



Testimony on Senate Bill 75
Senate Education Committee
February 8, 2021

Chair Dembrow, Vice-Chair Thomsen, and members of the Committee. My name is Kyle Thomas and I am the Director of Legislative and Policy Affairs for the Higher Education Coordinating Commission (HECC). Thank you for the opportunity to testify on SB 75. This HECC sponsored bill is both technical and important, and I hope that you will support its passage.

This bill restores the ability of HECC to award the eligible dependents of deceased or disabled public safety officers (DDPSO) with grants utilizing funding for the Oregon Opportunity Grant program only in the instance where proceeds from dedicated funding for the DDPSO program is not sufficient to cover those expenses.

The DDPSO grant program provides state grant funds to the dependents of public safety officers who are injured or killed while in service to the public, in order to help those individuals defray the cost of attending a higher education institution in Oregon. For the current academic year we may award up to \$115,000 in grant funds based on current estimates. Last academic year we provided slightly over \$120,000 in awards.

In 2018, former Rep. Andy Olsen sponsored HB 4056. This bill provides that 10% of civil asset forfeiture proceeds be deposited into an account for use in funding these scholarships. Currently, that account holds a little over \$225,000, though HECC has no guarantee of future deposits into this fund.

This program was established in 1973 and initially operated by the standalone Oregon State Scholarship Commission (OSSC). When the program was established, as far as HECC can determine, state appropriations for financial aid were made generally and not to specific programs. Additionally, for most of the history of the program, ORS 348.230 provided the director of the OSSC (later the Oregon Student Assistance Commission or OSAC) with broad authority to determine which Oregon resident students would receive state grants. Finally, prior to being amended in 1999, ORS 348.260 stated in part, "In addition to any other form of student financial aid authorized by law, the Oregon Student Assistance Commission may award grants to qualified residents of this state." This statute may have also provided broad authority to OSAC to make awards to DDPSO students.

However, beginning in 1999, the agency's statutory authority to make awards to DDPSO students appears to have eroded. First, ORS 348.260 was amended to become the first iteration of the Oregon Opportunity Grant (OOG).

Subsequent budget reports began to refer to funds that were appropriated in budget bills for “financial aid payments to individuals and institutions” (see 2001 SB 5542 as an example) as funding explicitly for the OOG. At the time, OSAC may have still relied on authority in ORS 348.230 in awarding DDPSO grants. In 2011, however, this statute was repealed.

If this bill does not pass, HECC will move forward by funding only the awards it can cover with the proceeds from civil asset forfeitures. This will result in students being denied awards in order to comply with future legislatively adopted budgets.

The Commission hopes that you will support this bill and restore its authority to award all DDPSO students. Thank you for your time today.