and well-being of children and youth, as supported**
13 **by evidence-based program models and other research-based models;**
14 **and**

15 “(B) **The prevention of and intervention in gang violence and gang**
16 **involvement.**

17 “(5) **The council may:**

18 “(a) **Enter into performance-based intergovernmental agreements**
19 **with regional and county entities, and tribal governments, to contract**
20 **for the provision of youth development programs, services and initi-**
21 **atives that will achieve demonstrated outcomes and strategic objec-**
22 **tives established by the council by rule.**

23 “(b) **Determine the means by which services to children and youth may**
24 **be provided effectively and efficiently across multiple programs to improve**
25 **the academic and social outcomes of children and youth.**

26 “(c) **Assess state programs and services related to youth development and**
27 **training, and identify methods by which programs and services may be co-**
28 **ordinated or consolidated.**

29 “(d) **Establish common academic and social indicators to support attain-**
30 **ment of goals established by the [council] board.**

1 “(e) Establish common program outcome measurements and coordinate
2 data collection across multiple programs and services.

3 “(f) Ensure implementation of best practices that:

4 “(A) Are evidence based;

5 “(B) Are culturally, gender and age appropriate;

6 “(C) Address individual risk factors;

7 “(D) Build upon factors that [*increase*] **improve** the health and well-being
8 of children and youth; and

9 “(E) Include tribal best practices.

10 “(5) The Governor may designate one member of the council to serve as
11 the chairperson or, if the Governor chooses not to designate a chairperson,
12 the council may elect one of its members to serve as chairperson.

13 “(6) In accordance with applicable provisions of ORS chapter 183, the
14 council may adopt rules necessary for the administration of the laws that the
15 council is charged with administering.

16 “**SECTION 5.** Section 21, chapter 37, Oregon Laws 2012, as amended by
17 section 23, chapter 37, Oregon Laws 2012, and section 4 of this 2013 Act, is
18 amended to read:

19 “**Sec. 21.** (1) The Youth Development Council is established. [*The council*
20 *shall function under the direction and control of the Oregon Education In-*
21 *vestment Board established by section 1, chapter 519, Oregon Laws 2011.*]

22 “(2) The council is established for the purpose of [*assisting the board in*]
23 overseeing a unified system that provides services to school-age children
24 through youth 20 years of age in a manner that supports educational success,
25 focuses on crime prevention, reduces high risk behaviors and is integrated,
26 measurable and accountable. The council shall provide direction to the
27 Youth Development Division.

28 “(3) The council consists of no fewer than 15 members who are appointed
29 by the Governor. The Governor shall ensure that membership of the council
30 satisfies any federal requirements for membership of a state advisory com-

1 mittee on juvenile justice.

2 “(4) The council shall:

3 “(a) Determine the availability of funding to support community-based
4 youth development programs, services and initiatives with demonstrated
5 outcomes and strategic objectives established by the council by rule.

6 “(b) Prioritize funding for services related to:

7 “(A) The prevention of and intervention in the risk factors that lead to
8 juvenile delinquency and the promotion of protective factors that improve
9 the health and well-being of children and youth, as supported by evidence-
10 based program models and other research-based models; and

11 “(B) The prevention of and intervention in gang violence and gang in-
12 volvement.

13 “(5) The council may:

14 “(a) Enter into performance-based intergovernmental agreements with re-
15 gional and county entities, and tribal governments, to contract for the pro-
16 vision of youth development programs, services and initiatives that will
17 achieve demonstrated outcomes and strategic objectives established by the
18 council by rule.

19 “(b) Determine the means by which services to children and youth may
20 be provided effectively and efficiently across multiple programs to improve
21 the academic and social outcomes of children and youth.

22 “(c) Assess state programs and services related to youth development and
23 training, and identify methods by which programs and services may be co-
24 ordinated or consolidated.

25 “(d) Establish common academic and social indicators to support attain-
26 ment of goals established by the [board] **council**.

27 “(e) Establish common program outcome measurements and coordinate
28 data collection across multiple programs and services.

29 “(f) Ensure implementation of best practices that:

30 “(A) Are evidence based;

1 “(B) Are culturally, gender and age appropriate;

2 “(C) Address individual risk factors;

3 “(D) Build upon factors that improve the health and well-being of children
4 and youth; and

5 “(E) Include tribal best practices.

6 “(5) The Governor may designate one member of the council to serve as
7 the chairperson or, if the Governor chooses not to designate a chairperson,
8 the council may elect one of its members to serve as chairperson.

9 “(6) In accordance with applicable provisions of ORS chapter 183, the
10 council may adopt rules necessary for the administration of the laws that the
11 council is charged with administering.”.

12 On page 20, after line 21, insert:

13 **“SECTION 23. The Youth Development Council shall submit a re-**
14 **port to the appropriate interim legislative committees on or before**
15 **January 1, 2014. The report must provide a funding allocation plan that**
16 **can be implemented no later than July 1, 2014, and that is for:**

17 **“(1) All services provided by the council;**

18 **“(2) Juvenile crime prevention programs; and**

19 **“(3) New investments in youth development programs and services**
20 **that align with and support goals established by the Oregon Education**
21 **Investment Board.”.**

22 In line 22, delete “23” and insert “24”.

23