

House Bill 3390

Sponsored by Representatives REARDON, GORSEK, PILUSO

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**.

Requires state agencies that provide moneys to certain entities to report annually in writing to Legislative Assembly on amount of moneys provided in each county and number of persons served in each county by such moneys.

A BILL FOR AN ACT

1
2 Relating to state funding of counties; amending ORS 323.455, 357.780, 406.454, 410.070, 423.520,
3 430.380, 430.634, 431.380, 458.505, 458.665, 471.810, 475B.759 and 660.318.

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

5 **SECTION 1.** ORS 323.455 is amended to read:

6 323.455. (1) All moneys received by the Department of Revenue from the tax imposed by ORS
7 323.030 (1) shall be paid over to the State Treasurer to be held in a suspense account established
8 under ORS 293.445. The department may pay expenses for administration and enforcement of ORS
9 323.005 to 323.482 out of moneys received from the tax imposed under ORS 323.030 (1). Amounts
10 necessary to pay administrative and enforcement expenses are continuously appropriated to the de-
11 partment from the suspense account. After the payment of administrative and enforcement expenses
12 and refunds, 89.65 percent shall be credited to the General Fund, 3.45 percent is appropriated to the
13 cities of this state, 3.45 percent is appropriated to the counties of this state and 3.45 percent is
14 continuously appropriated to the Department of Transportation for the purpose of financing and
15 improving transportation services for elderly individuals and individuals with disabilities as provided
16 in ORS 391.800 to 391.830.

17 (2) The moneys appropriated to cities and counties under subsection (1) of this section shall be
18 paid on a monthly basis within 35 days after the end of the month for which a distribution is made.
19 Each city shall receive such share of the money appropriated to all cities as its population, as de-
20 termined under ORS 190.510 to 190.590 last preceding such apportionment, bears to the total popu-
21 lation of the cities of the state, and each county shall receive such share of the money as its
22 population, determined under ORS 190.510 to 190.590 last preceding such apportionment, bears to the
23 total population of the state.

24 (3) The moneys appropriated to the Department of Transportation under subsection (1) of this
25 section shall be distributed and transferred to the Elderly and Disabled Special Transportation Fund
26 established by ORS 391.800 at the same time as the cigarette tax moneys are distributed to cities
27 and counties under this section.

28 (4) Of the moneys credited to the General Fund under subsection (1) of this section, 51.92 per-
29 cent shall be dedicated to funding the maintenance and expansion of the number of persons eligible
30 for the medical assistance program under ORS chapter 414, or to funding the maintenance of the
31 benefits available under the program, or both, and 5.77 percent shall be credited to the Tobacco Use

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 Reduction Account established under ORS 431A.153.

2 (5) All moneys received by the Department of Revenue from the tax imposed by ORS 323.030 (4)
 3 shall be paid over to the State Treasurer to be held in a suspense account established under ORS
 4 293.445. After the payment of refunds, the balance shall be credited to the Oregon Health Authority
 5 Fund established by ORS 413.101 and shall be used to provide the services described in ORS 430.630.

6 **(6) The Department of Revenue shall report annually in writing to an appropriate com-**
 7 **mittee or interim committee of the Legislative Assembly on the amount of moneys paid in**
 8 **each county under subsections (1) and (2) of this section and the number of persons served**
 9 **in each county by the payments.**

10 **SECTION 2.** ORS 357.780 is amended to read:

11 357.780. (1) The State Library Board shall disburse moneys under this section based on the es-
 12 timated total population of children, from birth to 14 years of age, in the state. For those areas of
 13 the state not served by local public libraries, the moneys available shall be reallocated to qualifying
 14 public libraries. A public library that begins providing library service to previously unserved popu-
 15 lation shall be eligible for grants from the moneys appropriated for purposes of this section. Upon
 16 satisfactory application therefor, the State Library Board shall cause the appropriate amount to be
 17 paid to the public library.

18 (2) The State Library Board shall distribute 80 percent of the funds specifically appropriated by
 19 the Legislative Assembly on a per child basis for public library services in the following manner to
 20 ensure the same population is not counted more than once:

21 (a) There shall be paid to each consolidated county library that is the primary provider of public
 22 library services to all persons in a county, or to each library district that is the primary provider
 23 of public library services in a county, a per capita amount for each child residing in the county.

24 (b) Where public library services are provided by a public library for which the governing au-
 25 thority has jurisdiction in more than one county, there shall be paid to that library a per capita
 26 amount for each child residing therein.

27 (c) Where public library services are not provided as described in paragraph (a) or (b) of this
 28 subsection, but by a library of which the governing authority is the primary provider of public li-
 29 brary services to a jurisdiction less than county wide, there shall be paid to the library a per capita
 30 amount for children residing therein. In addition, a public library having a valid contract with a unit
 31 of local government to provide library services to a population beyond its governing authority's ju-
 32 risdiction shall be paid a per capita amount for the population of children served if specified in the
 33 contract. The number of children residing within a jurisdiction that is less than a county shall be
 34 estimated using the percentage of children in the total population of the county.

35 (d) Where public library services are not provided as described in paragraph (a), (b) or (c) of this
 36 subsection, but are provided by a county or district library that has a valid contract with one or
 37 more libraries to provide persons in their jurisdiction with library services, there shall be paid to
 38 the county or district library a per capita amount for each child residing therein, exclusive of the
 39 populations served by libraries eligible for grants under paragraph (c) of this subsection.

40 (3) The State Library Board shall distribute 20 percent of the funds specifically appropriated by
 41 the Legislative Assembly for public library services on an area basis.

42 (4) The State Library Board may not make a grant that is less than \$1,000 to a qualifying public
 43 library for public library services for children.

44 **(5) The State Library Board shall report annually in writing to an appropriate committee**
 45 **or interim committee of the Legislative Assembly on the amount of moneys disbursed in**

1 **each county under this section and the number of persons served in each county by the**
 2 **disbursements.**

3 **SECTION 3.** ORS 406.454 is amended to read:

4 406.454. (1) The Director of Veterans' Affairs shall adopt by rule a formula to distribute to
 5 county governing bodies funds appropriated to the director to enhance and expand the services
 6 provided by county veterans' service officers appointed under ORS 408.410. In developing the dis-
 7 tribution formula, the director shall consider factors that include, but need not be limited to:

8 (a) The number of veterans residing in each county;

9 (b) A base amount to be distributed equally among counties;

10 (c) Retention by the Department of Veterans' Affairs of the amount that would otherwise be
 11 distributed to a county governing body if the county governing body has not appointed a county
 12 veterans' service officer;

13 (d) Criteria for withholding funds from a county governing body; and

14 (e) The purchase and coordination of a statewide computer system or other technology, or both,
 15 to facilitate efficient claims and appeals development and processing for veterans, spouses, depen-
 16 dents and survivors of veterans.

17 (2)(a) Funds retained under subsection (1)(c) of this section must be used to provide veterans'
 18 services in a county not providing a county veterans' service officer in a manner deemed appropriate
 19 by the director until such time as the county appoints or reinstates a county veterans' service offi-
 20 cer.

21 (b) Funds retained under subsection (1)(c) and (d) of this section may be spent on:

22 (A) Training costs of veterans' service officers and other individuals providing similar services;
 23 and

24 (B) Providing veterans' services to veterans, spouses, dependents and survivors of veterans as
 25 deemed appropriate by the director.

26 **(3) The director shall report annually in writing to an appropriate committee or interim**
 27 **committee of the Legislative Assembly on the amount of moneys distributed in each county**
 28 **under this section and the number of persons served in each county by the distributions.**

29 **SECTION 4.** ORS 410.070 is amended to read:

30 410.070. (1) The Department of Human Services shall:

31 (a) Serve as the central state agency with primary responsibility for the planning, coordination,
 32 development and evaluation of policy, programs and services for elderly persons and persons with
 33 disabilities in Oregon.

34 (b) Function as the designated state unit on aging, as defined in the Older Americans Act of
 35 1965.

36 (c) With the advice of the Governor's Commission on Senior Services and the Oregon Disabilities
 37 Commission, develop long-range state plans for programs, services and activities for elderly persons
 38 and persons with disabilities. State plans should be revised biennially and should be based on area
 39 agency plans, statewide priorities and state and federal requirements.

40 (d) Have the authority to transfer state and federal funds, except Title III of the Older Ameri-
 41 cans Act funds, from one area agency to another area agency or from one program or service to
 42 another program or service after consultation with the area agencies involved in the transfer.
 43 However, no area agency shall suffer a reduction in state or federal funds due to increased local
 44 funds.

45 (e) Receive and disburse all federal and state funds allocated to the department and solicit, ac-

1 cept and administer grants, including federal grants or gifts made to the department or to the state
2 and enter into contracts with private entities for the purpose of providing or contracting for case
3 management services for long term care insurance for the benefit of elderly persons and persons
4 with disabilities in this state.

5 (f) Provide technical, training and program assistance to area agencies and assist them to pro-
6 vide such assistance to public and private agencies and organizations.

7 (g) Assist area agencies to stimulate more effective use of existing resources and services for
8 elderly persons and develop programs, opportunities and services which are not otherwise provided
9 for elderly persons, with the aim of developing a comprehensive and coordinated system for the de-
10 livery of social services to elderly persons.

11 (h) Assist local department offices and area agencies which have assumed responsibility for
12 disabled services to stimulate more effective use of existing resources and to develop programs, op-
13 portunities and services which are not otherwise provided for persons with disabilities, with the aim
14 of developing a comprehensive and coordinated system for the delivery of social services to persons
15 with disabilities.

16 (i) Serve within government and in the state at large as an advocate for elderly persons and
17 persons with disabilities by holding hearings and conducting studies or investigations concerning
18 matters affecting the health, safety and welfare of elderly persons and persons with disabilities and
19 by assisting elderly persons and persons with disabilities to assure their rights to apply for and re-
20 ceive services and to be given fair hearings when such services are denied.

21 (j) Process fiscal and client data for all area agencies.

22 (k) Conduct regulatory functions with regard to program operation, by adopting rules for pro-
23 viding social services, including protective services, to elderly persons and persons with disabilities
24 who need services that the department or area agencies are authorized to provide and rules for
25 standard rate setting and quality assurance.

26 (L) Provide information and technical assistance to the Governor's Commission on Senior Ser-
27 vices, the Oregon Disabilities Commission and the Medicaid Long Term Care Quality and Re-
28 imbursement Advisory Council and keep the commissions and the council continually informed of the
29 activities of the department.

30 (m) Make recommendations for legislative action to the Governor and to the Legislative As-
31 sembly, after consultation with the Governor's Commission on Senior Services, the Oregon Disabil-
32 ities Commission and the Medicaid Long Term Care Quality and Reimbursement Advisory Council.

33 (n) Conduct research and other appropriate activities to determine the needs of elderly persons
34 and persons with disabilities in this state, including, but not limited to, their needs for social and
35 health services, and to determine what existing services and facilities, private and public, are
36 available to elderly persons and persons with disabilities to meet those needs.

37 (o) Maintain a clearinghouse for information related to the needs and interests of elderly per-
38 sons and persons with disabilities.

39 (p) Provide area agencies with assistance in applying for federal, state and private grants and
40 identifying new funding sources.

41 (2) In addition to the requirements of subsection (1) of this section, the department shall:

42 (a) Determine type A and type B area agencies annual budget levels for Oregon Project Inde-
43 pendence and Title III of the Older Americans Act expenditures.

44 (b) Determine annual budget levels for planning and administering programs relating to social,
45 health, independent living and protective services for persons with disabilities for the local depart-

1 ment office serving elderly persons and persons with disabilities and type B area agencies that have
 2 assumed local responsibility for the programs and clients transferred under section 2 (2), chapter
 3 787, Oregon Laws 1989. In determining the budget levels, the department shall:

4 (A) Apply the methodology required by ORS 410.072;

5 (B) Retain contingency reserves against overruns and transfers in use of Title XIX funds; and

6 (C) Provide timely management information so the area agencies and the department's disability
 7 services units can manage Title XIX reimbursements within budgeted levels.

8 (c) Make payments for services within a central processing system for:

9 (A) A type A area agency, at the request of the agency, for Oregon Project Independence or
 10 Title III of the Older Americans Act expenditures, or both.

11 (B) A type B area agency, for Title XIX and Oregon Project Independence expenditures, and at
 12 the request of the agency, for Title III of the Older Americans Act expenditures.

13 (d) Assume program responsibility for Title XIX programs in areas served by type A area
 14 agencies and in areas where no area agency is designated.

15 (e) Assume planning and program responsibilities for persons with disabilities in areas served
 16 by type A area agencies, in areas served by type B agencies that serve only elderly persons and in
 17 areas where no area agency exists.

18 (3) When developing programs affecting elderly persons, the department shall consult with the
 19 Governor's Commission on Senior Services.

20 (4) When developing programs affecting persons with disabilities, the department shall consult
 21 with the Oregon Disabilities Commission.

22 **(5) The department shall report annually in writing to an appropriate committee or in-**
 23 **terim committee of the Legislative Assembly on the amount of moneys disbursed in each**
 24 **county under subsection (1)(e) of this section and the number of persons served by the dis-**
 25 **bursements.**

26 **SECTION 5.** ORS 423.520 is amended to read:

27 423.520. (1) The Department of Corrections shall make grants to assist counties in the imple-
 28 mentation and operation of community corrections programs including, but not limited to, preventive
 29 or diversionary correctional programs, probation, parole, work release and local correctional facili-
 30 ties and programs for offenders. The department shall require recipients of the grants to cooperate,
 31 to the extent of available information systems resources, in the collection and sharing of data nec-
 32 essary to evaluate the effect of community corrections programs on future criminal conduct.

33 **(2) The department shall report annually in writing to an appropriate committee or in-**
 34 **terim committee of the Legislative Assembly on the amount of moneys disbursed as grants**
 35 **in each county under subsection (1) of this section and the number of persons served in each**
 36 **county by the grants.**

37 **SECTION 6.** ORS 430.380 is amended to read:

38 430.380. (1) There is established in the General Fund of the State Treasury an account to be
 39 known as the Mental Health Alcoholism and Drug Services Account. Moneys deposited in the ac-
 40 count are continuously appropriated for the purposes of ORS 430.345 to 430.380 and to provide
 41 funding for sobering facilities registered under ORS 430.262. Moneys deposited in the account may
 42 be invested in the manner prescribed in ORS 293.701 to 293.857.

43 (2) Forty percent of the moneys in the Mental Health Alcoholism and Drug Services Account
 44 shall be continuously appropriated to the counties on the basis of population. The counties must use
 45 the moneys for the establishment, operation and maintenance of alcohol and drug abuse prevention,

1 early intervention and treatment services and for local matching funds under ORS 430.345 to
 2 430.380. The counties may use up to 10 percent of the moneys appropriated under this subsection
 3 to provide funds for sobering facilities registered under ORS 430.262.

4 (3) Forty percent of the moneys shall be continuously appropriated to the Oregon Health Au-
 5 thority to be used for state matching funds to counties for alcohol and drug abuse prevention, early
 6 intervention and treatment services pursuant to ORS 430.345 to 430.380. The authority may use up
 7 to 10 percent of the moneys appropriated under this subsection for matching funds to counties for
 8 sobering facilities registered under ORS 430.262.

9 (4) Twenty percent of the moneys shall be continuously appropriated to the Oregon Health Au-
 10 thority to be used for alcohol and drug abuse prevention, early intervention and treatment services
 11 for inmates of correctional and penal institutions and for parolees therefrom and for probationers
 12 as provided pursuant to rules of the authority. However, prior to expenditure of moneys under this
 13 subsection, the authority must present its program plans for approval to the appropriate legislative
 14 body which is either the Joint Ways and Means Committee during a session of the Legislative As-
 15 sembly or the Emergency Board during the interim between sessions.

16 (5) Counties and state agencies:

17 (a) May not use moneys appropriated to counties and state agencies under subsections (1) to (4)
 18 of this section for alcohol and drug prevention and treatment services that do not meet or exceed
 19 minimum standards established under ORS 430.357; and

20 (b) Shall include in all grants and contracts with providers of alcohol and drug prevention and
 21 treatment services a contract provision that the grant or contract may be terminated by the county
 22 or state agency if the provider does not meet or exceed the minimum standards adopted by the
 23 Oregon Health Authority pursuant to ORS 430.357. A county or state agency may not be penalized
 24 and is not liable for the termination of a contract under this section.

25 **(6) The Oregon Health Authority shall report annually in writing to an appropriate com-**
 26 **mittee or interim committee of the Legislative Assembly on the amount of moneys appro-**
 27 **priated in each county under this section and the number of persons served in each county**
 28 **by the appropriations.**

29 **SECTION 7.** ORS 430.634 is amended to read:

30 430.634. (1) In order to improve services to persons with mental or emotional disturbances and
 31 provide information for uniform analysis, each community mental health program shall collect and
 32 report data and evaluate programs in accordance with methods prescribed by the Oregon Health
 33 Authority after consultation with the program directors.

34 (2) Information collected by the authority under subsection (1) of this section shall include, but
 35 need not be limited to:

- 36 (a) Numbers of persons served;
- 37 (b) Ages of persons served;
- 38 (c) Types of services provided; and
- 39 (d) Cost of services.

40 (3) Within the limits of available funds allocated for the administration of community mental
 41 health programs, community mental health programs shall collect data and evaluate programs with
 42 moneys provided by the authority. The authority shall distribute funds so that programs within the
 43 same population grouping shall receive equal amounts of funds. The population groupings are:

- 44 (a) More than 400,000 population.
- 45 (b) Less than 400,000 but more than 100,000.

1 (c) Less than 100,000 but more than 50,000.

2 (d) Less than 50,000.

3 (4) During the first biennium that a new service is funded by the authority, two percent of the
 4 service funds shall be set aside for use in data collection and evaluation of the service. Thereafter,
 5 the service shall be evaluated as a part of the total community mental health program.

6 **(5) The authority shall report annually in writing to an appropriate committee or interim**
 7 **committee of the Legislative Assembly on the amount of moneys distributed in each county**
 8 **under subsection (3) of this section and ORS 430.648 and the number of persons served in**
 9 **each county by the distributions.**

10 **SECTION 8.** ORS 431.380 is amended to read:

11 431.380. (1) From state moneys that the Oregon Health Authority receives for the purpose of
 12 funding the foundational capabilities established under ORS 431.131 and the foundational programs
 13 established under ORS 431.141, the Oregon Health Authority shall make payments to local public
 14 health authorities under this section. The Oregon Health Authority shall each biennium submit to
 15 the Oregon Public Health Advisory Board and the Legislative Fiscal Office a formula that provides
 16 for the equitable distribution of moneys. The Oregon Health Authority shall incorporate into the
 17 formula:

18 (a) A method for distributing to local public health authorities a base amount of state moneys
 19 received by the Oregon Health Authority pursuant to this subsection, taking into consideration the
 20 population of each local public health authority, the burden of disease borne by communities located
 21 within the jurisdiction of each local public health authority, the overall health status of communities
 22 located within the jurisdiction of each local public health authority and the ability of each local
 23 public health authority to invest in local public health activities and services;

24 (b) A method for awarding matching funds to a local public health authority that invests in local
 25 public health activities and services above the base amount distributed in accordance with para-
 26 graph (a) of this subsection; and

27 (c) A method for the use of incentives as described in subsection (3) of this section.

28 (2) The Oregon Health Authority shall submit the formula adopted under subsection (1) of this
 29 section to the Oregon Public Health Advisory Board and the Legislative Fiscal Office no later than
 30 June 30 of each even-numbered year. At the same time that the Oregon Health Authority submits
 31 the formula, the Oregon Health Authority shall submit to the Oregon Public Health Advisory Board
 32 and the Legislative Fiscal Office an estimate of the amount of state moneys necessary to fund in
 33 part or in whole the foundational capabilities established under ORS 431.131 and the foundational
 34 programs established under ORS 431.141.

35 (3) The Oregon Health Authority shall adopt by rule incentives and a process for identifying,
 36 updating and applying accountability metrics, for the purpose of encouraging the effective and eq-
 37 uitable provision of public health services by local public health authorities.

38 (4) Nothing in this section prohibits the Oregon Health Authority from distributing state moneys
 39 that the Oregon Health Authority receives for the purpose of funding the foundational capabilities
 40 established under ORS 431.131 and the foundational programs established under ORS 431.141 to local
 41 public health authorities on an individual basis as opposed to a statewide basis, or through a com-
 42 petitive grant or contract process or on the basis of need, if the state moneys received are insuffi-
 43 cient to adequately fund local public health authorities on a statewide basis.

44 **(5) The Oregon Health Authority shall report annually in writing to an appropriate com-**
 45 **mittee or interim committee of the Legislative Assembly on the amount of moneys paid in**

1 **each county under this section and the number of persons served in each county by the**
 2 **payments.**

3 **SECTION 9.** ORS 458.505 is amended to read:

4 458.505. (1) The community action agency network, established initially under the federal Eco-
 5 nomic Opportunity Act of 1964, shall be the delivery system for federal antipoverty programs in
 6 Oregon, including the Community Services Block Grant, Low Income Energy Assistance Program,
 7 State Department of Energy Weatherization Program and such others as may become available.

8 (2) Funds for such programs shall be distributed to the community action agencies by the
 9 Housing and Community Services Department with the advice of the Community Action Partnership
 10 of Oregon.

11 (3) In areas not served by a community action agency, funds other than federal community ser-
 12 vices funds may be distributed to and administered by organizations that are found by the Housing
 13 and Community Services Department to serve the antipoverty purpose of the community action
 14 agency network.

15 (4) In addition to complying with all applicable requirements of federal law, a community action
 16 agency shall:

17 (a) Be an office, division or agency of the designating political subdivision or a not for profit
 18 organization in compliance with ORS chapter 65.

19 (b) Have a community action board of at least nine but no more than 33 members, constituted
 20 so that:

21 (A) One-third of the members of the board are elected public officials currently serving or their
 22 designees. If the number of elected officials reasonably available and willing to serve is less than
 23 one-third of the membership, membership of appointed public officials may be counted as meeting the
 24 one-third requirement;

25 (B) At least one-third of the members are persons chosen through democratic selection proce-
 26 dures adequate to assure that they are representatives of the poor in the area served; and

27 (C) The remainder of the members are officials or members of business, industry, labor, religious,
 28 welfare, education or other major groups and interests in the community.

29 (c) If the agency is a private not for profit organization, be governed by the Community Action
 30 Board. The board shall have all duties, responsibilities and powers normally associated with such
 31 boards, including, but not limited to:

32 (A) Selection, appointment and dismissal of the executive director of the agency;

33 (B) Approval of all contracts, grant applications and budgets and operational policies of the
 34 agency;

35 (C) Evaluation of programs; and

36 (D) Securing an annual audit of the agency.

37 (d) If the organization is an office, division or agency of a political subdivision, be administered
 38 by the board that shall provide for the operation of the agency and be directly responsible to the
 39 governing board of the political subdivision. The administering board at a minimum, shall:

40 (A) Review and approve program policy;

41 (B) Be involved in and consulted on the hiring and firing of the agency director;

42 (C) Monitor and evaluate program effectiveness;

43 (D) Ensure the effectiveness of community involvement in the planning process; and

44 (E) Assume all duties delegated to it by the governing board.

45 (e) Have a clearly defined, specified service area. Community action service areas may not

1 overlap.

2 (f) Have an accounting system that meets generally accepted accounting principles and be so
3 certified by an independent certified accountant.

4 (g) Provide assurances against the use of government funds for political activity by the com-
5 munity action agency.

6 (h) Provide assurances that no person shall, on the grounds of race, color, sex, sexual orien-
7 tation or national origin be excluded from participation in, be denied the benefits of or be subjected
8 to discrimination under any program or activity funded in whole or in part with funds made avail-
9 able through the community action program.

10 (i) Provide assurances the community action agency shall comply with any prohibition against
11 discrimination on the basis of age under the Age Discrimination Act of 1975 or with respect to an
12 otherwise qualified individual with disabilities as provided in section 504 of the Rehabilitation Act
13 of 1973.

14 (5) For the purposes of this section, the Oregon Human Development Corporation is eligible to
15 receive federal community service funds and low-income energy assistance funds.

16 (6) The Housing and Community Services Department shall:

17 (a) Administer federal and state antipoverty programs.

18 (b) Apply for all available antipoverty funds on behalf of eligible entities as defined in this sec-
19 tion.

20 (c) In conjunction with the Community Action Partnership of Oregon, develop a collaborative
21 role in advocating for, and addressing the needs of, all low income Oregonians.

22 (d) Biennially produce and make available to the public a status report on efforts by it and state
23 agencies to reduce the incidence of poverty in Oregon. This report shall contain figures regarding
24 the numbers and types of persons living in poverty in Oregon. The report shall also describe the
25 status of efforts by the department and the Department of Human Services to implement the state
26 policy regarding homelessness described in ORS 458.528.

27 (e) On a regular basis provide information to the Community Action Partnership of Oregon on
28 the activities and expenditures of the Housing and Community Services Department.

29 (f) As resources are available, provide resources for technical assistance, training and program
30 assistance to eligible entities.

31 (g) As resources are available, provide resources pursuant to ORS 409.750 for the training and
32 technical assistance needs of the Community Action Partnership of Oregon.

33 (h) Conduct a planning process to meet the needs of low income people in Oregon. That process
34 shall fully integrate the Oregon Human Development Corporation into the antipoverty delivery sys-
35 tem. The planning process shall include development of a plan for minimum level of services and
36 funding for low income migrant and seasonal farmworkers from the antipoverty programs adminis-
37 tered by the agency.

38 (i) Limit its administrative budget in an effort to maximize the availability of antipoverty federal
39 and state funds for expenditures by local eligible entities.

40 **(7) The Housing and Community Services Department shall report annually in writing to**
41 **an appropriate committee or interim committee of the Legislative Assembly on the amount**
42 **of moneys distributed in each county under subsections (2) and (3) of this section and the**
43 **number of persons served in each county by the distributions.**

44 **SECTION 10.** ORS 458.665 is amended to read:

45 458.665. (1) The Housing and Community Services Department shall administer the General

1 Housing Account.

2 (2) The department shall disburse moneys credited to the account to accomplish the purposes
 3 described in ORS 456.515 to 456.725, except that 25 percent of moneys deposited in the account
 4 pursuant to ORS 294.187 is dedicated for expenditure to meet the critical housing needs of veterans
 5 in this state.

6 (3) The department may disburse moneys in the account by contract, grant, loan or otherwise
 7 as the department determines necessary.

8 (4) The department may set interest rates on loans made with moneys in the account.

9 (5) The department shall establish guidelines for the types of loans financed with moneys in the
 10 account by rule.

11 (6) The department may use moneys in the account to pay allowable administrative expenses
 12 incurred under ORS 456.515 to 456.725.

13 (7) The department may, in the director's discretion, return moneys received for deposit in the
 14 account to the original source of the moneys.

15 (8) The department may accept moneys for deposit in the account pursuant to ORS 458.620 (4)
 16 and enter into agreements regarding the use of moneys deposited with the original source of the
 17 moneys.

18 (9) The department shall adopt rules that:

19 (a) Subject to subsection (2) of this section, govern the allocation of moneys deposited in the
 20 account to best meet critical housing needs and build organizational capacity of partners throughout
 21 this state; and

22 (b) Consistent with subsection (10) of this section, require equitable distribution of resources
 23 over time based on objective measures of need, including the number and percentage of low and very
 24 low income households in an area.

25 (10) The Oregon Housing Stability Council shall adopt a policy that provides for distribution by
 26 the department of account moneys and account investment revenue statewide while concentrating
 27 account moneys and account investment revenue in those areas of this state with the greatest need,
 28 as determined by the council, for housing for persons with a low or very low income.

29 **(11) The department shall report annually in writing to an appropriate committee or in-**
 30 **terim committee of the Legislative Assembly on the amount of moneys disbursed in each**
 31 **county under subsection (2) of this section and the number of persons served in each county**
 32 **by the disbursements.**

33 **SECTION 11.** ORS 471.810 is amended to read:

34 471.810. (1) At the end of each month, the Oregon Liquor Control Commission shall certify the
 35 amount of moneys available for distribution in the Oregon Liquor Control Commission Account and,
 36 after withholding such moneys as it may deem necessary to pay its outstanding obligations, shall
 37 within 35 days of the month for which a distribution is made direct the State Treasurer to pay the
 38 amounts due, upon warrants drawn by the Oregon Department of Administrative Services, as fol-
 39 lows:

40 (a) Fifty-six percent, or the amount remaining after the distribution under subsection (4) of this
 41 section, credited to the General Fund available for general governmental purposes wherein it shall
 42 be considered as revenue during the quarter immediately preceding receipt;

43 (b) Twenty percent to the cities of the state in such shares as the population of each city bears
 44 to the population of the cities of the state, as determined by Portland State University last preceding
 45 such apportionment, under ORS 190.510 to 190.610;

1 (c) Ten percent to counties in such shares as their respective populations bear to the total
 2 population of the state, as estimated from time to time by Portland State University; and

3 (d) Fourteen percent to the cities of the state to be distributed as provided in ORS 221.770 and
 4 this section.

5 (2) The commission shall direct the Oregon Department of Administrative Services to transfer
 6 50 percent of the revenues from the taxes imposed by ORS 473.030 and 473.035 to the Mental Health
 7 Alcoholism and Drug Services Account in the General Fund to be paid monthly as provided in ORS
 8 430.380.

9 (3) If the amount of revenues received from the taxes imposed by ORS 473.030 for the preceding
 10 month was reduced as a result of credits claimed under ORS 473.047, the commission shall compute
 11 the difference between the amounts paid or transferred as described in subsections (1)(b), (c) and (d)
 12 and (2) of this section and the amounts that would have been paid or transferred under subsections
 13 (1)(b), (c) and (d) and (2) of this section if no credits had been claimed. The commission shall direct
 14 the Oregon Department of Administrative Services to pay or transfer amounts equal to the differ-
 15 ences computed for subsections (1)(b), (c) and (d) and (2) of this section from the General Fund to
 16 the recipients or accounts described in subsections (1)(b), (c) and (d) and (2) of this section.

17 (4) Notwithstanding subsection (1) of this section, no city or county shall receive for any fiscal
 18 year an amount less than the amount distributed to the city or county in accordance with ORS
 19 471.350 (1965 Replacement Part), 471.810, 473.190 and 473.210 (1965 Replacement Part) during the
 20 1966-1967 fiscal year unless the city or county had a decline in population as shown by its census.
 21 If the population declined, the per capita distribution to the city or county shall be not less than
 22 the total per capita distribution during the 1966-1967 fiscal year. Any additional funds required to
 23 maintain the level of distribution under this subsection shall be paid from funds credited under
 24 subsection (1)(a) of this section.

25 (5) Notwithstanding subsection (1) of this section, amounts to be distributed from the Oregon
 26 Liquor Control Commission Account that are attributable to a per bottle surcharge imposed by the
 27 Oregon Liquor Control Commission, shall be credited to the General Fund.

28 **(6) The Oregon Liquor Control Commission shall report annually in writing to an appro-**
 29 **propriate committee or interim committee of the Legislative Assembly on the amount of moneys**
 30 **distributed in each county under subsection (1) of this section and the number of persons**
 31 **served in each county by the distributions.**

32 **SECTION 12.** ORS 475B.759, as amended by section 1, chapter 81, Oregon Laws 2018, is
 33 amended to read:

34 475B.759. (1) There is established the Oregon Marijuana Account, separate and distinct from the
 35 General Fund.

36 (2) The account shall consist of moneys transferred to the account under ORS 475B.760.

37 (3)(a) The Department of Revenue shall certify quarterly the amount of moneys available in the
 38 Oregon Marijuana Account.

39 (b) Subject to subsection (4) of this section, the department shall transfer quarterly 20 percent
 40 of the moneys in the Oregon Marijuana Account as follows:

41 (A) Ten percent of the moneys in the account must be transferred to the cities of this state in
 42 the following shares:

43 (i) Seventy-five percent of the 10 percent must be transferred in shares that reflect the popu-
 44 lation of each city of this state that is not exempt from this paragraph pursuant to subsection (4)(a)
 45 of this section compared to the population of all cities of this state that are not exempt from this

1 paragraph pursuant to subsection (4)(a) of this section, as determined by Portland State University
2 under ORS 190.510 to 190.610, on the date immediately preceding the date of the transfer; and

3 (ii) Twenty-five percent of the 10 percent must be transferred in shares that reflect the number
4 of licenses held pursuant to ORS 475B.070, 475B.090, 475B.100 and 475B.105 on the last business day
5 of the calendar quarter preceding the date of the transfer for premises located in each city compared
6 to the number of licenses held pursuant to ORS 475B.070, 475B.090, 475B.100 and 475B.105 on the
7 last business day of that calendar quarter for all premises in this state located in cities; and

8 (B) Ten percent of the moneys in the account must be transferred to counties in the following
9 shares:

10 (i) Fifty percent of the 10 percent must be transferred in shares that reflect the total commer-
11 cially available area of all grow canopies associated with marijuana producer licenses held pursuant
12 to ORS 475B.070 on the last business day of the calendar quarter preceding the date of the transfer
13 for all premises located in each county compared to the total commercially available area of all
14 grow canopies associated with marijuana producer licenses held pursuant to ORS 475B.070 on the
15 last business day of that calendar quarter for all premises located in this state; and

16 (ii) Fifty percent of the 10 percent must be transferred in shares that reflect the number of li-
17 censes held pursuant to ORS 475B.090, 475B.100 and 475B.105 on the last business day of the cal-
18 endar quarter preceding the date of the transfer for premises located in each county compared to
19 the number of licenses held pursuant to ORS 475B.090, 475B.100 and 475B.105 on the last business
20 day of that calendar quarter for all premises in this state.

21 (c) Eighty percent of the moneys in the Oregon Marijuana Account must be used as follows:

22 (A) Forty percent of the moneys in the account must be used solely for purposes for which
23 moneys in the State School Fund established under ORS 327.008 may be used;

24 (B) Twenty percent of the moneys in the account must be used solely for mental health treat-
25 ment or for alcohol and drug abuse prevention, early intervention and treatment;

26 (C) Fifteen percent of the moneys in the account must be used solely for purposes for which
27 moneys in the State Police Account established under ORS 181A.020 may be used; and

28 (D) Five percent of the moneys in the account must be used solely for purposes related to al-
29 cohol and drug abuse prevention, early intervention and treatment services.

30 (4)(a) A city that has an ordinance prohibiting the establishment of a premises for which issu-
31 ance of a license under ORS 475B.070, 475B.090, 475B.100 or 475B.105 is required is not eligible to
32 receive transfers of moneys under subsection (3)(b)(A) of this section.

33 (b) A county that has an ordinance prohibiting the establishment of a premises for which issu-
34 ance of a license under ORS 475B.070 is required is not eligible to receive transfers of moneys under
35 subsection (3)(b)(B)(i) of this section.

36 (c) A county that has an ordinance prohibiting the establishment of a premises for which issu-
37 ance of a license under ORS 475B.090, 475B.100 or 475B.105 is required is not eligible to receive
38 transfers of moneys under subsection (3)(b)(B)(ii) of this section.

39 (5) In a form and manner prescribed by the Oregon Liquor Control Commission, each city and
40 county in this state shall certify with the commission whether the city or county has an ordinance
41 prohibiting the establishment of a premises for which issuance of a license under ORS 475B.070,
42 475B.090, 475B.100 or 475B.105 is required. If a city fails to comply with this subsection, the city is
43 not eligible to receive transfers of moneys under subsection (3)(b)(A) of this section. If a county fails
44 to comply with this subsection, the county is not eligible to receive transfers of moneys under sub-
45 section (3)(b)(B) of this section.

1 **(6) The department shall report annually in writing to an appropriate committee or in-**
 2 **terim committee of the Legislative Assembly on the amount of moneys transferred in each**
 3 **county under subsection (3) of this section and the number of persons served in each county**
 4 **by the transfers.**

5 **SECTION 13.** ORS 475B.759, as amended by sections 1 and 2, chapter 81, Oregon Laws 2018,
 6 is amended to read:

7 475B.759. (1) There is established the Oregon Marijuana Account, separate and distinct from the
 8 General Fund.

9 (2) The account shall consist of moneys transferred to the account under ORS 475B.760.

10 (3)(a) The Department of Revenue shall certify quarterly the amount of moneys available in the
 11 Oregon Marijuana Account.

12 (b) Subject to subsection (4) of this section, the department shall transfer quarterly 20 percent
 13 of the moneys in the Oregon Marijuana Account as follows:

14 (A) Ten percent of the moneys in the account must be transferred to the cities of this state in
 15 the following shares:

16 (i) Seventy-five percent of the 10 percent must be transferred in shares that reflect the popu-
 17 lation of each city of this state that is not exempt from this paragraph pursuant to subsection (4)(a)
 18 of this section compared to the population of all cities of this state that are not exempt from this
 19 paragraph pursuant to subsection (4)(a) of this section, as determined by Portland State University
 20 under ORS 190.510 to 190.610, on the date immediately preceding the date of the transfer; and

21 (ii) Twenty-five percent of the 10 percent must be transferred in shares that reflect the number
 22 of licenses held pursuant to ORS 475B.070, 475B.090, 475B.100 and 475B.105 on the last business day
 23 of the calendar quarter preceding the date of the transfer for premises located in each city compared
 24 to the number of licenses held pursuant to ORS 475B.070, 475B.090, 475B.100 and 475B.105 on the
 25 last business day of that calendar quarter for all premises in this state located in cities; and

26 (B) Ten percent of the moneys in the account must be transferred to counties in the following
 27 shares:

28 (i) Fifty percent of the 10 percent must be transferred in shares that reflect the total commer-
 29 cially available area of all grow canopies associated with marijuana producer licenses held pursuant
 30 to ORS 475B.070 on the last business day of the calendar quarter preceding the date of the transfer
 31 for all premises located in each county compared to the total commercially available area of all
 32 grow canopies associated with marijuana producer licenses held pursuant to ORS 475B.070 on the
 33 last business day of that calendar quarter for all premises located in this state; and

34 (ii) Fifty percent of the 10 percent must be transferred in shares that reflect the number of li-
 35 censes held pursuant to ORS 475B.090, 475B.100 and 475B.105 on the last business day of the cal-
 36 endar quarter preceding the date of the transfer for premises located in each county compared to
 37 the number of licenses held pursuant to ORS 475B.090, 475B.100 and 475B.105 on the last business
 38 day of that calendar quarter for all premises in this state.

39 (c) Eighty percent of the moneys in the Oregon Marijuana Account must be used as follows:

40 (A) Forty percent of the moneys in the account must be used solely for purposes for which
 41 moneys in the State School Fund established under ORS 327.008 may be used;

42 (B) Twenty percent of the moneys in the account must be used solely for purposes for which
 43 moneys in the Mental Health Alcoholism and Drug Services Account established under ORS 430.380
 44 may be used;

45 (C) Fifteen percent of the moneys in the account must be used solely for purposes for which

1 moneys in the State Police Account established under ORS 181A.020 may be used; and

2 (D) Five percent of the moneys in the account must be used solely for purposes related to al-
3cohol and drug abuse prevention, early intervention and treatment services.

4 (4)(a) A city that has an ordinance prohibiting the establishment of a premises for which issu-
5ance of a license under ORS 475B.070, 475B.090, 475B.100 or 475B.105 is required is not eligible to
6receive transfers of moneys under subsection (3)(b)(A) of this section.

7 (b) A county that has an ordinance prohibiting the establishment of a premises for which issu-
8ance of a license under ORS 475B.070 is required is not eligible to receive transfers of moneys under
9subsection (3)(b)(B)(i) of this section.

10 (c) A county that has an ordinance prohibiting the establishment of a premises for which issu-
11ance of a license under ORS 475B.090, 475B.100 or 475B.105 is required is not eligible to receive
12transfers of moneys under subsection (3)(b)(B)(ii) of this section.

13 (5) In a form and manner prescribed by the Oregon Liquor Control Commission, each city and
14county in this state shall certify with the commission whether the city or county has an ordinance
15prohibiting the establishment of a premises for which issuance of a license under ORS 475B.070,
16475B.090, 475B.100 or 475B.105 is required. If a city fails to comply with this subsection, the city is
17not eligible to receive transfers of moneys under subsection (3)(b)(A) of this section. If a county fails
18to comply with this subsection, the county is not eligible to receive transfers of moneys under sub-
19section (3)(b)(B) of this section.

20 **(6) The department shall report annually in writing to an appropriate committee or in-**
21**terim committee of the Legislative Assembly on the amount of moneys transferred in each**
22**county under subsection (3) of this section and the number of persons served in each county**
23**by the transfers.**

24 **SECTION 14.** ORS 660.318 is amended to read:

25 660.318. (1) To implement and oversee state implementation of the federal Workforce Innovation
26and Opportunity Act, the Higher Education Coordinating Commission may:

27 (a) Receive federal youth activities funds allotted to this state by the Secretary of Labor pur-
28suant to the federal Workforce Innovation and Opportunity Act and allocate those funds that are
29not reserved according to an allocation formula recommended by the State Workforce and Talent
30Development Board and approved by the Governor.

31 (b) Receive federal adult employment and training activities funds allotted to this state by the
32Secretary of Labor pursuant to the federal Workforce Innovation and Opportunity Act and allocate
33those funds that are not reserved according to an allocation formula recommended by the State
34Workforce and Talent Development Board and approved by the Governor.

35 (c) Receive federal dislocated worker funds allotted to this state by the Secretary of Labor
36pursuant to the federal Workforce Innovation and Opportunity Act and allocate those funds that are
37not reserved according to an allocation formula recommended by the State Workforce and Talent
38Development Board and approved by the Governor.

39 (d) Establish a procedure for use by local workforce development boards to identify eligible
40providers of training services according to section 3174 of the federal Act and to maintain the list
41of providers identified as eligible by the boards in all local workforce development areas in this
42state.

43 (e) Receive the comprehensive strategic plan developed and implemented by each local
44workforce development board and review the plan, with input from representatives of state and local
45workforce programs, to determine if the plan meets the requirements of section 3123 of the federal

1 Act and state policy.

2 (f) Approve the plans, after review by the State Workforce and Talent Development Board, that
3 are found to meet the requirements of the federal Workforce Innovation and Opportunity Act and
4 review and approve any amendments to the plans.

5 (g) Carry out the required and allowable activities described in section 3174 of the federal Act
6 with the advice of the Education and Workforce Policy Advisor.

7 (h) Pursuant to ORS 660.339, establish procedures to maintain the confidentiality of the names
8 and records of participants in workforce programs for which the commission is responsible, includ-
9 ing circumstances under which the names and records may be disclosed.

10 (i) Establish a method to set performance standards for the Secretary of Labor as required under
11 section 3141 of the federal Act.

12 (j) Perform planning functions related to programs and performance reporting under the federal
13 Workforce Innovation and Opportunity Act.

14 (2)(a) Subject to the availability of funds from the federal Workforce Innovation and Opportunity
15 Act, the commission shall create and operate a summer youth employment program that reestab-
16 lishes meaningful summer work experience for persons between the ages of 14 and 24 and that meets
17 the requirements for funding under the federal Act.

18 (b) Programs funded under this subsection:

19 (A) Must include representatives of the business community in the planning, implementation and
20 evaluation of the program.

21 (B) May provide for private and public sector employment opportunities.

22 (C) Shall be managed by local workforce development boards in a manner that coordinates re-
23 gional state-sponsored youth work experience programs.

24 (c) Local workforce development boards responsible for managing programs created under this
25 subsection shall provide training for business, labor and education leaders in use of best practices
26 that ensure positive summer work experiences for participants.

27 (3) The commission shall collaborate with the State Workforce and Talent Development Board
28 and local workforce development boards to collect data on summer work experience programs that
29 identify successful summer work experiences and allow for the identification and dissemination of
30 promising practices.

31 (4) The commission, in consultation with the State Workforce and Talent Development Board,
32 may adopt rules pursuant to ORS chapter 183 to implement this section.

33 **(5) The commission shall report annually in writing to an appropriate committee or in-**
34 **terim committee of the Legislative Assembly on the amount of moneys allocated in each**
35 **county under this section and the number of persons served in each county by the allo-**
36 **cations.**

37 _____