DAN SALTZMAN, Multnomah County Commissioner, District One
1120 S.W. Fifth Avenue, Suite 1500 • Portland, Oregon 97204 • (503) 248-5220 • FAX (503) 248-5440

MEMORANDUM

DATE: March 15, 1993

TO: Office of the Clerk of the Board
Board of County Commissioners

FROM: Dan Saltzman D.S.

RE: BCC Meetings of 3-16 and 3-18 and my schedule

I will miss the 10:30 until 11:30 portion of the BCC meeting on Tuesday, March 16th.

On Thursday, March 18th I can only attend the first hour (9:30-10:30) of the Board meeting.

Did not arrive
Mtg. Until
11:45 Am

MARGARET L. CARTER
MULTNOMAH COUNTY
DISTRICT 18

REPLY TO ADDRESS INDICATED
☐ House of Representatives
Salem, OR 97310
☐ 2948 NE 10th Ave.
Portland, OR 97212

HOUSE OF REPRESENTATIVES
SALEM, OREGON
97310

MARCH 23, 1993

MULTNOMAH COUNTY DELEGATION AGENDA

Meeting Starts Promptly at 5:00 P.M.
Adjourns at 6:00 P.M.

I. UPDATE		
House:	Rep. Margaret Carter	10 min
Senate:	Senator Ron Cease	10 Min
City of Portland:	Mayor Vera Katz	5 min
Multnomah County:	Commissioner Gary Hansen	5 min
II. CORRECTIONS & COMMUNITY SAFETY		20 min
	Rep. John Minnis Senator Dick Springer Sheriff Bob Skipper Tamara Holden Chief Tom Potter	
III. T 93 TRANSPORTATION FINANCE PACKAGE		10 min
	Rep. Mike Burton Commissioner Earl Blumenauer	

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Rep. Mike Burton
Commissioner Earl Blumenauer

Meeting Date: MAR 16 1993

Agenda No.: B-1

(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: BRIEFING - LEGISLATIVE UPDATE

BCC Informal 3/16/93 (date) BCC Formal ______ (date)

DEPARTMENT Nondepartmental DIVISION County Chair's Office

CONTACT Fred Neal TELEPHONE X-3308

PERSON(S) MAKING PRESENTATION Fred Neal

ACTION REQUESTED:

[XX] INFORMATIONAL ONLY [ ] POLICY DIRECTION [ ] APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: 1 hour

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: ______

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

Update on 1993 Legislative Session

BOARD OF COUNTY COMMISSIONERS
1993 MAR -9 PM 12:19
MULTNOMAH COUNTY OREGON

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL Gladys McCoy

Or

DEPARTMENT MANAGER ______

(All accompanying documents must have required signatures)

Bill #:	Amendments	Pri.	Dept.	Subject:
HB 2003		1	BCC	Family resource and service centers
HB 2003		1	DHS	Family resource and service centers
HB 2003		1	DSS	Family resource and service centers
HB 2004		1	BCC	Commission on Children and Families
HB 2004		1	DHS	Commission on Children and Families
HB 2004		1	DSS	Commission on Children and Families
HB 2005		1	DA	Child protective services transfer
HB 2005		1	DSS	Child protective services transfer
HB 2008		1	DHS	Healthy Start pilot program
HB 2008		1	DSS	Healthy Start pilot program
HB 2056		2	LIB	State aid to libraries
HB 2065		2	DES	School district elections
HB 2122		2	DHS	Delegation of nursing care tasks
HB 2122		2	MSS	Delegation of nursing care tasks
HB 2123		1	DES	R.V. registration
HB 2124		2	DES	Historic property special assessments
HB 2141		2	DA	Juvenille custody by CSD
HB 2141		2	DSS	Juvenille custody by CSD
HB 2150		2	DSS	Type B Agencies
HB 2217		2	DES	LCDC Annexation bill
HB 2219		1	MSS	State fee for sharing revenues
HB 2225		2	DCC	Reduced parole
HB 2232		2	DHS	Disclosure of HIV status
HB 2234		1	DCC	Beer and wine tax; A&D
HB 2234		1	MSS	Beer and wine tax; A&D
HB 2236		1	DHS	Cigarette tax; Health and Social Services Fu
HB 2236		1	DSS	Cigarette tax; Health and Social Services Fu
HB 2236		1	MSS	Cigarette tax; Health and Social Services Fu
HB 2248		2	MSS	Actual notice for tort claims
HB 2256		2	DHS	HIV post-conviction tests
HB 2272		2	DES	Repeal of primary name rotation
HB 2275	A-ENG	2	DES	Election procedures
HB 2278		2	DES	Primary mail ballot
HB 2289		2	DA	Guilty requirement for DUII diversion
HB 2306		2	DSS	Uniform adult foster home standards
HB 2308		2	DSS	Elderly abuse peer review board
HB 2326		2	BCC	DHR mission statement
HB 2326		2	DHS	DHR mission statement
HB 2326		2	DSS	DHR mission statement
HB 2377		2	DSS	Video poker money for addictive behavior
HB 2381		2	DA	Asset forfeiture desunset
HB 2381		2	MCSO	Asset forfeiture desunset
HB 2381		2	MSS	Asset forfeiture desunset
HB 2394		1	BCC	VAN VLIET SALES TAX
HB 2408		2	DES	Partial takings
HB 2408		2	MSS	Partial takings
HB 2411	A-ENG	2	DHS	Law enforcement medical liability
HB 2411	A-ENG	2	MCSO	Law enforcement medical liability
HB 2411	A-ENG	2	MSS	Law enforcement medical liability
HB 2415		1	DES	Gas tax increase
HB 2416		1	DES	Vehicle registration fees

Bill #:	Amendments	Pri.	Dept.	Subject:
HB 2419		1	DES	Vehicle emission fees
HB 2421		1	DES	Transportation access fees
HB 2422		1	DES	Studded tire fee
HB 2423		1	DES	Ethanol gas tax rate
HB 2424		1	DES	Highway general obligation bonds
HB 2425		2	DES	Long range transit $ and lottery
HB 2426		2	DES	Hogh speed rail $
HB 2427		1	DES	Battery and tire tax
HB 2428		2	DES	Assessment of state agencies for transit
HB 2430		2	DES	Bicycle registration fee
HB 2432		2	BCC	Gross receipts tax
HB 2432		2	MSS	Gross receipts tax
HB 2435		1	BCC	Delinquent taxes interest rate and A&T
HB 2435		1	DES	Delinquent taxes interest rate and A&T
HB 2443		2	DES	Personal property less than $10,000
HB 2463		1	BCC	Repeal of prisoner transport mandate
HB 2463		1	MCSO	Repeal of prisoner transport mandate
HB 2464		1	DA	Repeal of commitment counsel mandate
HB 2464		1	DSS	Repeal of commitment counsel mandate
HB 2464		1	MCC	Repeal of commitment counsel mandate
HB 2465		1	BCC	Mandate $
HB 2469		2	MCSO	BPST open enrollment
HB 2471		2	MCSO	Illegal drug cleanup fund
HB 2471		2	MSS	Illegal drug cleanup fund
HB 2472		2	DES	$50,000 Davis-Bacon Lid
HB 2490		1	DES	AGC does public contracting
HB 2490		1	MSS	AGC does public contracting
HB 2491		2	DHS	Sharing client information
HB 2491		2	DSS	Sharing client information
HB 2495		2	DES	Use of state motor pool
HB 2500		1	MSS	HJR 10 sales tax
HB 2501		1	BCC	Sales tax plan
HB 2501		1	MSS	Sales tax plan
HB 2503		2	DES	Primary election by mail
HB 2504		2	DA	"Family court"
HB 2504		2	DSS	"Family court"
HB 2514	A-ENG	2	MCSO	Judicial approval of firearms permits
HB 2516		2	MSS	Retroactive spousal workers compensation awar
HB 2521		1	DSS	A&D allocations
HB 2521		1	MSS	A&D allocations
HB 2524		2	DA	Pot recriminalization
HB 2524		2	DSS	Pot recriminalization
HB 2524		2	MCSO	Pot recriminalization
HB 2534		2	DES	Urban service boundaries and vote
HB 2535		2	DHS	Volunteer dentist indemnity
HB 2540		2	DA	Forfeiture money and O and M
HB 2540		2	MCSO	Forfeiture money and O and M
HB 2540		2	MSS	Forfeiture money and O and M
HB 2546		2	MSS	Private and public pay
HB 2553		1	MSS	Quorum's 2x2
HB 2553		2	BCC	Quorum's 2x2
HB 2554		2	BCC	Actions in public meetings

Bill #:	Amendments	Pri.	Dept.	Subject:
HB 2554		2	MSS	Actions in public meetings
HB 2563		2	DA	Desunset of asset forfeiture
HB 2563		2	MCSO	Desunset of asset forfeiture
HB 2574		1	DCC	P.O. binding arbitration
HB 2574		1	MSS	P.O. binding arbitration
HB 2583		2	DES	Absentee ballots
HB 2580		2	DES	
HB 2604		2	MSS	Public-private PERS study
HB 2611		2	MSS	Overtime calculation
HB 2622		2	DHS	Volunteers tort immunity
HB 2622		2	MSS	Volunteers tort immunity
HB 2630		2	DSS	Repeal of statutory population cap
HB 2631		2	BCC	Co. video poker clarification
HB 2631		2	MSS	Co. video poker clarification
HB 2649		2	DSS	Housing dept. coordination of comm. action
HB 2650		2	MSS	PERS payback
HB 2673		2	DA	Reimbursement of certain support enforcement
HB 2674	A-ENG	2	DES	County surveyors
HB 2683		2	DSS	LIEAP
HB 2687		2	LIB	Confidentiality of library loans
HB 2708		2	MCSO	Uninsured vehicle impoundment
HB 2712		2	MCSO	Privacy and public records
HB 2712		2	MSS	Privacy and public records
HB 2717		2	BCC	Split PERS
HB 2717		2	MSS	Split PERS
HB 2736		2	MCSO	Blood test in lieu of breath test
HB 2738		2	DES	Indigent burial responsibility
HB 2738		2	DHS	Indigent burial responsibility
HB 2758		1	DES	OIA secondary lands
HB 2770		2	DES	Extinguishment of "liens and encumbrences"
HB 2800		2	DES	Delinquent property taxes
HB 2826		2	DES	Non-reimbursement by mortgagees
HB 2844		2	MSS	Two tier PERS
HB 2860		2	MSS	"Conditions of employment"
HB 2861		1	DHS	OMA cigarette tax
HB 2870		2	DSS	Emergency housing money
HB 2872		1	BCC	6% A.V. cap
HB 2872		1	MSS	6% A.V. cap
HB 2875		1	DES	AOC public contracting bill
HB 2882		2	MCSO	Fees for service
HB 2882		2	MSS	Fees for service
HB 2883		1	BCC	Real estate tax moratorium
HB 2883		1	MSS	Real estate tax moratorium
HB 2891		2	MCSO	Concealed weapons permits
HB 2899		2	DES	Conservation easement and payment
HB 2906		2	MSS	Transferee pension election(s)
HB 2914		2	DES	Housing cost impact statements
HB 2914		2	DSS	Housing cost impact statements
HB 2914		2	MSS	Housing cost impact statements
HB 2920		1	BCC	Specific sales tax preemption
HB 2920		1	MSS	Specific sales tax preemption
HB 2922		2	DES	Community development tax exemptions

Bill #:	Amendments	Pri.	Dept.	Subject:
HB 2922		2	DSS	Community development tax exemptions
HB 2947		1	MSS	Taxing public transmission lines
HB 2952		2	DHS	OR Health Authority
HB 2963		2	DSS	Managed care guidelines
HB 2965		2	DA	Sex offender notebooks
HB 2965		2	MCSO	Sex offender notebooks
HB 2966		2	MSS	PERS upgrade
HB 2981		2	MCSO	Firearm fines and forefeitures
HB 2987		2	DA	Juvenile judge restrictions
HB 2989		2	DA	DUII treatment upgrades
HB 2989		2	DSS	DUII treatment upgrades
HB 2994		2	DA	Changes in juvenile remands
HB 2994		2	DSS	Changes in juvenile remands
HB 3001		2	MSS	OTO tax equity program
HB 3008		2	DA	Child abuse assessment centers money
HB 3008		2	DHS	Child abuse assessment centers money
HB 3018		2	DA	Uniform interstate family support act
HB 3022		2	BCC	State real estate transfer tax
HB 3022		2	DES	State real estate transfer tax
HB 3023		2	DCC	P.O.'s w/guns
HB 3033		2	DA	Juvenille court restrictions
HB 3033		2	DSS	Juvenille court restrictions
HB 3055		2	DES	Sale-leaseback, lease-leaseback transactions
HB 3071		2	MCSO	Revision of firearm regulation
HB 3078		1	BCC	Income tax surcharge for schools
HB 3087		2	DES	"Takings" compensation
HB 3087		2	MSS	"Takings" compensation
HB 3096		2	DSS	Housing grants and loans
HB 3100		1	MSS	Preemption of hotel-motel tax
HB 3115		2	MSS	Close of workers comp. claims
HB 3127		2	DES	Primary election dates
HB 3128		2	DES	"Takings" compensation
HB 3128		2	MSS	"Takings" compensation
HB 3129		2	DHS	Volunteer dentists tort immunity
HB 3129		2	MSS	Volunteer dentists tort immunity
HB 3136		2	DES	Little Davis Bacon Repeal
HB 3136		2	MSS	Little Davis Bacon Repeal
HB 3137		2	DA	Child support study
HB 3159		2	DSS	Schools, gangs, drugs I
HB 3160		2	DSS	Schools, gangs, drugs II
HB 3161		2	MCSO	Personal employee info exemption from public
HB 3161		2	MSS	Personal employee info exemption from public
HB 3169		2	DSS	Transfer tax for OR Housing Fund
HB 3173		1	DES	Statewide emission fee - T '93
HB 3176		2	DA	Courthouse security fees
HB 3176		2	DCC	Courthouse security fees
HB 3176		2	DES	Courthouse security fees
HB 3176		2	MCSO	Courthouse security fees
HB 3192		2	DES	Tax refunds a la T.I.F.
HB 3192		2	MSS	Tax refunds a la T.I.F.
HB 3228		2	DHS	Uniform ambulance rates
HB 5007		2	DSS	CYSC $

Bill #:	Amendments	Pri.	Dept.	Subject:
HB 5009		1	DHS	DHR $
HB 5009		1	DSS	DHR $
HB 5013		2	BCC	Dispute resolution $
HB 5014		1	DA	Deputy DA $
HB 5014		1	MSS	Deputy DA $
HB 5018		1	DSS	Housing and Community Services $
HB 5024		2	MCSO	Marine Board $
HB 5047		2	DHS	OR health plan budget
HJR 04		2	BCC	Van Vliet tax plan
HJR 04		2	MSS	Van Vliet tax plan
HJR 06		2	DHS	Charge for emergency services
HJR 06		2	MCSO	Charge for emergency services
HJR 06		2	MSS	Charge for emergency services
HJR 07		1	DES	Emission fees for transit
HJR 08		1	BCC	Funding of state mandates
HJR 08		1	MSS	Funding of state mandates
HJR 10		1	BCC	Sales tax plan
HJR 10		2	MCC	Sales tax plan
HJR 11		1	DES	AGC's lowest bidder constitutional amendment
HJR 11		1	MSS	AGC's lowest bidder constitutional amendment
HJR 15		2	BCC	Lottery money to education
HJR 28		1	BCC	School tax freeze
HJR 40		2	BCC	Constitutional code of ethics
HJR 45		1	MSS	Tax base plus new construction
HJR 50		1	BCC	Beer and wine tax dedication
HJR 50		1	MSS	Beer and wine tax dedication
HJR 59		1	DSS	Beer and wine tax dedication
HJR 60		1	BCC	2% A.V. cap
HJR 60		1	DES	2% A.V. cap
HJR 60		1	MSS	2% A.V. cap
HJR 61		1	BCC	Lottery money for education too
HJR 61		1	MSS	Lottery money for education too
SB 014	A-ENG	2	DES	BM 5 update
SB 020	A-ENG	1	LIB	Reimbursement to donor libraries
SB 022		2	LIB	State money to local libraries
SB 025		1	DSS	Schools do early childhood development
SB 026		1	DHS	Lead role of ESD's
SB 026		1	DSS	Lead role of ESD's
SB 052		2	BCC	Tri-county road corporation
SB 052		2	DES	Tri-county road corporation
SB 054		2	BCC	Tri-county mental health corporation
SB 054		2	DES	Tri-county mental health corporation
SB 055		2	BCC	Tri-county public purchasing cooperative
SB 055		2	DES	Tri-county public purchasing cooperative
SB 056		2	BCC	ISD IGA
SB 056		2	DES	ISD IGA
SB 057		2	DES	Personal property tax
SB 058		2	DES	A&T mail - certified or registered
SB 088		2	DA	Environmental crimes
SB 095		2	DHS	Licensing of ambulance servicews
SB 096		1	BCC	LCDC and gorge planning
SB 096		1	DES	LCDC and gorge planning

Bill #:	Amendments	Pri.	Dept.	Subject:
SB 122		2	DES	Urban growth management
SB 124		1	BCC	Regional strategies
SB 125		2	DES	Community facilities development
SB 125		2	MSS	Community facilities development
SB 130		1	DES	Marginal lands
SB 137		2	DCC	Terms of parole
SB 137		2	MCSO	Terms of parole
SB 138		2	DCC	Probation violations
SB 138		2	MCSO	Probation violations
SB 139		1	DCC	CCA allocation formula
SB 139		2	MCSO	CCA allocation formula
SB 140		2	DA	Indexing theft crimes
SB 175		2	DES	Precinct Committee elections
SB 183		1	DES	Kiss the fair goodbye
SB 239		2	DSS	Risk to non-profit providers
SB 239		2	MSS	Risk to non-profit providers
SB 244		2	DES	Recordations
SB 245		1	BCC	State Court Security
SB 245		1	DES	State Court Security
SB 245		1	MCSO	State Court Security
SB 249		2	DA	Local criminal justice advisory councils
SB 249		2	DCC	Local criminal justice advisory councils
SB 249		2	MCSO	Local criminal justice advisory councils
SB 257		2	BCC	MAY URBAN RENEWAL REFORM VOTE
SB 257		2	DA	Juvenille code revision
SB 257		2	DSS	Juvenille code revision
SB 260		2	DES	Fuel testing
SB 267		2	DES	Voting district boundaries
SB 272		2	DES	Early payment discount for omitted property
SB 273		2	DES	Valuation of industrial properties in dispute
SB 274		2	DES	Tax collector misc.
SB 277	A-ENG	2	DES	Exemptions of certain intangibles from proper
SB 287		2	DA	Protective proceedings
SB 287		2	DSS	Protective proceedings
SB 292		1	DES	Postal service voter registration update
SB 316		1	DES	Foreclosure costs recovery
SB 332		2	DES	Public contractors health coverage
SB 332		2	MSS	Public contractors health coverage
SB 335		2	DSS	Compulsive gambling
SB 352		2	DA	HIV and reckless endangerment
SB 353		2	DCC	Expanded early release
SB 354		2	DSS	ARC bill of rights
SB 357		2	DES	May urban renewal reform vote
SB 357		2	MSS	May urban renewal reform vote
SB 388		2	BCC	METRO fees de-sunset
SB 392		2	DES	METRO land use planning
SB 393		2	DA	10 yr. post- conviction relief
SB 399		2	DES	Vehicle emmission fees
SB 406		2	DA	State does support enforcement
SB 409		2	DES	Indigent burial fee
SB 409		2	MSS	Indigent burial fee
SB 425		2	DES	DEQ Metro area emission fee

Bill #:	Amendments	Pri.	Dept.	Subject:
SB 434		1	MSS	PERS P&F expansion
SB 454		2	DHS	Sale of tobacco products to minors control ac
SB 463		2	MCSO	Probable cause for consent to search
SB 468		2	DCC	Alternate sentencing program
SB 468		2	MCSO	Alternate sentencing program
SB 474		2	DA	Ex parte emergency protective orders
SB 474		2	DSS	Ex parte emergency protective orders
SB 500		2	MSS	Public records revision
SB 504		2	DA	4 week limit on court appearance
SB 507		2	MSS	Benefits transfer with employees
SB 509		2	MSS	Repayment of withdrawn PERS benefits
SB 517		1	DCC	P&F for P.O.'s
SB 517		1	MSS	P&F for P.O.'s
SB 5505		1	DCC	Department of Corrections budget
SB 579		2	DSS	Civil commitment diversion
SB 580		2	DSS	Civil commitment procedures
SJR 02		1	DES	Gas tax for ICE TEA
SJR 04		2	DES	Vacancy in state office; election
SJR 05		1	MSS	Dwyer tax plan
SJR 06		1	MSS	Dwyer tax plan
SJR 10		2	MSS	Urban renewal reform
SJR 14		1	BCC	Funding of mandates and AOI
SJR 18		1	MSS	Senate sales tax #1

Memorandum

OREGON SCHOOL BOARDS ASSOCIATION

To: School Board Members, Superintendents
From: David Geiger, OSBA President
Subj: Public School Improvement and Revenue Stability Act
Date: February 22, 1993

Here are copies of the Oregon School Boards Association proposal for an *Oregon Public School Improvement and Revenue Stability Act* which is being presented to legislators Monday, Feb. 22.

The act calls for schools to guarantee improvement if voters approve stable funding for schools:

- ✔ Schools will guarantee improvement by implementing the features of Oregon's Educational Act for the 21st Century listed in the proposal.
- ✔ Schools will be held accountable by meeting assessment standards in current law or being proposed.
- ✔ Voters are asked to guarantee stable funding for schools by approving a 5 percent sales tax to replace property taxes lost to Measure 5 and to provide schools the revenue stability necessary to implement improvement programs.

Details of school improvement, accountability proposals and the sales tax plan are included in the attached proposal. A copy of the proposed constitutional amendment required to enact the sales tax is also attached.

We urge you to review this plan and endorse it. Your OSBA Board of Directors believes the million students in Oregon's schools and community colleges can't wait to see what happens if property tax revenue lost to Measure 5 is not replaced. They need to know their education will continue and the promise made by Measure 5 proponents that "schools will not be hurt" is kept.

We believe this proposal offers the Legislature a responsible way to ask Oregonians to keep that promise.

PROPOSAL

OREGON SCHOOL BOARDS ASSOCIATION

OREGON PUBLIC SCHOOL IMPROVEMENT AND REVENUE STABILITY ACT

A COMPACT BETWEEN CITIZENS AND THEIR PUBLIC SCHOOLS

***The Oregon Public School Improvement and Revenue Stability Act* is more than a way to refinance public schools. It is a compact between the citizens and taxpayers of Oregon and their elected public school leaders.**

Providing the public school system with adequate and stable funding guarantees schools can meet their commitment for restructuring, improvement and accountability to "produce the best educated citizens in the nation by 2000 and a workforce equal to any in the world by 2010," (ORS 376.720).

The *Oregon Public School Improvement and Revenue Stability Act*, developed by the Oregon School Boards Association, is based on the following assumptions:

- The goals of Oregon's Educational Act for the 21st Century can only be met if schools have adequate and stable funding.
- Full implementation of Oregon's Educational Act for the 21st Century requires a significant financial commitment from the Legislature as well.
- Oregonians will make the necessary investment in their public schools if they can expect a return based on school improvement, accountability and student achievement.
- One of the clearest messages from the passage of Measure 5 is that the property tax should not be the predominant way to pay for public schools.
- The problem is how to pay for Oregon schools, not restructuring the tax system.
- The school finance problem must be addressed now because Oregon faces an immediate fiscal crisis as a result of Measure 5.

Schools can guarantee improvement if voters approve stable funding.

✓ SCHOOL IMPROVEMENT

Schools will guarantee improvement by implementing the following features of Oregon's Educational Act for the 21st Century. These improvements, in current law or now proposed, include:

- **World Class Standards** — academic performance standards which are benchmarked to the highest in the world. (ORS 326.720)
- **Certificate of Initial Mastery** — all students will be expected to meet rigorous academic standards by the 10th grade, or age 16, before continuing with their high school education. (ORS 335.140 and 335.160)

P.O. Box 1068 Salem, OR 97308 1201 Court St., N.E. Salem, OR 97301 (503) 588-2800

- **Certificate of Advanced Mastery** — all students will be required to earn their Certificates of Advanced Mastery in a career strand based on their achievement in school or a work/study program. (ORS 335.150, 335.170 and 335.180)
- **Tech-Prep Associate Degree Program** — all students will have the opportunity to enter programs which blend high school and community college curricula (2+2) and result in earning an associate degree. (ORS 326.835)
- **Alternative Learning Environments** — all school districts will offer alternative learning programs to students who are not achieving according to their potentials. (ORS 335.140 and 336.157)
- **Site Councils** — all school districts will be required to have a peer-selected site council for each school building. (ORS 336.745)
- **Professional Development** — all teachers will be required to participate in professional development activities constructed collaboratively with their peers. (ORS 336.745)
- **Ungraded Primary** — pilot school districts will be selected to model ungraded primary structures. (ORS 336.437)
- **Extension of the School Year** — pilot school districts will be selected to model extended school-year programs. (ORS 326.735)
- **Public School Choice** — students and their parents will have the opportunity to choose which public school to attend within reasonable limits. (ORS 335.150 and 335.160)
- **Social Service Delivery Coordination** — pilot school districts will be selected to model social service delivery to children and their families at the school site. (Proposed)

✔ ACCOUNTABILITY

Schools will be held accountable for improvement by meeting standards, in current law or now proposed, for:

- **Student Assessment** — in addition to continuing of the current student achievement assessment program, pilot school districts will be selected to model portfolio assessments. (Proposed)
- **Development of Local Goals** — all school districts will be required to develop, in collaboration with their communities, local school district goals. (ORS 326.760)
- **Local Report Card** — all school districts will be required to present to their communities an annual report card on progress towards district goals, student achievement, demographics and other specified data. (Proposed)
- **School Improvement Monitoring** — all school districts will be required to conduct a biennial evaluation of compliance with state requirements for school improvement and student performance. School improvement visits by the Department of Education will be conducted at least every three years to measure school districts' progress toward achievement of state school improvement and student performance goals. (ORS 326.755)

- **Plans of Assistance** — school districts failing to make adequate progress toward achievement of state school improvement and student performance goals will be placed on plans of assistance. Plan of assistance school districts will have their programs monitored and directed by a team of educators from the Department of Education until they are back on track. (Proposed)
- **Statewide Report Card** — the state Department of Education will be required to present an annual report card on progress towards the National Education Goals, student achievement, demographics and other specified data. (ORS 326.770)

✔ STABLE FUNDING

Voters can guarantee stable funding for schools by approving a 5 percent sales tax to replace property taxes lost to Measure 5 and to provide schools the revenue stability necessary to implement school improvement programs. Provisions of the sales tax are written into the constitution so that only voters can change them. These provisions include:

- **Type** — general retail sales and use tax
- **Rate** — 5 percent
- **Base** — tangible personal property (goods) only
- **Exemptions** — food for home consumption; prescription medicines; gasoline; utilities; sale, lease or rental of real property; feed, seed, plants and fertilizer used in commercial agricultural activity; and ingredients in a manufactured product
- **Dedication** — replaces property taxes lost to elementary/secondary schools, education service districts and community colleges and provides schools the revenue stability necessary to implement school improvement programs
- **Re-Vote** — after four years automatically referred for continuation or repeal at general election
- **Local Add-On Sales Tax** — prohibited
- **Low-Income Credit** — provided from gross proceeds
- **Costs of Collection and Administration** — provided from gross proceeds
- **Leakage** — proceeds to be considered in addition to and not in lieu of general state support for the public school system

LC 3427
2/19/93 (BPS/pc)

D R A F T

SUMMARY

Amends Oregon Constitution, upon elector approval at a statewide election held on ____________________, to require a state general retail sales tax dedicated to elementary and secondary education.

JOINT RESOLUTION

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. The Constitution of the State of Oregon is amended by creating a new section to be added to and made a part of Article V, new sections to be added to and made a part of Article XI, and a new section to be added to and made a part of Article XVII, such sections to read:

SECTION 11g. (1) This section and section 11h of this Article shall be known and referred to as the Oregon Public School Improvement and Revenue Stability Amendment.

(2)(a) A general retail sales and use tax measured by gross receipts on sales or purchase price derived from the retail sale of tangible personal property shall be imposed by and throughout this state.

(b) The rate of the state general retail sales and use tax shall be five percent. The rate shall not be increased by the addition of a surtax or other additional tax. However, any tax reimbursement from purchaser or consumer to retailer may be computed in accordance with a collection schedule for lower sales prices and otherwise by applying the rate to sales price and rounding to the nearest cent.

(3) The state general retail sales and use tax shall not apply to the gross receipts from the sale, or to the use, of any of the following to the extent provided by law:

(a) Food products for human consumption, except those food products that are customarily sold for immediate human consumption.

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.

(b) Prescription drugs.

(c) Water, natural gas, heating oil used for space heating, electricity or geothermal resources if delivered to consumers through mains, lines, tanks or pipes.

(d) The sale, lease or rental of real property.

(e) Gasoline for use as a fuel for motor vehicles.

(f) Animal life which is ordinarily used for human food and feed for food animal life.

(g) Seed, plants, fertilizer and pesticides, all if for use commercially in an agricultural, horticultural or silvicultural activity.

(h) Tangible personal property that becomes an ingredient or component in manufacturing new tangible personal property for a consumer or to become the property of a consumer.

(i) Other tangible personal property excluded or exempt from sales or use tax as provided by law.

(4) Retailers shall be reimbursed for costs incurred on account of the sales tax from its proceeds. Other administrative costs and refunds or credits for overpayments shall be made from the proceeds of the sales or use tax.

(5) Reimbursement of sales and use tax shall be advanced or refunded to low income individuals from tax proceeds in the manner provided by law.

(6) Notwithstanding section 1, Article IV, section 10, Article VI or section 2 or 14, Article XI of this Constitution, except as provided in this section, no general retail sales and use tax upon the sale or use of tangible personal property shall be imposed by the state or any county, city, district or other municipal corporation or political subdivision of this state.

SECTION 11h. (1) Notwithstanding section 2, Article VIII, sections 3a and 3b, Article IX of this Constitution and subsection (5) of section 11b of this Article, subject to section 11g of this Article, the proceeds from the state general retail sales and use tax shall be set aside and used exclusively in the following order:

(a) First, and subject to availability, to replace state General Fund moneys required under subsection (5) of section 11b of this Article for replacement of revenue lost in 1994-1995 and 1995-1996 and after 1995-1996, generally to replace revenues lost by the public school system on account of the property tax limit of section 11b of this Article.

(b) Second, in all years after 1993-1994, for elementary and secondary school improvement programs.

(2) General retail sales and use tax proceeds are supplementary to and not in lieu of state General Fund support for the public elementary and secondary school system. In this connection, state support from state General Fund moneys shall not be reduced because state general sales and use taxes are imposed and dedicated to elementary and secondary school system support.

SECTION 15c. (1) The Legislative Assembly shall adopt implementing legislation for sections 11g and 11h, Article XI of this Constitution. Notwithstanding section 1, Article IV, or section 1a, Article IX of this Constitution, legislation enacted to implement this Article shall take effect at the same time and in the same manner as an Act or Measure in which an emergency is declared.

(2) This section is repealed on January 31, 1999.

SECTION 3. (1) If a ballot measure described in subsection (2) of this section is not approved by a majority of the electors voting on the measure at the regular general biennial election held throughout the state on the first Tuesday after the first Monday in November of 1998, then sections 11g and 11h, Article XI and the legislation implementing sections 11g and 11h, Article XI of this Constitution, with amendments, are repealed on December 31, 1998. The Legislative Assembly may provide for the disposition of any matters remaining unresolved with respect to the state sales and use tax, including but not limited to matters of collection, refund and other disposition of revenues.

(2)(a) The Secretary of State shall prepare a ballot measure described in this subsection and submit the measure to the electors of this state at the regular general biennial election held throughout the state on the first Tuesday after the first Monday in November of 1998. Except as provided in this section, the ballot measure prepared under this subsection shall be subject to the same statutory procedures applicable to an amendment to the Constitution of the State of Oregon referred by the Legislative Assembly under section 1 of this Article.

(b) Notwithstanding any provision of law, the ballot title question for the ballot measure prepared under this subsection shall be the following: "Shall the constitutional and statutory provisions establishing the state sales and complementary use tax be continued?" The remainder of the ballot title shall be prepared as provided by law.

(c) The text of the ballot measure prepared under this subsection shall be as follows: "The constitutional and statutory provisions establishing the state sales and complementary use tax shall continue." The text of the ballot measure shall include sections 11g and 11h of Article XI of this Constitution. The ballot measure shall not include the implementing legislation for the state sales and use tax, but the effect upon the implementing legislation shall be the same as if the sales and use tax legislation, as amended, had been included.

(3)(a) The procedure for determining whether the ballot measure described in subsection (2) of this section is approved shall be the same as the procedure for determining whether an amendment to this Constitution has been approved under section 1 of this Article.

(b) This section is repealed January 31, 1999.

<u>PARAGRAPH 2.</u> The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at a special election held throughout this state on ____________.

OREGON PUBLIC SCHOOL IMPROVEMENT AND REVENUE STABILITY ACT

FISCAL IMPACT
($ in millions)

	1994-95	1995-96	1996-97
School Funding Requirements			
Measure 5 Replacement:			
K-12/ESDs	$ 895	$1,288	$1,359
Community Colleges	65	95	99
Total	$ 960	$1,383	$1,458
K-12 State Aid	850	906	964
Total	**$1,810**	**$2,289**	**$2,422**
Sales Tax Proceeds			
Gross Proceeds	$1,285	$1,348	$1,423
Less: Retailer Discount	26	27	28
Low Income Credit	23	22	21
Administration	9	10	10
Net Proceeds	**$1,227**	**$1,289**	**$1,364**
General Fund Requirement	**$ 583**	**$1,000**	**$1,058**

Assumptions:
Sales tax collections begin on January 1, 1994.
Base is same as 1985 proposal.
Assessed value growth — 8% in 1994-95 and 1995-96; 7% in 1996-97.
K-12 State Aid amounts assure 6% annual growth in total school funding, including imposed property taxes.

Data Source: Legislative Revenue Office

NACo STATEMENT ON THE ECONOMIC STIMULUS, DEFICIT REDUCTION AND INVESTMENT PLAN

County governments continue to experience severe fiscal distress in the current recession. Many counties are reducing services, laying off and furloughing employees, and increasing fees, service charges and taxes to keep their budgets in balance. The situation is further aggravated by additional cuts in state aid without any relief from requirements to maintain state mandated programs. Federal assistance to counties, municipalities and states still is declining in real dollar terms while further federal mandates continue to be proposed.

The Administration recognizes the severity of the current economic crisis and has proposed an economic stimulus, deficit reduction and investment plan. The centerpiece of this proposal is additional spending in FY93 of $16 billion on infrastructure and programs assisting needy individuals. Much of the plan includes programs that NACo supported last year.

The National Association of Counties urges Congress to adopt a deficit reduction plan and to proceed with urgency to enact a supplemental appropriations bill which would include the following programs:

- $4 billion for transportation for highways, bridges, transit, rail and airports.
- $2.5 billion for Community Development Block Grants.
- $1 billion for summer youth jobs.
- $845 million for sewage treatment revolving loan funds.
- $200 million for AIDS treatment.
- $300 million to increase childhood immunizations.
- $500 million for Head Start.
- $715 million for rural development, including rural water and wastewater programs.

It is imperative that these funds be distributed to the level of government which can obligate the funds and complete projects within twelve months.

NACo reiterates its support for meaningful deficit reduction measures that include spending reductions in defense, foreign aid, and domestic programs as well as increased revenues. NACo continues to oppose unfunded mandates and cuts in domestic programs that shift new costs to state and local government. NACo urges Congress and the Administration to work together to develop the final details of the deficit reduction package as expeditiously as possible.

NACo also supports the need for long term investments in infrastructure, education and job training. Additional infrastructure investment, health systems reform and work force development by the federal government is necessary to make our nation more competitive in the global economy.

Adopted by Policy Coordinating Committee
February 27, 1993

NATIONAL ASSOCIATION OF COUNTIES
"Counties Care For America"
440 First Street, N.W. • Washington, D.C. 20001 • 202/393-6226

NACo'S POSITION ON HEALTH SYSTEM REFORM

The American people are raising their voices in a unanimous chorus to demand health system reform. It is imperative that action be taken *immediately* if we are to halt the deterioration of access and coverage for our citizens and improve the health status of our communities. Today the United States spends more money on health care than any other country in the world, yet it is one of the world's only developed countries without some type of national health insurance program.

Several proposals for reform have been made that focus almost exclusively on financing. Counties know, from experience, that access and health care benefits must be addressed. Closer than any other entity to the heartbeat of the public's health, counties are uniquely qualified to take a leadership role in framing the crucial discussion of health system reform and developing the health system of tomorrow.

Counties, together with other policy makers in an equal partnership, can develop the health system that ensures the health of America's communities today and into the future--a system that is equitable, administratively feasible and fiscally sound. The extensive experience of counties in the health system has allowed NACo to develop a general framework for reform as follows:

-more-

ACCESS

- A universal access plan must be cooperatively developed through a combination of federal, state, local and private sector efforts.
- Access for employed persons and their dependents should be provided through their employers.
- Access for unemployed/uninsured people should be provided through increased federal financial support.

SERVICES

- Coverage must place priority on wellness, preventive services, and primary care.
- Basic benefits should include prenatal and well-child care, substance abuse services, mental health care, hospital inpatient care, emergency medical services, and physician services including essential prescription drugs.
- Public health services must be enhanced, including health education and promotion and disease prevention.

FINANCING

- NACo supports a blended financial structure that would include contributions from government, employer and other sectors.
- Employed persons and their dependents should receive coverage through their employers provided that reasonable co-payments and deductible levels are established.
- The financial impact on small business should be mitigated with special incentives, such as tax deductions.
- Provision must be made for reimbursement of county and other government-operated hospitals, clinics and nursing homes serving a disproportionate share of the poor.
- The growth rate of health care expenditures must be controlled; cost consciousness must be encouraged through individual financial participation according to means.

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NATIONAL ASSOCIATION OF COUNTIES
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440 First Street, N.W. • Washington, D.C. 20001 • 202/393-6226

THE COUNTY ROLE IN TODAY'S HEALTH SYSTEM

County government's broad perspective on the health system is unique due to the range and magnitude of its functions.

FUNCTIONS

1) **Public Health** - Counties work to ensure the well-being of the entire community through public health services, with a strong focus on cost-effective screening and preventive services.

2) **Provider/Administrator** - Counties administer and provide services directly to the community, including those mandated by the federal and state governments.

3) **Payor** - Counties assure access to the health care system for their employees by providing or purchasing health insurance.

4) **Purchaser** - Counties purchase health services from other providers with local tax dollars.

MAGNITUDE

- Counties are responsible for spending approximately $30 billion on health and hospital services annually.
- Counties provide care for approximately 40 million people who access local health departments.
- Counties are responsible for at least 4,500 public health facilities including hospitals, nursing homes, clinics, health departments and mental health clinics.
- Counties spend approximately $680 million annually on capital outlay for hospital construction, maintenance and equipment.
- Counties purchase health care for over 2 million employees.
- Counties are legally responsible for indigent health care in over 30 states.
- Counties are required to pay a portion of the non-federal share of Medicaid in 15 states.
- Counties deliver AIDS services, including care in the majority of the 24 highest caseload areas receiving emergency funds under the Federal Ryan White CARE Act.
- Counties are often the focus of prevention services with more than 90% of county health departments active in tuberculosis screening, immunizations and child health services.
- Counties provide training for 26% of the nation's physicians in major public teaching hospitals.

# # #

INTERIM REPORT
to the NACo EXECUTIVE COMMITTEE
February 22, 1993

from
NACo/County Health Policy Project

COUNTY GOVERNMENTS AND HEALTH SYSTEMS REFORM
A Series of Regional Hearings

For reform to actually result in improved health, we need to structure the system to achieve that end....you get out of it what you put into it. If reform of our health care system continues to be seen in terms that are primarily economic, what we will end up with is a cheaper, more efficient way of providing medical care to people. This may or may not result in any improvement in the health status of our population...
Health care reform must revolve around a clear sense of what we are trying to accomplish through the health care system. If we choose to deal with communicable diseases, or with violence, or with poor birth outcomes, then we must design the system in such a way that it creates the proper values, incentives and behaviors for providers and consumers that will lead to improved health status.

Gary Oxman, M.D.
Health Officer
Multnomah County, OR

Over the past five months, NACo has conducted six regional hearings on "County Governments and Health Systems Reform." The purpose of this initiative, in keeping with President John Stroger's agenda, has been two-fold: to "tell the county story" by providing forums in which county health services and innovative programs can be publicized, and to gather information from county officials, other public and private community leaders, and health care experts, concerning recommendations NACo should make regarding health reform proposals at the federal level.

The hearings to date have been held in Cook County (Chicago), IL; Hennepin County (Minneapolis), MN; Shelby County (Memphis), TN; Denver City/County, CO; Alameda County (Oakland), CA; and King County (Seattle), WA. Two more hearings will be held this spring and a final report summarizing the entire process and findings will be produced by the NACo Annual Conference in Chicago this July.

The hearings all addressed four questions:

1. What changes are needed to ensure that people and jurisdictions get the health services they need and what can county officials do to ensure those changes occur?

2. What are the unique responsibilities of counties? What do counties do that other entities do not do?

3. What should the role of county government be in the future related to health services?

4. What are the major activities of the county in the area of health services?

All the hearings were developed to be as regional as possible and have included representatives from adjoining states. The hearings have focused on the programs and services which counties sponsor and the health related issues with which county officials cope. See Appendix I for summaries of each hearing.

Witnesses have included elected officials from the federal, state and county levels, county health department, hospital and clinic staff, private physicians, consumers, community based providers, business and corporate executives, union representatives, state health agency officials, state county association leaders, and academic researchers.

Issues addressed have included views of health reform from the federal, state and local levels; innovative programs that address special needs, cross agency lines, and build cooperation between county and community service providers; cultural and physical accessibility; programs and approaches being used by counties to deliver services such as managed care and consortium models; consumer views of access and cost issues; community outreach sponsored by private corporations; business leaders views of the impact of health costs on corporate activity; union concerns for workers access to health services; and state level proposals for health care and the impact on county roles.

From these hearings, several themes have emerged. What follows is a preliminary list of these themes and some of the statements made about them.

I. DON'T FORGET PUBLIC HEALTH

This message was repeated in every one of the hearings. We were reminded that the community protection services are a basic responsibility of local health departments and that county governments administer over three quarters of the country's local public health agencies. These services were viewed as critical infrastructure for community well being. Further, support for them is threatened if reform proposals focus only on expanding insurance coverage and access to clinical health care services.

County health department officials in **Washington State** have been successful in developing a case for including "core public health services" as a major component of the state plan. Such services are estimated to cost 5 percent of total health expenditures, or (in Washington) $100 per person. Dr. Willa Fisher (**Bremerton-Kitsap County Health District, WA**) pointed out that "Over time, a health care system which assures universal access to personal health services should reduce its need for local health departments to provide many of the personal health services they now provide..we need to increase our population based activities that are cost effective in improving health status in our communities: environmental services to assure clean water, proper sewage disposal, and safe food; injury prevention programs,health education, childhood immunizations and early intervention programs."

Public health services can be a valuable means to identify other health needs, especially housing inspections and home health services (**Oxman and Belcher, Multnomah County, OR**). Services such as the Womens Infants and Childrens Supplemental Food Program (WIC) provide natural access points for identifying service needs. These are core services in most local public agencies.

The importance of environmental health services was reinforced in Colorado. Jim Rada (**Summit County, CO**) clarified that rural as well as urban environments need attention; resort counties are especially hard pressed with an influx of visitors but limited local tax bases.

II. IMPORTANCE OF PREVENTION AND PRIMARY CARE

Many county health departments provide primary care services and three-quarters receive Medicaid reimbursement for them. However, county services are not easily eligible for increased

Medicaid cost-based reimbursement and other advantages that Federally funded programs are able to obtain.

Dr. Dian Sharma, Director of **Washington County (OR)** Health and Human Services, pointed out that in spite of evidence of cost savings ($3 saved for each $1 spent on prenatal care, $14 saved for each dollar spent on measles, mumps, or rubella vaccine, $4 for every dollar spent on hypertensive screening) lack of third party reimbursement is a deterrent to providing primary and preventive care.

Many felt that prevention and primary care services are threatened in the same way as public health services. Staff from a collaborative health promotion program for low income pregnant and postpartum women and their infants in **Boulder County (CO)** ask: "if all available resources are focused on providing a health insurance product to everyone, will resources to provide innovative health promotion services...be lost? Will costs of medical care increase as we fail to prevent low birth weight births, teen pregnancies, or the use of emergency rooms to care for acute conditions which were preventable?"

Witnesses pointed out the need for an effective national drug and alcohol policy. Supervisor Don Perata (**Alameda County, Calif.**) pointed out the consequences of "guns, gangs, and drugs" on our health care system. Rev. Rougeau McWhorter (**Seaside, Calif.**) offered materials from the Legal Action Center in New York City as useful models.

III. ADMINISTRATIVE CONCERNS AND COORDINATION

There was agreement that the current system of health services administration is expensive and cumbersome. Dr Peter McGough (**Washington State Medical Association**) stated succinctly "Patients hate it and doctors hate it....Administrative cost estimates range from 12%-22% of total health costs....One patient visit to a physicians office is estimated to generate 10 pieces of paper. All private physicians and program administrators who spoke at the hearings echoed this sentiment.

Numerous innovative programs were presented that sought to achieve better coordination, decreased costs, and more efficient service delivery. See hearings summaries for specific examples.

Inefficiencies result when separate programs are promoted instead of using existing programs and services -- e.g., education districts promoting services for Children with Special Needs instead of using existing services through county programs (Repsher, **Summit County, CO**).

Averel Strand (**Larimer County, CO**) pointed out that using federal grants, often the only way to support certain activities, means that services are then defined by persons outside the community. Mary Selecky (**TriCounty Health District, WA**) pointed out that federally funded primary care clinics and local public health departments are often forced to compete for the same public dollars.

Productive relationships with the state were highlighted by the example of the **Shelby County** Community Health Agency in Memphis. Housed at the county, the quasi-governmental agency recruits physicians and allocates primary care grants at the local level.

IV. ALTERNATIVE SERVICES AND DELIVERY MODELS

These issues relate to "administrative concerns" but are broader in nature; they focus more on system-wide changes and the organization of health services delivery. Recommendations often focused on the roles of government -- the need for certain assurances and support from the federal level, and flexible approaches at the local level with incentives or requirements for coordination between county and community based programs.

Paul McCarron (**Anoka County, MN**) described counties as the "lowest common denominator" and the "ultimate risk takers because they have responsibility for assuring the health of the people. Marilyn Repsher, R.N. (**Summit County, CO**), based on a Colorado Trust report on the trends driving demand for service at the county level, noted that "local governments are seen as more responsive than state and federal."

Again, numerous innovative programs were presented as examples of better ways to deliver services. Often services totally within the jurisdiction of the county agencies were easier to coordinate; when external jurisdiction was involved, program changes were more difficult to resolve. **King County (WA)** has brought chemical dependency services fully within the public health framework -- integrated within the public health, primary care and social services delivery systems."..it is this effort to create linkages between systems that provides the most immediate opportunities for innovation and creativity....We will then ...be closer to a capacity to embrace the family, rather than the harmfully-involved individual, and indeed the community as our client."

Public health nurses in **King County (WA)**, supported by a Families and Education Levy, serve schools with case management and follow up services to all pregnant and parenting teens so that they can have healthy pregnancies, healthy babies, and continue their schooling. One participant attested: "I can look forward to attending college and a career. I hope to be a public health nurse and work with teen mothers and pregnant teens. I am looking forward to giving other girls the same love, hope, and promise that my son and I have received. I have the potential of being a contributing member of society ...I won't forget it!"

Rural hospitals, especially, need support for restructuring their services. Often change comes from a recognized crises. Concern for the financial troubles of the county hospital prompted **Edwards County (KS**, population 4,000) commissioners to take back the operation from a management company and combine all health related services on one campus. With support from the federal Rural Health Care Transition grant, this integration has streamlined many operations, allowed cost shifting within the system, and broken down historical barriers between physicians and hospitals and between public health professionals and physicians/hospitals.

Alternative forms of treatment such as the use of home care or community based instead of institutional long term care is difficult to implement because of facility and reimbursement constraints. When alternatives are instituted, however, the savings can be significant. The Aging Services Division in **Multnomah County (OR)** provides different levels of living facilities for elderly and disabled at one-third to one-half the cost of nursing home placement.

Better collaboration between the public and private sector was not lost in the hearing discussions. Dr, Howard Lee (**private practitioner, Chicago, Ill**) pointed out that providers in the private sector treat many persons near or below the poverty level, and often have the same patient mix as public clinics. "The problems are ... compounded by lack of communication between the two," he said.

In general, there is a great need for outreach and collaborative approaches beyond traditional boundaries, such as between health programs and churches, farm organizations, and economic development groups.

V. UNIVERSAL ACCESS

This phrase, or similar concepts, was mentioned frequently throughout the hearings. It raised several questions and issues for local service systems. Numerous people, including Peter McGough (**Washington State Medical Association**) felt that managed care "should result in better health outcomes because of less fragmentation of care and attention to health promotion and illness prevention."

Others, however, expressed caution. Lucy Shaw (**Regional Medical Center, Memphis, TN**) stated flatly that even if private insurance were expanded, there would still be persons not protected and they would continue to turn to county facilities for care. Services for low income populations or at risk populations are not commercially appealing to the private sector and might continue to be disadvantaged in a managed competition system. There was concern that a consolidation of health care purchasers could create significant cost shifting and that providers would need some sort of collective bargaining power to counter this market influence.

The state plans (**Minnesota, Oregon, Colorado, Washington, California**) all have expanded access to health services as a goal. Most state plans depend on managed care systems to assure this, with minimal references to the relation of implementation and operation to the county role. Individual witnesses promoted the concept of universal access. Jim Tysver (**Blue Cross of Washington and Alaska**) emphasized that universal access cannot be achieved without first controlling costs. Yet, many pointed out that a concern with costs alone will not allow access to be truly addressed. Numerous witnesses made a distinction between coverage and access and pointed out that providing insurance coverage will not necessarily guarantee access to health care services.

A distinction was made between minimum benefits and basic benefits. Benefit design, by itself, was considered a poor way to control costs. Washington State consciously promotes a comprehensive benefits plan to avoid incentives to game the system. Use of medical outcomes data was considered a positive way to assure cost-effective treatment is used.

Many witnesses pointed out the responsibilities of individuals. "Most of the conferences and hearings on health care issues ... target health care providers as if he or she is the sole guarantor of quality health care, ...It should be noted that the consumer also has a responsibility," pointed out Dr Howard Lee (**private practitioner, Chicago, Ill.**)

The issue of costs and the concern with cost control was addressed in all the hearings. Insurance rates must be reduced, pointed out Commissioner Paul McCarron (**Anoka County, Minn**); community based rates may be a way to ensure this. Several persons spoke forcefully about managed competition and felt that this approach could accommodate a wide range of necessary services. Others spoke against a global budget approach, especially one imposed at the federal level, as it would not be sensitive to local realities and would especially disadvantage small and rural counties. Whatever shape it takes, reform of the current health care system will almost certainly involve new ways of linking public sector services to private delivery of services.

APPENDIX I
COUNTY GOVERNMENTS AND HEALTH SYSTEM REFORM
HEARINGS SUMMARIES

COOK COUNTY (Chicago), Illinois October 19, 1992

The hearing was opened by NACo President and Cook County Commissioner John Stroger, and a welcome was extended by Board President Richard Phelan.

Patricia Terrell (Cook County Bureau of Health Services) welcomed the chance to speak about "the most neglected component of the national health care debate: the widening responsibility of county governments to fill the health care delivery gap caused by a failing Medicaid system and an ever-increasing number of uninsured and underinsured people for whom county or city health services provide their only safety net." Terrell identified trauma and emergency services, outpatient and community care, perinatal care, and the integration of public health services into the medical delivery system as key issues.

Chicago Health Department Commissioner Sister Sheila Lyne stated that the only true health care reform can take place at the national level. Counties must use their influence to this end with goals of universal coverage for essential services, strong public health infrastructure, and emphasis on primary and preventive care. Dr Maurice Mullet (Holmes and Knox Counties, Ohio), president of the National Association of County Health Officials stressed that we need a health system that relies on health maintenance in addition to quality illness care.

Innovative primary care systems (Terrell and Lyne, Cook County, Ill and Sandra Chapelle, Cuyahoga County, Ohio); issues confronting administrators of public long term care facilities (Michelle T. Thompson, Cook County, Ill, Michael W. Berry, Dodge County (Wis), and Ray Pietrzak, Mt Clemens, Mich); the role of Iowas counties in general assistance programs (Michael Johannsen, Muscatine County, Iowa); and county prison health services (Dr Michael Puisis, Cermak Health Services, Chicago, Ill) were discussed.

Arnold Tompkins, HHS Assistant Secretary for Management and Budget and US Congressman Charles Hayes reported on Congressional and Administration efforts.

Others testifying were Illinois State Representative Donne Trotter; Earl Bird, president of the Metropolitan Chicago Health Care Council; Dr Bernard J. Turnock, acting dean of the University of Illinois School of Public Health; ; Dr. Howard Lee, Daniel Hale Williams Clinic, Chicago, Ill. A report on the role of Michicgan counties in providing indigent care was submitted for the record. Ruth Rothstein, Director of the Cook County Bureau of Health Services, also spoke.

HENNEPIN COUNTY (Minneapolis), Minnesota November 9, 1992

The site was different but the message was very similar as 20 witnesses were welcomed by Hennepin County Board Chair John Derus. Hennepin Commissioner Peter McLaughlin joined the hearing panel for the day.

Rural concerns were significant. "It is apparent that ... state funding...increases have not allowed for necessary growth in service needs nor rising costs in rural areas" said Cheryl MacVey from Pocahontas County, Iowa. Counties have met these increasing fiscal needs, she added. County expenditures accounted for 20-30 percent of total public health budgets in Iowa.

An overview of Minnesota counties role in health (Anoka County, Minn Commissioner Paul McCarron) and a survey on their use of general revenues for health (St Louis County Commissioner Marilyn Krueger) was presented. Minnesota counties and their administration of local health systems (Ramsey County (Minn) Commissioner Diane Ahrens), Hennepin County's Assured Care and MetroHealth (Dan McLaughlin, Bureau of Health and Hennepin County Medical Center); Ramsey County's Ford Foundation Innovations award winning Living-at-Home Block Nurse Program (Rob Fulton, Ramsey County Department of Public Health); Iowa counties public health home care services (MacVey and Jackie Butler, Hamilton County, Iowa), Milwaukee County (Wis) medical complex (Julia Hanser); Rock County farm accident prevention and new mothers programs (Rock County (Minn) Commissioner Bill Brakke) and the Honeywell Corporation's cooperative "New Vista School" (V.P. for Public Affairs Ronald Speed) were presented. Terry Hill (Minnesota Center for Rural Health and the Northern Lakes Health Care Consortium) cited lessons leaned about rural health care delivery: professional recruitment and deployment, integrated primary care services, and regulatory accommodation for rural hospital services.

US West Medical Director, Paul Johnson (who trained and practiced at St Paul Ramsey County Medical Center), and 3M Corporation Darrill Wegscheid expressed concerns on problems created by ERISA and workers compensation for multi-state corporations. They both noted the rise in mental health and substance abuse problems.

Others testifying were Chris Galore, Minnesota Rural Futures, Mankato, Minn; Peggy Haertling, Director, Richland County (North Dakota) Health Department; Dr. Charles Oberg, University of Minnesota Department of Pediatrics; Minnesota State Senator Linda Berglin; and Mary Ho, Rice County (Minn) Public Health Department. Representatives from US Senators David Durenberger and Paul Wellstone presented statements.

SHELBY COUNTY (Memphis), Tennessee December 9, 1992

Shelby County Mayor Bill Morris joined his Commission colleagues Jim Rout and Vasco Smith in welcoming President John Stroger, eighteen witnesses, and members of the public. Participants had come from Tennessee, North Carolina, Mississippi, and Arkansas to speak at the hearing.

New concerns and new cautions were raised at the hearing. Lucy Shaw, President and CEO of the Regional Medical Center in Memphis, said that counties must be savvy in dealing with state and federal governments; most health reforms ignore the uninsured. If private insurance coverage becomes the norm, counties will still be left with caring for the uninsured and have even fewer ways to recoup costs.

Dr. Robert Miller (physician and Arkansas county judge) pointed out the need for transportation, home care for older persons, a rational medical liability system, and improved preventive and primary care. Richard Swiggart (Shelby County Public Health Department) pointed out the danger of underfunding basic public health services. "Infectious diseases are once again a major threat similar to that of the '50s and '60s." Primary and preventive health programs such as school based health clinics and teenage pregnancy programs must be expanded, he stressed, and the data and reporting systems to support them.

Dr Donna Miller (Memphis Business Group on Health) agreed that better information systems were needed and that they would be important in supporting a managed care approach. Medical care is far behind other business information systems. Larry Hilbun (Shelby County Personnel Services) pointed out the common interests of business and the county regarding employee benefits.

Dr William Rodney, chair of the University of Tennessee Department of Family Medicine, said that incentives for training primary care practitioners and 24 hour availability were part of the solution.

Others testifying were Rod Autry, Mecklenberg County (North Carolina) Commissioner; James Baker and Virginia George from the Arkansas Association of Arkansas Counties; Greene County (Ark) Commissioner David Lange; Hinds County (Miss) Commissioner Bennie Thompson; Nancy Lawhead, Executive Director of the Memphis/Shelby County Community Health Agency; Helen Adamo, from the Alliance for the Mentally Ill, and Tennessee State Senator John Ford. A statement from Helena, Arkansas Alderwoman Cleo Stroger Dunnings on local health issues and one from the Association of County Commissioners of Georgia concerning counties and health services was submitted for the record.

DENVER CITY/COUNTY, Colorado January 28, 1993

Nearly thirty witnesses and a steady audience of about 100 people attended the Denver hearing, and were welcomed by Greg Romberg from Mayor Wellington Webb's office. Planning was coordinated by Boulder County Commissioner Homer Page, with support from the Colorado Counties Inc (CCI). The witnesses reflected a comprehensive approach, and represented Colorado county professionals, state executive and agency staff, congressional representative staff, consumers, and persons from Wyoming and Kansas. During a box-lunch provided by the CCI, Richard Bieser explained the proposals of the Physicians for a National Health Program.

The day started with a panel composed of county public health professionals, led by Pat Nolan (Colorado Department of Health), which discussed the many public health services provided by counties. These provide a basic infrastructure for a community and ensure an environment that promotes healthy behaviors.

NACo was urged to support a pluralistic health system approach, responsive to diverse populations and regions. The ColoradoCare plan, proposed by Governor Roy Romer, is designed to allow individual choice among plans that are paid on a capitated basis. Alan Weil (Office of the Governor) explained that the intent is to allow the benefits of the public system to be preserved while rationalizing financial flows in a better way.

Innovative programs that consolidated services under the county hospital (Commissioner Marjory Scheufler, and Kathy Conway, Edwards County Hospital, Kan); approaches to keep patients healthy (Fred Schroeder, Converse Memorial Hospital, Wyo.), infant health promotion (Pete Leibig, Clinica Campesina, Lafayette, Colo.; Phoebe Norton, Boulder County Mental Health Center, Chuck Stout, Boulder County Health Department); and migrant worker programs (Dr. Virgilio Licona, Plan de Salud del Valle, Fort Lupton, Colo) and needs and services for persons with disabilities (Nan Hildebrand, and Henry Claypool, Center for People with Disabilities; Laura Hershey, Atlantis/ADAPT; Shirley Stricker, Lafayette, Colo; Robin Hill, Chinook Club House; and Jesus Tijerina, Ft. Lupton, Colo.) were discussed.

Other witnesses were Lonna Pelton-Bloom and Kandiss Bartlett from Valley Wide Health Services in Alamosa, Colo; Barbara McDonnel, Executive Director of the Colorado Department of Institutions; and Terry Nimnicht, from the CIGNA Corporation;

ALAMEDA COUNTY (Oakland), California February 1, 1993

Alameda Supervisor and Board President Edward Campbell and California State Association of Counties First Vice President Doug Wilhoit welcomed the NACo hearing panel to Oakland for the fifth hearing on "County Governments and Health System Reform."

This hearing focused on the county role in California and heard from over 20 witnesses from rural and urban county health facilities and programs, union representatives, state health agency staff and the insurance industry.

California counties are facing a gamut of social and economic problems which have clear connections to health status and health service needs: growing population, growing numbers of uninsured, growing numbers of immigrants, decreasing public budgets and programs, and the growing problems, as Supervisor Don Perata put it, of "guns, gangs, and drugs."

In a discussion of Alameda county's health service system, Director Dave Kears pointed out that "counties serve the role of taking the most difficult and costly individuals -- which helps the overall system look better." Eighty percent of the county's indigent care is provided in the county's Highland Hospital; whose chief executive officer, Ophelia Long, stressed that change is what health care is all about -- change in behavior to maintain healthier lifestyles.

Numerous witnesses stressed the need to take advantage of innovations developed to respond to these realities at the local level. System restructuring must take advantage of this research, planning and personnel, added Dr. Carmen Nevarez, Berkeley Health and Human Services Department Director. San Francisco Department of Health provider network (Florence Stroud, Senior Deputy Director for Community Health Services), San Bernardino County Hospital activities (Chuck Jervis, Director), San Matao managed care system (Margaret Taylor, Director), and the work of the Alameda Health Consortium (Dorothy Graham, Co-Director) were some of the programs discussed at the hearing.

The state perspective was provided by Lee Kemper, Assistant Secretary of California Health and Welfare, and Michael Kassis, Chief of the California Medically Indigent Services Section.

Others attending were Sacramento County Supervisor Grantland Johnson; Dr. Marye Thomas, Assistant Director, Alameda County Health Services Agency; Kings County Supervisor Joe Bezerra; Rev. Rougeau McWhorter from Seaside, Calif; Maura Kealy, Service Employees International Union; Peter Schilla, Western Center on Law and Poverty; Nettie Hoge, Consumers Union; Linda Gregory, from AFSCME; Dr. Edward Chow, San Francisco, Calif; and Dr. David Chernoff, Blue Cross of California. Materials from Los Angeles County were submitted for the record.

National Association of Counties

SPECIAL JTPA UPDATE FOR COUNTY ELECTED OFFICIALS

Volume 6: Number 3 Legislative Conference, Washington, DC, February 26 - March 2, 1993

Economic Stimulus Package Includes Push for Job Training: Summer Youth Program to Receive $1 Billion in Supplemental Funds

The New Department of Labor

Just two days after President Clinton announced his intention to increase funding for the Job Training Partnership Act (JTPA) Title IIB Summer Youth Employment and Training Program (SYETP) by $1 billion, a Department of Labor official could be overheard saying, "this could be the beginning of a new era." The sense of commitment by the Administration to job training, the belief among career public servants that the new Administration will look to the Department of Labor (DOL) to address many of the issues surrounding the current economic crisis, and a belief among those same long-term government employees that what they do is important again has contributed to this new excitement.

Public Interest Groups Briefed on Economic Stimulus, Investment, and Savings Package

The Economic Stimulus Package

This new excitement carried over to a February 19th meeting that DOL called to provide the Washington-based public interest groups, including the National Association of Counties (NACo), with an overview of the President's proposed economic stimulus package. With unusual optimism about the future of job training within the Department, Carolyn Golding, acting assistant secretary of labor, provided an extensive overview of the President's Department of Labor economic stimulus package. The President has asked Congress to increase funds for:

- the Summer Youth Employment and Training Program by $1 billion;
- emergency unemployment compensation by $3.2 billion in fiscal year 1993 and $2.4 billion in fiscal year 1994;
- community service employment for older Amercians by $32 million in fiscal year 1993, $21 million in fiscal year 1994, and $35 million in fiscal year 1995 and beyond; and
- worker profiling by $14 million in fiscal year 1993 and $9 million in fiscal year 1994 to enable employment services agencies to determine labor force participants likely to be premanently dislocated.

The Summer Youth Program: The Administration expects that the $1 billion in supplemental summer youth funds will be used to create 683,000 new summer jobs and to provide summer youth with academic enrichment. Added to the summer jobs created b y the regular summer youth allocations already made, the program is expected to reach a total of about 1.3 million

The *Special JTPA Update for County Elected Officials* was written by Neil E. Bomberg and published by NACo's Training and Employment Programs, Richard E. Johnson, Project Director, under a grant from the US Department of Labor.

youth this summer. "This proposal is not just about quantity, it is also about quality. Last summer we learned that the JTPA system can deliver when it is required to do so, and can deliver with integrity," Golding said. The Administration is committed to academic enrichment to ensure that youth return to school in the fall on the same grade level as when they left the previous spring.

Golding noted that while the Administration expects the economic stimulus package to pass the Congress by March 23, before the Easter recess — House Appropriations Committee Chair William Natcher (D-KY) is expected to begin mark-up of the economic stimulus package on Wednesday, February 24 — "we know that the real pressure to spend [the summer youth funds] is out in the local areas. That is why the Department is planning to issue preliminary planning numbers for this coming summer around March 5."

Carolyn Golding was joined by Kitty Higgins, a special assistant to Labor Secretary Reich, Nancy Kirschner from the intergovernmental relations office, and Dolores Battle, Hugh Davies, and Don Kulick from the Employment and Training Administration. Higgins, who worked closely with Secretary Reich to put the Department of Labor's package together, indicated that the Administration considered proposals at several levels, but the President finally settled on an additional $1 billion over last year's levels for the summer youth program. "This is a program that is very important to the President. This is a program that he personally supports. He believes in young people and wants them to have opportunities. By doubling this program, the President can demonstrate his commitment to young people," Higgins said.

Higgins also noted that the Administration wants local programs to think creatively about delivering summer youth services. "Flexibility and creativity" are the themes of the summer youth program's employment and academic enrichment components, she said. "We will give you the outcomes. How its put together is a local decision," she added. Higgins went on to point out that the Department will be urging local programs to improve their assessment of youth enrolled in summer programs by relying more on local education agency (LEAs) assessments, improve coordination with LEAs, and improve the delivery of academic enrichment services. In order to encourage linkages and a continuity of services between the summer youth activities and year-round youth programs, the Department of Labor will view favorably transfers of up to 10 percent of the summer allocations from Title IIB to Title IIC under the new authority granted by the JTPA Reform Amendments.

The proposed allocation formula will include a set aside for academic enrichment. Base funding for each service delivery area (SDA) will be no less than the combined total of last year's regular and emergency funding. Under current plans, each SDA will receive a 25 percent increase over last year's total funding, plus funds for academic enrichment. It is expected that up to one-third of the total summer youth supplement will be set aside for academic enrichment. The remaining funds from the supplemental package would be distributed to service delivery areas which include the top 100 cities with the highest concentrations of economically disadvantaged youth. The final funding package submitted to and adopted by Congress may be somewhat different, but the Administration is confident that Congress will adopt these basic guidelines.

The Investment Package

Several programs are slated for receiving substantial funding increases, though none would receive additional funding until fiscal year 1994. These include:

- the dislocated worker program which would receive nearly $2 billion in fiscal year 1994 to implement a new comprehensive worker adjustment assistance program;
- Job Corps which would receive $133 million in fiscal year 1994 to begin expansion of Job Corps centers by 50 new centers over a five year period;
- youth apprenticeship which would be funded at $270 million in fiscal year 1994 and $500 million in subsequent years to help youth make the transition from school-to-work; and
- one stop shopping which would receive $150 million in fiscal year 1994 to begin to implement streamlined access to job and training information.

In addition, the Department is requesting that Targeted Jobs Tax Credits be permanently reauthorized and that apprenticeship jobs be included among those eligible for TJTC.

Dislocated Worker Program: Although the Administration did not ask for additional funds for Title III activities as part of the economic stimulus package, Kitty Higgins and Carolyn Golding noted that the Administration is committed to expanding and improving programs to assist dislocated workers. "Expansion of the dislocated worker program is seen as part of the investment package. We know there may be a shortfall of funds for dislocated worker programs. Rather than ask for a supplemental appropriation, we have asked Congress to permit us to spend some of the program year (PY) 1993 Secretary's Reserve to make up for any shortfall," Golding noted.

Both agreed that they felt the Department would have sufficient funds to make it through PY 1992 and 1993. And if the Administration's forthcoming proposal to consolidate dislocated worker programs under a single program is agreed to by the Congress, than there will be substantial funds to ensure that dislocated workers receive the training they need to remain in the labor force.

The Savings Package

JTPA's Title IIA and IIC programs will be frozen at fiscal year 1993 levels, DOL staff will be reduced by 800, DOL overhead will be reduced by $10 million in fiscal year 1994, and at least one third of the 22 Advisory Committees will be eliminated as part of the savings package that the Department of Labor will initiate.

Titles IIA and IIC: While the Department was able to argue for additional funds in some areas, it did "bite the bullet" in other areas. For example, JTPA Title IIA and IIC programs are expected to be frozen at current levels for at least one year. The savings that will result ($53 million) represents the "$53 million inflationary boost JTPA was scheduled to receive during fiscal year 1994," said Golding. "However," she added "we should not assume that JTPA is being written off. The Department had to make some trade offs in order to obtain the $1 billion for summer youth, $3.2 billion for emergency unemployment compensation, $32 million for community service employment for older Americans and $14 million for worker profiling."

If you have any questions or need additional information, please contact Dick Johnson, Neil Bomberg or June Garrett at 202/393-6226.

JOB TRAINING PARTNERSHIP ACT

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Visit the NACo Training and Employment Programs booth in the Registration Area for more information on the JTPA Service Programs.

National Association of Counties

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President Clinton's Economic Plan

Overview

President Clinton presented his economic plan to a joint session of Congress on February 17, 1993. A detailed budget will follow in early April. The plan includes three major components: deficit reduction, short-term economic stimulus, and long-term investment. The deficit component proposes to cut the estimated 1997 deficit from $346 billion to $206 billion with a package of revenue increases and spending reductions. The short term stimulus component would provide about $30 billion in economic stimulus in 1993 -- both spending increases and tax incentives. With a goal of increasing productivity and competitiveness, the investment component would build on the economic stimulus proposals with longer term tax incentives and increases in federal spending for infrastructure, human capital, and other programs. While the deficit reduction component does include reductions in medicare and medicaid spending, the plan does not include specific recommendations for health care reform. Such recommendations are not expected until May. Table 1 summarizes the major components of the Administration's economic plan.

The spending components of the stimulus package are expected to be considered by Congress in March as an emergency 1993 supplemental appropriations bill. The remainder of the plan will first be considered as part of the 1994 Congressional budget resolution in March, and then in an omnibus reconciliation bill later this spring and summer. This brief analyzes the Administration's plan and its possible effects on the states. State specific estimates for the major economic stimulus programs are included as an appendix to this brief. Because the plan only contains information on selected programs, FFIS will not produce a detailed *Update* of state specific estimates until the budget is released in April.

Summary of Proposals Affecting States

The plan includes several proposals that would affect states. The economic stimulus and investment packages propose to increase funding for a number of grant-in-aid programs. The deficit reduction package would reduce some medicaid payments, substantially reduce defense spending, and impose a new energy tax. Perhaps the most significant potential impact of the plan is its goal of reducing the deficit and reorganizing federal spending priorities to provide for greater sustained economic growth. Increases in state revenues resulting from such growth would far outweigh the impact of the changes in federal grants to states. The following is a summary of the plan's major proposals affecting states. More detailed descriptions of these proposals are included in the analysis of the Administration's plan below.

- The stimulus package contains increases in 1993 funding for: highways, mass transit, community development block grants, wastewater treatment, summer youth employment, and other programs.
- The investment package would increase spending for "lifetime learning" programs (e.g., WIC, head start, education reform, child care, job training, etc.) by $38 billion over four years.
- The wastewater treatment state revolving loan fund would be restructured beginning in 1994.
- The plan would decrease federal payments for medicaid by $4.5 billion over four years. These reductions should also generate reductions in state medicaid spending.
- The federal matching rates for state medicaid, AFDC, and food stamp special administrative projects now matched at over 50 percent would be reduced to 50 percent.

- The plan would impose a new energy tax based on BTUs and extend beyond 1995 the 2.5 cent per gallon gas tax now used for deficit reduction. It is not clear if the 2.5 cent extension will be deposited in the highway trust fund.
- The plan's proposed reductions in defense spending could seriously affect defense and related employment in certain regions.
- The income and social security tax increases included as part of the deficit reduction package could affect those states that are tied to the federal tax code.

Table 1. Economic Plan Summary
(federal fiscal years, outlays in billions)

	1993	1994	1995	1996	1997	1993-97
Baseline Deficit	$319.2	$301.3	$295.9	$297.0	$346.3	
Deficit Reduction						
Spending Reductions						
Defense	0.0	-6.7	-11.7	-19.7	-37.4	-75.5
Other Discretionary	1.0	-4.5	-10.2	-15.4	-20.2	-49.3
Mandatory Program	0.0	-5.9	-12.1	-24.1	-33.8	-75.9
Debt Service	0.0	0.0	-3.0	-7.0	-14.0	-24.0
Subtotal Spending	1.0	-17.0	-37.0	-66.2	-105.4	-224.6
Revenue Increases						
Basic Revenue	-2.9	-46.2	-50.8	-66.4	-82.8	-249.1
Social Security	0.0	-2.7	-5.6	-6.2	-6.9	-21.4
Subtotal Revenue	-2.9	-48.9	-56.4	-72.6	-89.7	-270.5
"Gross" Deficit Effect	-1.9	-65.9	-93.4	-138.8	-195.1	-495.1
Economic Stimulus and Growth						
Stimulus Spending [1]	8.3	5.9	2.1	0.8	0.4	17.6
Investment Spending	0.0	8.8	19.9	31.6	39.4	99.7
Tax Incentives [1]	6.4	12.8	17.1	14.8	15.3	66.4
Subtotal	14.8	27.5	39.1	47.2	55.1	183.7
"Net" Deficit Effect	12.9	-38.5	-54.3	-91.6	-140.0	-311.5
Resulting Deficit	$332.1	$262.8	$241.6	$205.4	$206.3	
Percent of GDP	5.4%	4.0%	3.5%	2.9%	2.7%	

1/ This table measures the outlay and revenue effects of the plan on the deficit. Only half of the approximately $30 billion in new stimulus spending and tax incentives would affect the 1993 deficit. The remainder would be spent in 1994 and beyond.

Deficit Reduction Plan

The Administration's plan would reduce the deficit in total by $495 billion from 1993 through 1997. Part of this reduction is used to finance the $184 billion, five-year cost of the economic stimulus and investment proposals, resulting in a net deficit reduction of $311 billion.[2] Table 2 summarizes the major components of the deficit reduction plan. Approximately 45 percent of the gross deficit reduction comes from spending cuts, while the remaining 55 percent results from revenue increases. Of the total proposed spending reductions of $225 billion, defense reductions account for $75.5 billion (33 percent), mandatory program reductions account for $76 billion (34 percent), other discretionary program reductions account for $49 billion (22 percent), and debt service savings total $24 billion (11 percent). The tax and revenue proposals would raise $271 billion between 1993 and 1997. Over four years, $97 billion (36 percent) would be raised through increased income taxes on upper incomes, $49 billion (18 percent) would be raised through a broad based energy tax, $24 billion (9 percent) would be raised through an increase in corporate income taxes, $22 billion (8 percent) would come from a repeal of the ceiling on the taxable wage base for Medicare, and $21 billion (8 percent) would be raised by increasing the tax on social security to 85 percent of benefits.

Spending Reductions

Defense

The Clinton Administration's proposed 1994 defense spending levels of $263.7 billion in budget authority and $277.7 billion in outlays are $10.6 billion (3.9 percent) and $16.6 billion (5.6 percent) less than comparable 1993 enacted levels, respectively. In calculating defense savings for deficit reduction purposes, the Clinton Administration's plan assumes only those savings that are in addition to those proposed (but not enacted) by the Bush Administration. Therefore, as shown in Table 3, the Clinton plan's proposed four-year defense outlay savings of $75.5 billion are in addition to the $50 billion proposed for the period by the Bush Administration. While only counting the $75.5 billion as part of the plan's deficit reduction target may serve to underestimate the magnitude of the defense reductions, it also underestimates the amount of total savings achieved by the plan's deficit reduction proposals.

The Clinton Administration's plan does not include detailed information on specific defense program changes, so it is not clear how these reductions will affect different regions and states. The specifics will presumably be included in the budget to be released in early April. The Administration's investment package includes a number of proposals to expand current programs to assist defense workers, industries, and communities with defense conversion. Funding would be increased over 1994 through 1997 baseline outlay levels for the Department of Defense's dual-use technology program ($1.3 billion) and community adjustment assistance activities ($66 million), and for Economic Development Administration community diversification programs ($96 million). In addition, the investment plan proposes to increase spending for Department of Labor dislocated worker assistance programs ($4.6 billion over four years) for training needs caused by defense conversion, the North American Free Trade Agreement (NAFTA), energy conversion, and trade adjustment.

2/ Consistent with current federal budget scoring practices, all "savings" are calculated by comparing proposed levels to baseline estimated levels. In general, for discretionary programs this means 1993 enacted levels increased by inflation, and for mandatory programs, the latest estimate of current law spending or revenue collections taking into account the latest economic and technical assumptions.

Table 2. Summary of Deficit Reduction Proposals

(federal fiscal years, outlays in millions)

	1994	1995	1996	1997	Total 1994-97
Spending Reductions					
Defense	-$6,700	-$11,700	-$19,700	-$37,400	-$75,500
Non-Defense Discretionary	-4,478	-10,193	-15,406	-20,218	-50,295
No federal pay raise in CY94, lower raises, 1995-97	-1,361	-1,963	-2,281	-2,741	-8,346
Cut 100,000 federal employees	-932	-2,180	-2,306	-2,509	-7,927
Other administrative savings	-676	-1,392	-2,169	-3,462	-7,699
Completion of wastewater treatment grants	-109	-624	-1,424	-1,947	-4,104
Elimination of low priority transportation programs	-129	-337	-438	-428	-1,332
Other non-defense discretionary reductions	-1,271	-3,697	-6,788	-9,131	-20,887
Mandatory Programs	-5,907	-12,177	-24,082	-33,791	-75,957
Total Reductions for Medicaid	-35	-1,285	-1,510	-1,720	-4,550
Eliminate mandatory personal care requirement	0	-1,190	-1,355	-1,540	-4,085
Tighten estate assets rules	-25	-80	-135	-155	-395
Remove prohibition on drug formularies	-10	-15	-20	-25	-70
Lower administrative matching rates for AFDC Food Stamps, and Medicaid to 50 percent	-200	-480	-530	-580	-1,790
Total Reductions for Medicare	-3,024	-5,253	-10,121	-15,484	-33,882
Reduce hospital update market basket	-550	-1,380	-1,560	-1,700	-5,190
Retain 1995 Part B premium collections ratio	0	0	-1,145	-3,870	-5,015
Put hospitals on a calendar year update	-1,000	-1,140	-1,180	-1,290	-4,610
Set laboratory rates at market levels	-390	-690	-890	-1,120	-3,090
Phase-in resource-based practice expense	-100	-350	-700	-875	-2,025
Gradually lower IME rate to 5.65%	0	0	-580	-1,360	-1,940
Extend Medicare Secondary Payer for disabled	0	0	-650	-960	-1,610
Direct medical education	-350	-340	-340	-330	-1,360
Reduce most doctor fees in 1994	-200	-300	-350	-400	-1,250
Extend reductions for hospital outpatient services	0	0	-425	-525	-950
Medicare secondary payer reforms	-127	-240	-275	-305	-947
Reduce default Medicare performance	0	0	-200	-650	-850
Eliminate add-on for HBHHA	-160	-200	-230	-250	-840
Enhance identification of third-party liability	0	-150	-250	-400	-800
Other Medicare reductions	-147	-463	-1,346	-1,449	-3,405
Supplemental Security Income (SSI) Fees	-50	-110	-180	-180	-520
Other Reductions in Mandatory Programs	-2,798	-5,529	-12,271	-16,407	-37,005
Debt Service		-3,000	-7,000	-14,000	-24,000
Subtotal, Spending Reductions	-17,085	-37,070	-66,188	-105,409	-225,752
Revenue Increases					
Raise individual income taxes for upper incomes	-27,700	-19,900	-22,900	-26,300	-96,800
Repeal ceiling on HI taxable wage base	-2,800	-6,000	-6,400	-6,800	-22,000
Tax 85% of social security benefits	-2,700	-5,600	-6,200	-6,900	-21,400
Increase top corporate income tax to 36%	-7,700	-5,400	-5,500	-5,700	-24,300
Lower deductions for business meals and entertainment	-1,800	-3,200	-3,400	-3,700	-12,100
Extend 2.5 cent per gallon gas tax	0	0	-2,600	-2,600	-5,200
Broad based energy tax	-1,500	-8,900	-16,400	-22,300	-49,100
International tax provisions	-800	-1,600	-1,900	-2,100	-6,400
Other tax provisions	-3,900	-5,800	-7,300	-13,300	-30,300
Subtotal, Revenue Increases	-48,900	-56,400	-72,600	-89,700	-267,600
Gross Deficit Reduction 1/	-$65,985	-$93,470	-$138,788	-$195,109	-$493,352

1/ Does not reflect proposed increase in spending under the economic stimulus plan.

Table 3. Defense Spending
(federal fiscal years, dollars in billions)

	1993	1994	1995	1996	1997	1993-97
Baseline Spending						
Budget Authority	$274.3	$288.0	$296.4	$304.5	$312.9	
Outlays	$294.3	$289.6	$293.8	$299.8	$306.5	
Bush Proposed Reductions						
Budget Authority	0.0	-12.5	-18.4	-26.2	-28.3	-85.4
Outlays	0.0	-5.3	-9.5	-15.2	-20.0	-50.0
Clinton Proposed Reductions						
Budget Authority	0.0	-11.8	-15.2	-24.5	-36.2	-87.7
Outlays	0.0	-6.7	-11.7	-19.7	-37.4	-75.5
Proposed Spending Level						
Budget Authority	$274.3	$263.7	$262.8	$253.8	$248.4	
Outlays	$294.3	$277.7	$272.6	$264.9	$249.1	

Other Discretionary Programs

The Administration's plan would reduce spending on other discretionary programs by $4.5 billion in 1994 and by almost $50 billion over four years. These savings are calculated against a baseline that assumes non-defense discretionary programs will increase annually by inflation. The plan implicitly assumes the aggregate Budget Enforcement Act (BEA) caps on discretionary spending each year will be adjusted to allow for the net effect of the these inflation increases, the increases proposed in the economic stimulus and investment packages, and the defense spending reductions.[3]

A significant portion of the discretionary savings are achieved by freezing federal pay increases, reducing the federal workforce, and other administrative savings. Savings are also achieved by redesigning the space station project and stretching out the project schedule for the superconducting super collider. The most significant reductions in grant-in-aid spending are the phasing out of the current wastewater treatment revolving fund program and the elimination of "low priority" transportation programs and projects.

The wastewater treatment state revolving fund program provides funds for state-based water pollution control revolving funds that provide capital for publicly owned treatment works, nonpoint source management programs, and estuary conservation and management plans. The revolving funds issue loans to municipalities for construction, which are then repaid and used to make a new round of loans. For 1993, Congress appropriated $1.9 billion for the state revolving fund program. The Administration is proposing to restructure the current program. After providing an additional $845 million in 1993 as part of the stimulus package, the plan would apparently terminate federal capitalization payments for the existing program beginning in 1994. Funding used to support the North American Free Trade Agreement would be continued. The Administration assumes savings of $4.1 billion over four years

3/ For 1994 and 1995, the Budget Enforcement Act (BEA) only assumes caps on total discretionary spending. BEA caps or walls between domestic, defense, and international spending will not be in effect after 1993.

from this action. However, the investment package would increase funding by $4.0 billion over the four year period for two new revolving funds for clean water and drinking water programs.

The plan also calls for the elimination of low priority transportation programs and projects. This would save approximately $1.3 billion over the four-year period. The plan does not discuss specifics but demonstration projects would be a likely target.

Mandatory Programs

Medicaid Personal Care. Under current law, each state's medicaid program must cover home health services for all individuals who are eligible for nursing home care. Through 1994, states have the option to cover personal care services for these beneficiaries.[4] A drafting error in the Omnibus Budget Reconciliation Act of 1990 (OBRA 1990) designated personal care as a home health service that would become mandatory for all states in 1995. Under the Administration's proposal, personal care would continue to be an optional medicaid service. The Administration estimates federal savings at $1.2 billion in 1995 and $4.1 billion between 1995 and 1997.

Medicaid Transfer of Asset Rules. Transfer of asset rules would be altered to restrict the diverting of property to qualify for medicaid. Currently, medicaid prohibits beneficiaries from disposing of their resources at less than fair market value in order to gain medicaid coverage. As a penalty for below-market asset transfers, medicaid disqualifies applicants from receiving medicaid-financed nursing home care for 30 months. However, there are provisions in the law that allow some applicants to avoid the requirement that they use their own resources to purchase care before they qualify for medicaid. Applicants may transfer a home or other resources to certain classes of close relatives. In addition, people may keep sufficient private assets to pay for 30 months of nursing home care, transfer the balance of their assets to others, and qualify for medicaid nursing home care 30 months later.

The Administration's proposal would modify the asset rules to restrict the diverting of property to qualify for medicaid. The federal government would require states to implement estate recovery programs and strengthen transfer of asset rules to restrict the ability of people to liquidate their property to become eligible for medicaid. According to the plan, this proposal would save the federal government $25 million in 1994 and $395 million over four years.

Medicaid Drug Formularies. Prior to enactment of OBRA 1990, states could limit the drugs they covered under medicaid to state-specified lists or formularies. For example, a state could limit reimbursement to the generic version of a prescription drug. The OBRA 1990 prohibition placed on drug formularies increased the costs of the prescription drug program for both the federal and state medicaid programs. The Administration's proposal would allow states to use drug formularies in their medicaid programs. This modification would save the federal government $10 million in 1994 and $70 million over four years. At current medicaid matching rates, states could save approximately $58 million over the same period.

Medicaid, AFDC, and Food Stamp Administrative Cost Matching Rates. In medicaid, the federal government matches states' administrative cost at four different matching rates according to function. The administrative costs for skilled professional medical personnel, the operation of an approved automated data system, peer review organizations, preadmission screening programs, resident review activities, and drug use review programs are matched at 75 percent. For family planning programs and

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4/ Home health services include such items as part-time at-home nursing care, home health aides, medical supplies and equipment for use at home. They are usually provided by a licensed health professional. Personal care services include any physician-prescribed services provided in the recipient's home, by a qualified individual, supervised by a registered nurse.

the installation of an automated data system, the matching rate is 90 percent. The federal government pays the full administrative cost for immigration status verification systems. All other costs, which constituted about 70 percent of total administrative costs in 1993, are matched at 50 percent. To a lesser degree, certain AFDC and food stamp administrative costs, mostly costs associated with computer systems and fraud prevention, are also matched at rates greater than 50 percent.

The Administration's proposal would lower the federal matching rate for all administrative costs for these three programs to 50 percent starting on April 1, 1994. The federal share of administrative costs would be reduced by $160 million in 1994 and $1.5 billion over four years. This is a direct shift of costs to states.

Medicare Reductions. The Administration's plan specifies 29 different changes to the Medicare program that would save an estimated $33.9 billion between 1994 and 1997, about 45 percent of the total cuts proposed for mandatory programs. By 1998, the plan estimates that these changes would save $53.9 billion over five years. The administration describes these savings as short-term proposals that will precede system-wide health care reforms. Almost all of the proposals affect physician and hospital reimbursement. The largest savings would be realized by reducing the indexing of the prospective payment system, placing hospital rate adjustments on a calendar year update, and lowering the reimbursement rate for laboratories. Benefits provided to recipients would be unaffected, but Part B premiums would be raised starting in 1996 to cover 27 percent of program costs.

Supplementary Security Income (SSI). The Administration's plan includes a proposal to charge states a user fee for administering state supplemental SSI benefits. For the most part, SSI is a federally administered and federally financed program. Presently, all but nine states supplement federal SSI benefits with state benefits. States may elect to administer their supplemental payments or contract with the Social Security Administration (SSA) for federal administration of the state supplement. Under current law, states do not pay the SSA for the costs they incur in administering the supplemental payments. As of 1992, seventeen states and the District of Columbia have contracted with SSA for this purpose. The Administration's proposal requiring these states to reimburse the federal government for part of these costs is estimated to save the federal government, and presumably cost these states, $520 million over four years. (A similar proposal was included in the House version of last year's 1993 Labor, Health and Human Services appropriations bill but was dropped during conference. The House proposal would have set the fee at 1.67 percent of the dollar amount of each state's supplemental payments.)

Other Mandatory Savings. The remaining $37 billion mandatory savings over four years are distributed across more than fifty programs. Most of these savings are achieved by: increasing user fees and reducing agriculture subsidies ($15 billion over four years), interest savings from shortening the maturity on federal debt instruments ($11.5 billion over four years), and extending the prohibition against federal employees receiving a lump-sum retirement benefit ($5 billion over four years). In addition, the plan assumes savings of $24 billion over four years from reductions in debt service payments as the deficit is reduced from baseline levels.

Revenue Increases

Personal Income Taxes. The Administration's proposed increases in personal income taxes would increase revenues by $27.7 billion in 1994 and by $96.8 billion over the four-year period. The plan would:

- increase the top income tax rate from 31 to 36 percent for individuals with taxable incomes in excess of $115,000 and for couples with taxable incomes in excess of $140,000;
- apply an additional 10 percent surtax for taxable income over $250,000;

- increase the alternative minimum tax (AMT) rate to 26 percent on AMT income less than $175,000 and to 28 percent for AMT income over $175,000; and

- extend existing law provisions on itemized deduction limits scheduled to expire in calendar year 1996, and the personal exemption phase out scheduled to expire in calendar year 1997.

Medicare Hospital Insurance Tax. The Administration's plan would eliminate the current $135,000 cap on wages subject to the medicare hospital insurance (HI) portion of the social security tax. Subjecting all earnings to the medicare HI tax would increase revenues by $2.8 billion in 1994 and by $22 billion over the four-year period.

Social Security Tax. Under current law, up to 50 percent of social security and railroad retirement benefits is included in taxable income for beneficiaries with incomes and benefits exceeding $25,000 for individuals and $32,000 for couples. The Administration's plan would include up to 85 percent of benefits in adjusted gross income for those with income and benefits exceeding current law thresholds. This proposal would increase revenues by $2.7 billion in 1994 and by $21.4 billion over the four-year period.

Business Tax. The Administration's plan would increase the corporate tax rate from 34 percent to 36 percent for taxable income above $10 million. This proposal would increase revenues by $7.7 billion in 1994 and by $24.3 billion over the four-year period. The plan would also reduce the deductible portion of meals and entertainment from 80 percent to 50 percent and would deny other business deductions including the deduction for compensation in excess of $1 million. The Administration's investment tax credit, corporate alternative minimum tax, and capital gains proposals are discussed in the economic stimulus section below.

Extension of Gas Tax. Currently, the federal government imposes a tax of 14.1 cents per gallon on gasoline. Traditionally, gas tax revenues are credited to the federal Highway Trust Fund (HTF) to support the federal-aid highways and mass transit grant programs. Of this gas tax, however, 2.5 cents per gallon is not deposited into the HTF but reserved to offset the federal deficit. The plan would extend this 2.5 cent tax that is scheduled to expire in 1995. While the plan does not specify where these increased revenues will be deposited, supporting budget documents suggest the revenues would be deposited in the HTF. The extension of this tax is estimated to generate $2.6 billion annually for 1996 and 1997. It is unclear at this point if the plan would extend the tax on diesel fuel as well. However, according to Federal Highway Administration (FHWA) officials, the plan's revenue estimates are consistent with a 2.5 cent tax on gasoline alone.

These revenues could help maintain the solvency of the HTF. According to recent revenue and cost estimates, the highway account of the HTF is projected to fail the so-called "Byrd Amendment" solvency test in 1995. This test measures the highway account's current outstanding commitments as compared to its current balance and future revenues. If the commitments are larger than the balance and revenues, states experience reduced highway funding. The plan's possible transfer of the extended 2.5 cent tax would supplement the HTF's revenues and help prevent such a reduction.

BTU Energy Tax. The Administration's plan includes a tax on the intrinsic energy value of fuels. This new tax, termed a "BTU" tax, would tax fossil, nuclear, and hydro-electric fuels at a rate of 25.7 cents per million British thermal units (BTU).[5] In addition to this base rate, oil would be taxed another 34.2 cents per million BTUs bringing the total tax for oil up to 59.9 cents. These rates would be indexed to the GDP deflator. Estimates indicate the tax will raise $49 billion over the four-year period.

5/ British thermal units are defined as the amount of energy needed to raise one pound of water one degree Fahrenheit.

According to Administration documents released with the economic plan, the BTU tax would directly affect end user prices of the following products: gasoline prices would rise approximately 5 percent or about 7.5 cents per gallon; residential natural gas prices would rise 4 percent or about 26.5 cents per metric cubic foot; residential electricity prices would rise 3 percent or about $2.24 a month; and home heating oil prices would rise 8 percent or 8.3 cents per gallon. In addition to these increases, consumers would experience higher prices as producers add the costs of the increased tax to the costs of their products.

This tax, which in most cases would be collected from producers or importers of the fuels, would be phased in over a three-year period beginning in July of 1994. During the first year, home heating oil would be exempt from the additional 34.2 cent tax. The plan also proposes an increase in the earned income tax credit and increases in the Food Stamps program and the Low Income Home Energy Assistance Program (LIHEAP) to help mitigate the tax's effects on low income people.

Major Economic Stimulus and Investment Proposals

The Administration's economic stimulus package would increase spending in 1993 for infrastructure and other programs by $19.3 billion, and provide tax incentives totaling $12 billion. Only about half of the new stimulus spending and tax incentives would increase the 1993 deficit. The remainder would be spent in 1994 and beyond. The plan's investment package would build on the economic stimulus proposals with longer term tax incentives and increases in federal spending on infrastructure, economic development, and human capital. In total, the economic stimulus and investment proposals would increase the deficit by $184 billion from 1993 to 1997. Table 4 summarizes the major spending and tax incentive proposals.

The 1993 stimulus spending increases will be included in a 1993 emergency supplemental appropriations bill to be considered by Congress in March. Because the investment package affects mostly discretionary programs, the 1994 through 1997 investment spending increases will ultimately be defined by future year appropriations bills. Appropriations bills for federal fiscal year 1994 will be considered later this year.

Spending Increases

Infrastructure Programs

Federal-aid Highways. The Administration's plan would increase federal-aid highways funding by almost $3.0 billion in 1993 and fully fund highways in future years at levels set in the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). The ISTEA authorized a significant increase in funding for federal-aid highways programs. However, annual spending authority provided in the appropriations process has not kept pace with these increases. In 1992, the obligation limitation (i.e., the annual spending limit) was $745 million less than originally authorized ($16.055 billion vs. $16.800 billion). In 1993, this disparity is even larger with an obligation limitation almost $3.0 billion less than the originally authorized level ($15.327 billion vs. $18.303 billion). The Administration's plan would eliminate this shortfall in 1993.

Although it is unclear at this point exactly how the Administration intends to distribute these additional funds, the plan indicates that more than one third of the additional 1993 funds will be directed to fast spending resurfacing, rehabilitation, and restoration projects. The plan is also not clear on matching requirements for the additional funds and timing requirements (i.e., states may be required to obligate funds within a certain time period or face losing the funding increase). Appendix Table 1 contains state-by-state estimates of possible allocations of the stimulus funds. These estimates assume the funds are distributed according to each state's share of the current 1993 obligation limitation.

Table 4. Major Economic Stimulus and Investment Proposals

(federal fiscal years, dollars in millions)

	1993 Budget Authority	1993 Obligations	1993 Outlays	1994 Outlays	1995 Outlays	1996 Outlays	1997 Outlays	Total 1993-97 Outlays
Spending Increases								
Infrastructure:								
Federal-aid highways	$0	$2,976	$316	$2,297	$2,141	$1,950	$1,695	$8,399
Mass transit capital	736	752	140	271	301	496	731	1,939
AIP grants	0	250	34	111	85	61	57	348
CDBG	2,536	2,536	659	1,323	599	100	137	2,818
Clean water SRF	845	845	39	233	616	1,072	1,474	3,434
Drinking water SRF	0	0	0	24	172	440	692	1,328
Weatherization grants	47	47	14	44	70	94	100	322
Information highways	64	38	3	37	72	98	129	339
EDA grants	94	94	9	29	29	18	7	92
Rural water grants	281	281	6	67	84	124	0	281
Human Capital and Other:								
Agriculture:								
Food stamps	0	0	0	1,000	2,000	3,000	3,000	9,000
WIC	75	75	68	325	532	800	984	2,709
TEFAP	23	23	23	0	0	0	0	23
Education:								
Reform and initiatives	0	0	0	206	1,043	2,206	2,697	6,152
Chapter 1								
Census supplemental	235	235	28	160	42	5	0	235
Summer 1993 programs	500	500	400	100	0	0	0	500
Pell Grants unfunded shortfalls								
School year 1993-1994	653	653	0	0	0	0	0	0
Prior years	1,371	1,371	0	0	0	0	0	0
Health and Human Services:								
Head Start								
Program growth	0	0	0	932	1,886	2,790	3,676	9,284
Summer program	500	500	425	75	0	0	0	500
Childcare feeding (Ag.)	56	56	48	8	0	0	0	56
LIHEAP	0	0	0	0	316	649	982	1,947
AIDS: Ryan White Act	200	200	152	108	192	305	392	1,149
Child Care and Dev. Block	0	0	0	30	95	145	200	470
Immunization	300	300	236	64	0	0	0	300
Substance Abuse Prevention	0	0	0	46	207	456	797	1,506
Labor: Summer youth	1,000	1,000	660	587	540	625	625	3,037
Other Spending	9,857	10,048	5,076	6,614	10,979	16,994	21,466	61,129
Subtotal, Spending	$19,373	$22,780	$8,336	$14,691	$22,001	$32,428	$39,841	$117,297
Tax Incentives								
Investment Tax Credit	6,442	6,442	6,442	6,399	3,584	107	-961	15,571
Earned Income Tax Credit	0	0	0	525	6,228	6,445	6,662	19,860
Targ. Capital Gains Exclusions	0	0	0	12	93	155	207	467
Extend R & E Tax Credit	0	0	0	1,207	1,503	1,750	1,977	6,437
Small Bus. Investment Tax Credit	0	0	0	2,795	3,133	3,027	3,309	12,264
Extend Low Inc. Housing Credit	0	0	0	214	478	791	1,114	2,597
Mortgage Revenue Bond	0	0	0	104	145	160	172	581
Targeted Jobs Tax Credit	0	0	0	170	327	406	496	1,399
Enterprise Zone Credits	0	0	0	73	347	772	1,228	2,420
Other Tax Incentives	0	0	0	1,264	1,254	1,166	1,074	4,758
Subtotal, Tax Incentives	6,442	6,442	6,442	12,763	17,092	14,779	15,278	66,354
Total Deficit Effect	$25,815	$29,222	$14,778	$27,454	$39,093	$47,207	$55,119	$183,651

Mass Transit Capital. The Administration's plan would increase mass transit capital funding by $752 million in 1993 and increase spending for future years by $1.2 billion above baseline outlay levels for 1994 through 1997. These stimulus funds would be in addition to the $3.6 billion already appropriated in 1993. As with the federal-aid highways program, mass transit grants received large funding increases under the ISTEA that have not yet been fully realized in annual appropriations action. In 1993, mass transit received $1.606 billion less than the authorized amount ($3.629 billion vs. $5.235 billion).

The federal government uses formula and discretionary grants to fund mass transit projects. These projects usually consist of activities such as bus and rail vehicle purchases and facility construction. Congress typically allows transit authorities to use a portion of the formula grants for operating expenses. Grant recipients must match federal funds at 20 percent and 50 percent of total project costs for capital and operating expenses, respectively. The Administration's plan specifies additional funds would be used for capital purposes. In 1993, $270 million of the additional amount would be used for bus and van purchases, with the remainder available for bus or rail capital investment. Appendix Table 2 contains state-by-state estimates of possible allocations of the stimulus funds. These estimates assume funds for bus and van purchases would be allocated on a discretionary basis, while all other funds would be distributed according to each state's share of current 1993 funding.

Airport Improvement Program. The Administration's plan would increase funding for the Airport Improvement Program (AIP) by $250 million in 1993. This would be in addition to the $1.8 billion already appropriated for 1993. The plan proposes to increase funding by $107 million above baseline outlay levels for 1994 through 1997. The AIP provides federal grants to individual public-use airports for capital development and noise compatibility projects. Airports must match federal funds at varying rates (between 10 and 25 percent of total project costs) depending on the size of the airport and the type of project. It is not clear how these additional funds would be distributed. Traditionally, the AIP distributes the majority of its funds on a formula basis with the remainder distributed to airports at the U.S. Secretary of Transportation's discretion.

Community Development Block Grants. The Administration's plan would increase funding for Community Development Block Grants (CDBGs) by $2.5 billion in 1993 and by $282 million above baseline outlay levels for 1994 through 1997. The 1993 increase is in addition to the $4 billion appropriated for this program in 1993. Under current law, CDBG funds are allocated on a formula basis to localities and used for a wide range of neighborhood revitalization and economic development programs that develop viable urban communities. While most of these funds are distributed directly to cities and urban counties, states administer CDBG programs funds for small cities. Appendix Table 3 contains state-by-state estimates of possible allocations of the stimulus funds. These estimates assume stimulus funds will be allocated consistent with each state's share of current 1993 funding. It also assumes current law splits between entitlement funds (large city) and non-entitlement funds (small city) will be maintained.

Environmental State Revolving Funds. The Administration's plan would provide an $845 million increase in 1993 funding for capitalization grants under the wastewater treatment state revolving fund program. These funds are in addition to the $1.9 billion already appropriated for this purpose in 1993. Under current law, the states administer wastewater treatment revolving funds and make loans to localities to construct water infrastructure projects. Although some states still receive direct construction grants, most of the federal appropriation each year is for capitalization payments to states for their revolving funds. States usually must provide a match of at least 20 percent of the total federal grant. The Administration has indicated it will waive the matching requirements for the stimulus funding. Direct federal grants are usually made at the discretion of Congress while SRF capitalization grants are distributed by statutory formula. Appendix Table 4 contains state-by-state estimates of possible allocations of the stimulus funds. These estimates assume stimulus funds will be allocated consistent with each state's share of current 1993 funding, and that one-half of one percent of the increase will be set aside for Indian tribes.

The Administration's deficit reduction plan assumes the 1993 appropriation will be the final federal payment to the state revolving funds, thereby producing federal savings in years 1994 through 1997 (see discussion above). Beginning in 1994, the Administration is proposing to use these savings to offset the costs ($4 billion over four years) of a new clean water state revolving fund and a new revolving fund to help municipalities comply with requirements imposed by the Safe Drinking Water Act. In addition, selected construction grants will also be maintained. The plan does not provide details on how these new programs will operate.

Information Highways. The Administration's plan includes funding for the development of a "...broad band interactive telecommunications network linking the nation's schools, libraries, health care facilities, governments, and other public information producers..." The U.S. Department of Commerce would administer grants to states, local governments, and educational and other institutions. The proposal calls for an appropriation of $64 million in 1993 for this purpose and would increase spending in future years by $275 million above baseline outlay levels for 1994 through 1997. The plan does not specify any matching requirements or criteria for distribution of the funds.

Weatherization Assistance. The plan would increase funding for the Weatherization Assistance program by $47 million in 1993, and increase spending for future years by $275 million above baseline outlay levels for 1994 through 1997. The stimulus funding would be in addition to the $185 million already appropriated in 1993. This program provides state and, in some cases, local governments with funds for the insulation of low-income persons' dwellings, particularly the elderly and handicapped. Under current law, the program distributes funds on the basis of each state's relative heating and cooling days during the period 1951 to 1980, its share of low-income population, and its percentage of total residential energy used for heating and cooling. No match is required. The plan proposes to distribute the additional funds differently than current law, but provides no specifics. States would be required to fully match all additional federal funds received.

Economic Development Administration (EDA). The Administration's plan would provide an additional $94 million in 1993 for EDA awards to economically distressed areas to rebuild infrastructure and for the purposes of planning for economic development. These stimulus funds would be in addition to the $217 million appropriated in 1993 for EDA grants. Included in the 1993 current law appropriation is $147 million for public works grants and $25 million for planning grants. Under current law, these grants are awarded on a discretionary project-by-project basis.

Rural Water and Wastewater Grants. The Administration's plan would provide $281 million in grants in 1993 for the Rural Development Administration to help poor rural communities comply with clean water standards. The plan does not include details on how these funds would be distributed. The existing rural water and waste disposal program makes grants to rural area associations for up to 75 percent of the costs of developing projects for the storage and treatment of water or disposal of wastes In 1993, the appropriation for this program is $390 million. A much smaller experimental program, the rural clean water program, provided financial and technical assistance to private individuals, but the program has not received an appropriation in the last three years.

Historic Preservation Grants. As part of the Administration's economic stimulus plan, funding for Historic Preservation grants to states would be increased by $23 million in 1993. These funds would supplement the $30.7 million already appropriated for 1993. This program provides funds to help maintain the National Register of Historic Places. The additional funds would be used to fund a backlog of brick and mortar rehabilitation projects, emergency surveys, engineering reports, and other projects

Human Capital and Other Investments

Summer Youth Program. The Administration's plan would increase funding for the Job Training Partnership Act (JTPA) Title II-B summer youth program by $1 billion dollars for the summer of 1993. This funding increase is in addition to the $683 million appropriated for the summer of 1993.[6] The summer youth program provides economically disadvantaged youth, ages 14 to 21, with work experience, education, and support services during the summer months. The Administration's plan would allocate approximately one-half of the stimulus funds to the 100 American cities with the largest number of eligible youth.[7] Under current law, summer youth allocations are made to states which then distribute funds to service delivery areas. Appendix Table 5 shows state current law allocations for the summer of 1993 and estimates state allocations of stimulus funds assuming $500 million of the $1 billion is allocated based on the current law formula.

Chapter 1 Education Programs. The Administration's economic stimulus plan includes $500 million in one-time supplemental funding for Chapter 1 compensatory education programs for the summer of 1993. The Administration will propose appropriation language to ensure that at least 80 percent of the $500 million is spent at the local level by September 30, 1993. These funds would be in addition to the $6.7 billion already appropriated for Chapter 1 for 1993. The Chapter 1 program provides federal funding to improve opportunities for disadvantaged children. Most of the funds are awarded to local educational agencies through basic and concentration grants, but funds are also provided for state administration, and for state programs for the handicapped, migrant, and neglected or delinquent. The primary factor in the formula used to allocate funding for Chapter 1 programs is each state's share of children living in poverty as reported by the decennial census. Appendix Table 6 contains state-by-state estimates of possible allocations of the stimulus funds. These estimates assume stimulus funds will be allocated consistent with each state's share of 1993 concentration grant 1993 funding.

The Administration's plan also calls for a $235 million supplemental appropriation for 1993 only, to partially offset the loss of Chapter 1 funds in some areas due to the shift from 1980 to 1990 census data. Funding will be distributed to restore counties to between 90 and 92.5 percent of their 1992 levels. Appendix Table 6 also compares 1992 and 1993 basic and concentration grant allocations and shows which states lost funding between 1992 and 1993.

Head Start. As part of the economic stimulus plan, $500 million would be provided in 1993 for a new head start summer program. These funds would be in addition to the $2.8 billion already appropriated for head start in 1993. The summer program is intended to help children retain the gains made in head start during the school year, and would eventually enroll up to 350,000 children. Appendix Table 7 contains state-by-state estimates of possible allocations of the stimulus funds. These estimates assume stimulus funds will be allocated consistent with each state's share of current law 1993 allocations.

The Administration's plan also proposes to increase head start spending for future years by $9.3 billion above baseline outlay levels for 1994 through 1997. The head start program provides project grants to local governments and non-profit agencies for the provision of comprehensive health, educational, nutritional, social, and other related services to economically disadvantaged pre-school children and their families. The additional funds would allow the program to increase the number of children served from 622,000 in 1992 to an estimated 1.4 million children by 1999.

6/ The summer youth program is forward-funded. Funding to be allocated during the summer of 1993 was appropriated during the federal fiscal year 1992 appropriations process (i.e., the fall of 1991).

7/ Last summer's $500 million summer youth emergency appropriation (P.L. 102-302) set aside $100 million to be allocated to the nation's 75 largest cities. By comparison, the Clinton plan would set aside $500 million for cities with the largest number of eligible individuals.

Child Care and Adult Care Feeding. The Administration's stimulus plan would provide a $56 million increase in funding for the child and adult care food program. This increase is in addition to the $1.3 billion appropriated for 1993. This program, administered by the U.S. Food and Nutrition Service and the states, provides cash and commodities for food service for children in non-residential child care centers and family day care homes. The proposed increase would pay for meals and snacks at head start centers for children in the proposed summer head start program.

Immunizations. The Administration's stimulus plan would increase funding for immunization programs by $300 million in 1993. These funds would supplement the $342 million already appropriated for the Centers for Disease Control's (CDC) immunization programs in 1993, including $288 million for grants to states. The stimulus plan does not specify how the funding would be divided between the CDC and state immunization programs. The investment plan includes an item labeled "AIDS, immunization, NIH research, and public health initiatives", an unspecified part of which would be used to continue funding for the immunization program between 1994 and 1997. Because these funds are allocated on a project-by-project discretionary basis, it is impossible to estimate how the stimulus funds will be allocated in 1993. As a benchmark, Appendix Table 8 shows how much each state actually received in immunization grants in 1992.

Ryan White AIDS Programs. The Administration's plan phases in full funding for the Ryan White AIDS programs, starting with a $200 million increase in 1993 appropriations levels. These funds would be in addition to the $348 million already appropriated for 1993 for the three Ryan White grant programs. As part of the investment package, funding would increase by $60 million in 1994 and $949 million over four years. Title I of the Ryan White Act provides grants to cities with the largest AIDS incidence rates. Title II provides grants to all states according to the number of reported AIDS cases. Title III provides grants to non-profit organizations for prevention activities. For 1993, the Ryan White Act requires states to provide $1 in non-federal matching funds for every $3 in grants made under Title II. After 1993, this ratio will drop to $1 for every $2 in federal funds. The Administration's proposal does not include any waiver of the matching requirement. While the plan does not specify how the new funds will be divided between the three grant programs, the Department of Health and Human Services has indicated that $85 million of the $200 million 1993 increase will be devoted to Title II grants to states. Appendix Table 9 contains state-by-state estimates of possible allocations of the stimulus funds. These estimates assume that the stimulus funds will be allocated consistent with each state's share of current 1993 funding. The table also assumes that a portion of the increase will be set aside for national projects.

Supplemental Food Program for Women, Infants, and Children (WIC). The Administration's plan would increase WIC funding by $75 million in 1993. This is in addition to the $2.9 billion appropriated for this program in 1993. The WIC program provides supplemental foods to low income pregnant, postpartum, and breast feeding women, as well as infants and children up to the age of five who are determined to be at nutritional risk. The U.S. Food and Nutrition Service makes funds available to participating state agencies which, in turn, distribute the funds to participating local agencies. The stimulus proposal would allow the program to serve an estimated 300,000 additional participants. The Administration's plan would also increase WIC funding for future years by $2.6 billion above baseline outlay levels for 1994 through 1997. These increases are intended to ensure that WIC serves all eligible children. Appendix Table 10 contains state-by-state estimates of possible allocations of the stimulus funds. These estimates assume stimulus funds will be allocated consistent with each state's share of preliminary 1993 allocations.

Extension of UI Compensation. The Administration's plan would extend the emergency unemployment compensation program for seven months through October 2, 1993, with final benefit payments to be made by January 15, 1994. This program provides an additional 20 to 26 weeks of benefits for workers who have exhausted regular unemployment benefits. Without the new extension, benefits paid under the emergency program would continue through June 19, but no new claims could be filed after March 6, 1993. This extension would have a net federal cost of $3.2 billion in 1993 and $2.4 billion in 1994.

The extension of emergency benefits is estimated to reduce the costs of the non-emergency extended benefits by $800 million in 1993. The House version of this proposal (H.R. 920) is currently being considered.

Pell Grants. As part of the economic stimulus plan, the Administration would provide over $2.0 billion to cover shortfalls in the Pell Grant program for school year 1993-1994 ($653 million) and prior years ($1.371 billion). These funds would be in addition to the $6 billion already appropriated for 1993. This program provides direct payments to undergraduate students enrolled in eligible institutes of higher education, and is the primary form of federal grant assistance to undergraduate students who can demonstrate need. In most cases, institutions act as the fiscal agents for the federal government in disbursing program funds.

Education Reform and Initiatives. As part of the investment plan, $6.2 billion would be provided over four years to support reforms in elementary, secondary, and postsecondary education. Reforms include, but are not limited to, state and local systematic reforms, a new SAFE schools program, and student assistance program improvements. The plan does not specify how the additional funds would bee distributed.

Child Care and Development Block Grant. As part of the investment plan, funding for the child care and development block grant would increase by $470 million above baseline levels over four years. This program provides formula grants to states for child care and other services for children up to age 12, primarily of working parents. States give beneficiaries the option of enrolling their children or receiving a child care certificate. Seventy-five percent of the funds are to be used for child care, with the balance available for before- and after-school care and quality improvements (resource and referral programs, assistance in meeting state and local standards, monitoring of compliance with licensing and regulatory requirements, training, and improving salaries). The plan does not specify how the additional funds would be distributed.

Substance Abuse Prevention and Treatment. As part of the investment package, the plan proposes challenge grants to the states to create additional substance abuse treatment capacity for pregnant women and hard-to-treat populations. The plan provides $46 million in 1994 and $1.5 billion over four years. The plan does not specify how the funds would be distributed (i.e., through a new program, the substance abuse block grant, or another existing program.)

Tax Incentives

Investment Tax Credit. As part of the economic stimulus proposal, the Administration's plan would give small businesses, defined as those with gross receipts under $5 million, a permanent investment tax credit on their equipment. For 1993 and 1994, the credit would be 7 percent. The investment package would lower the rate to 5 percent for 1995 and thereafter. All businesses would be eligible for a 7 percent temporary marginal investment tax credit that would apply to investments acquired between December 3, 1992 and December 31, 1994. The rate would be lower for shorter-lived property.

For large companies, the credit would be applied to investments that exceeded an historic investment base. The temporary marginal investment tax credit and the permanent small business investment tax credit would cause $6.4 billion in lost revenue in 1993. The permanent small business investment tax credit would cause the Treasury to lose $2.8 billion in revenues in 1994 and $12.3 billion between 1994 and 1997. The temporary investment tax credit would cost $6.4 billion in 1994 and $9.1 billion over four years.

Earned Income Tax Credit. The investment package proposes to expand the Earned Income Tax Credit (EITC) at a cost of $525 million in 1994, and $19.9 billion over four years. The EITC provides a refundable tax credit for low-income working families.[8] Supporting documents do not provide eligibility criteria, but the intent is to "assure that a family of four will not be forced to live in poverty, if one of the parents works full-time at a minimum wage job."

Targeted Capital Gains Exclusions. The investment proposal contains a targeted capital gains exclusion similar to those passed twice last year as part of two vetoed tax bills. The proposal would provide a 50 percent exclusion on gains earned on stock in qualified small (less than $25 million capitalization), start-up businesses held for at least five years. The proposal would cost $12 million in 1994 and $467 million over four years.

Enterprise Zone Credits. The investment proposal would create 50 federal enterprise zones to encourage businesses to invest in economically depressed areas. Investors in these zones would receive a 25 percent credit for the first $15,000 in wages paid to zone residents and accelerated depreciation or expensing of investments in enterprise zone property. Small businesses in qualifying economically distressed areas would be eligible for low interest loans through tax-exempt financing even if an area is not selected as one of the zones. The proposal contains a number of other incentives for investment in the zones. In 1994, the proposal would cost $73 million. Over four years, the Treasury would lose $2.4 billion in revenues.

Extension of Expired Provisions. The investment proposal contains permanent extensions, retroactive to July 1992, of the research and development tax credit, the low income housing credit, the targeted jobs tax credit, and mortgage revenue bonds. Extensions of these tax provisions were included in H.R. 11, which was vetoed last fall. Extending these provisions would cost a total of $1.7 billion in 1994 and $11 billion over four years. The proposal also contains provisions that would allow tax-exempt bonds to be issued for the development of high speed rail facilities. High speed rail bonds would not be subject to the state private activity bond limitation ceiling.

Next Steps in the Process

Timing. The Administration policy defined in the economic plan will be used by the Office of Management and Budget and federal agencies to prepare the detailed 1994 federal budget, now scheduled to be released in early April. The spending increases included in the economic plan will be included in a 1993 emergency supplemental appropriations bill to be considered in the coming weeks. Action on the supplemental is expected to be completed by April. The broad outlines of the tax and mandatory program provisions of the Administration's plan will be considered as part of the 1994 congressional budget resolution, while the details will be included in an omnibus budget reconciliation bill. The President and Congressional leaders have agreed to consider the budget resolution before completing action on the emergency supplemental appropriations bill. Because the budget resolution contains only broad spending and revenue guidelines, it is possible to complete the congressional budget resolution before the detailed President's budget for 1994 is submitted.

Budget Process. Under current law, the Budget Enforcement Act (BEA) walls between defense, domestic, and international discretionary spending will be replaced by an aggregate limit on discretionary spending beginning with federal fiscal year 1994. These limits and the other BEA spending controls (i.e., the pay-as-you-go rules and the maximum deficit amounts) will expire after federal fiscal year 1995. The Administration's plan calls for enactment of "a strong, workable enforcement mechanism" to ensure the credibility of the deficit reduction package. The plan indicates the budget to be released in April will include proposals to extend the BEA discretionary limits through 1998 and the pay-as-you-go provisions through 2003. In addition, the Administration will support

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8/ A refundable tax credit deducts the amount of the credit from the total tax liability. If the credit exceeds the amount of tax owed, the taxpayer receives a refund check from the government.

enactment of legislation giving the President enhanced rescission authority. Such authority would require expedited Congressional review of Presidential rescission proposals.[9] It is also likely that Congress will consider other reforms such as a balanced budget amendment, a line item veto, and a cap on mandatory spending.

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9/ See FFIS Budget Brief 92-17 for more information on these and other budget process reform proposals.

Table A-1
Federal-aid Highways Obligation Limitation
Potential Impact of Administration's Stimulus Package

(federal fiscal years; dollars in thousands)

State	1993 Distribution	State Share	FHWA Estimated Stimulus
Alabama	$224,069	1.33%	$47,154
Alaska	176,082	1.05%	37,008
Arizona	179,309	1.07%	37,729
Arkansas	141,108	0.84%	29,687
California	1,237,599	7.37%	260,488
Colorado	190,776	1.14%	40,163
Connecticut	297,526	1.77%	62,599
Delaware	57,894	0.34%	12,169
Dist of Col	78,687	0.47%	16,539
Florida	480,491	2.86%	101,155
Georgia	375,045	2.23%	78,940
Hawaii	221,641	1.32%	47,007
Idaho	94,116	0.56%	19,786
Illinois	523,452	3.12%	110,123
Indiana	279,959	1.67%	58,987
Iowa	175,612	1.05%	36,909
Kansas	160,254	0.95%	33,681
Kentucky	200,485	1.19%	42,203
Louisiana	213,999	1.27%	45,023
Maine	70,921	0.42%	14,910
Maryland	213,614	1.27%	44,949
Massachusetts	879,166	5.23%	184,784
Michigan	358,067	2.13%	75,413
Minnesota	277,312	1.65%	58,569
Mississippi	153,799	0.92%	32,350
Missouri	296,323	1.76%	62,365
Montana	136,200	0.81%	28,626
Nebraska	122,961	0.73%	25,870
Nevada	86,821	0.52%	18,249
New Hampshire	67,951	0.40%	14,283
New Jersey	410,597	2.44%	86,328
New Mexico	148,381	0.88%	31,185
New York	777,799	4.63%	163,571
North Carolina	324,854	1.93%	68,351
North Dakota	87,259	0.52%	18,341
Ohio	471,656	2.81%	99,330
Oklahoma	181,954	1.08%	38,278
Oregon	168,544	1.00%	35,436
Pennsylvania	580,483	3.46%	122,116
Rhode Island	88,760	0.53%	18,656
South Carolina	194,058	1.16%	40,899
South Dakota	93,666	0.56%	19,687
Tennessee	274,684	1.63%	57,805
Texas	861,611	5.13%	181,322
Utah	105,254	0.63%	22,124
Vermont	62,092	0.37%	13,052
Virginia	264,384	1.57%	55,655
Washington	272,800	1.62%	57,402
West Virginia	132,963	0.79%	27,948
Wisconsin	245,124	1.46%	51,573
Wyoming	94,250	0.56%	19,810
Puerto Rico	67,613	0.40%	14,216
Other	1,446,723	N/A	55,446
Total	**$15,326,750**	**N/A**	**$2,976,250**

Note: Other includes funds for Territories, Federal administration, and Allocation Reserves.

Source: Federal Highway Administration data.

Table A-2
Mass Transit
Potential Impact of Administration's Stimulus Package

(federal fiscal years; dollars in thousands)

	Section 9 Urban		Section 18 Rural		Section16 Elderly		
State	1993 Allocation	Estimated Stimulus	1993 Allocation	Estimated Stimulus	1993 Allocation	Estimated Stimulus	Total Stimulus
Alabama	$8,347	$2,344	$2,183	$609	$844	$296	$3,249
Alaska	1,349	379	325	91	167	135	605
Arizona	17,253	4,846	1,001	279	749	274	5,399
Arkansas	2,665	749	1,745	487	602	239	1,474
California	237,323	66,656	4,259	1,187	4,392	1,141	68,985
Colorado	16,692	4,688	909	253	590	236	5,177
Connecticut	24,468	6,872	825	230	670	255	7,357
Delaware	2,743	770	206	57	232	150	978
Dist. of Col.	15,277	4,291	0	0	230	150	4,441
Florida	68,919	19,357	2,738	763	2,977	804	20,924
Georgia	26,509	7,446	3,191	890	1,082	353	8,688
Hawaii	12,965	3,641	358	100	284	163	3,904
Idaho	1,606	451	723	201	289	164	817
Illinois	119,547	33,577	2,905	810	1,939	557	34,944
Indiana	18,427	5,175	2,828	789	1,037	342	6,306
Iowa	4,740	1,331	1,819	507	644	249	2,087
Kansas	4,345	1,220	1,447	403	547	225	1,849
Kentucky	9,112	2,559	2,389	666	811	288	3,514
Louisiana	14,667	4,120	1,976	551	813	289	4,959
Maine	1,152	324	953	266	351	179	768
Maryland	39,488	11,091	1,190	332	817	290	11,712
Massachusetts	61,058	17,149	1,276	356	1,158	371	17,876
Michigan	33,496	9,408	3,454	963	1,665	492	10,863
Minnesota	14,108	3,963	1,988	554	828	292	4,809
Mississippi	2,521	708	1,940	541	586	235	1,484
Missouri	16,970	4,766	2,315	646	1,051	345	5,757
Montana	1,215	341	585	163	269	159	664
Nebraska	4,593	1,290	883	246	397	190	1,726
Nevada	5,422	1,523	288	80	306	168	1,771
New Hampshir	1,704	479	764	213	291	165	856
New Jersey	93,741	26,329	1,092	304	1,383	424	27,058
New Mexico	3,721	1,045	858	239	354	180	1,464
New York	295,819	83,086	3,843	1,071	3,150	845	85,002
North Carolina	13,092	3,677	4,082	1,138	1,225	387	5,202
North Dakota	1,185	333	433	121	235	151	605
Ohio	46,723	13,123	4,156	1,159	2,022	577	14,858
Oklahoma	5,893	1,655	1,754	489	705	263	2,407
Oregon	12,836	3,605	1,411	393	658	252	4,251
Pennsylvania	86,638	24,334	4,636	1,293	2,416	670	26,297
Rhode Island	5,570	1,564	177	49	317	171	1,785
South Carolina	6,219	1,747	2,043	570	683	258	2,574
South Dakota	855	240	528	147	250	155	542
Tennessee	12,331	3,463	2,637	735	989	331	4,529
Texas	77,269	21,702	5,568	1,553	2,494	689	23,944
Utah	10,354	2,908	400	112	333	175	3,194
Vermont	430	121	472	132	214	146	398
Virginia	25,303	7,107	2,338	652	1,027	340	8,099
Washington	37,438	10,515	1,638	457	926	316	11,287
West Virginia	2,071	582	1,393	388	510	217	1,187
Wisconsin	18,075	5,077	2,407	671	944	320	6,068
Wyoming	593	167	337	94	188	140	401
Puerto Rico	13,637	3,830	1,385	386	627	244	4,461
Other	0	0	322	90	366	354	270,444
Total	$1,558,475	$437,724	$91,375	$25,476	$48,636	$16,800	$750,000

Note: Totals do not include funds not specifically allocated to the states (i.e., national research, university grants, or administrative

Source: Federal Transit Administration data.

Table A-3
Community Development Block Grant
Potential Impact of Administration's Stimulus Package
(federal fiscal years; dollars in thousands)

	1993 Allocations				Estimated Stimulus		
State	Entitlement	Nonentitlement	Total	1993 Share	Entitlement	Nonentitlement	Total
Alabama	$26,874	$32,119	$58,993	1.52%	$17,302	$20,678	$37,980
Alaska	2,098	2,302	4,400	0.11%	1,351	1,482	2,833
Arizona	36,336	8,731	45,067	1.16%	23,393	5,621	29,014
Arkansas	7,806	23,320	31,126	0.80%	5,026	15,013	20,039
California	391,560	32,939	424,499	10.90%	252,087	21,206	273,293
Colorado	27,151	10,329	37,480	0.96%	17,480	6,650	24,130
Connecticut	30,323	12,037	42,360	1.09%	19,522	7,749	27,271
Delaware	5,544	1,862	7,406	0.19%	3,569	1,199	4,768
Dist of Col	20,260	0	20,260	0.52%	13,043	0	13,043
Florida	131,591	26,424	158,015	4.06%	84,718	17,012	101,730
Georgia	38,654	41,611	80,265	2.06%	24,885	26,789	51,675
Hawaii	13,470	3,358	16,828	0.43%	8,672	2,162	10,834
Idaho	1,139	8,757	9,896	0.25%	733	5,638	6,371
Illinois	169,432	38,643	208,075	5.34%	109,081	24,878	133,959
Indiana	43,453	33,662	77,115	1.98%	27,975	21,672	49,647
Iowa	16,103	28,536	44,639	1.15%	10,367	18,372	28,739
Kansas	12,540	19,134	31,674	0.81%	8,073	12,318	20,392
Kentucky	22,439	33,585	56,024	1.44%	14,446	21,622	36,068
Louisiana	44,332	34,048	78,380	2.01%	28,541	21,920	50,461
Maine	5,149	12,908	18,057	0.46%	3,315	8,310	11,625
Maryland	49,594	9,560	59,154	1.52%	31,929	6,155	38,083
Massachusetts	79,482	31,981	111,463	2.86%	51,171	20,589	71,760
Michigan	117,400	38,345	155,745	4.00%	75,582	24,687	100,269
Minnesota	41,188	22,516	63,704	1.64%	26,517	14,496	41,013
Mississippi	6,252	36,097	42,349	1.09%	4,025	23,239	27,264
Missouri	52,805	28,817	81,622	2.10%	33,996	18,552	52,548
Montana	1,957	7,543	9,500	0.24%	1,260	4,856	6,116
Nebraska	8,363	13,721	22,084	0.57%	5,384	8,834	14,218
Nevada	10,224	2,008	12,232	0.31%	6,582	1,293	7,875
New Hampshire	3,975	7,854	11,829	0.30%	2,559	5,056	7,616
New Jersey	108,394	9,253	117,647	3.02%	69,784	5,957	75,741
New Mexico	6,987	12,792	19,779	0.51%	4,498	8,236	12,734
New York	342,293	46,392	388,685	9.98%	220,369	29,867	250,236
North Carolina	22,826	46,347	69,173	1.78%	14,695	29,838	44,534
North Dakota	1,815	6,046	7,861	0.20%	1,168	3,892	5,061
Ohio	130,682	51,566	182,248	4.68%	84,133	33,198	117,331
Oklahoma	15,758	19,061	34,819	0.89%	10,145	12,271	22,417
Oregon	20,537	12,918	33,455	0.86%	13,222	8,317	21,538
Pennsylvania	194,983	51,897	246,880	6.34%	125,530	33,411	158,942
Rhode Island	13,276	4,737	18,013	0.46%	8,547	3,050	11,597
South Carolina	11,342	30,621	41,963	1.08%	7,302	19,714	27,016
South Dakota	1,535	7,604	9,139	0.23%	988	4,895	5,884
Tennessee	30,321	28,882	59,203	1.52%	19,521	18,594	38,115
Texas	187,993	74,547	262,540	6.74%	121,030	47,993	169,024
Utah	14,851	6,713	21,564	0.55%	9,561	4,322	13,883
Vermont	899	6,428	7,327	0.19%	579	4,138	4,717
Virginia	40,898	22,653	63,551	1.63%	26,330	14,584	40,914
Washington	44,981	12,162	57,143	1.47%	28,959	7,830	36,789
West Virginia	8,935	20,429	29,364	0.75%	5,752	13,152	18,905
Wisconsin	40,678	29,416	70,094	1.80%	26,189	18,938	45,127
Wyoming	1,139	3,325	4,464	0.11%	733	2,141	2,874
Puerto Rico	66,833	61,514	128,347	3.30%	43,027	39,603	82,630
Total	**$2,725,450**	**$1,168,050**	**$3,893,500**		**$1,754,648**	**$751,992**	**$2,506,640**

Table A-4
Wastewater Treatment Construction State Revolving Fund
Potential Impact of Administration's Stimulus Package
(federal fiscal years; dollars in thousands)

State	1993 Allocation	Share of 1993 Total	Estimated Stimulus 1/
Alabama	$21,709	1.13%	$9,517
Alaska	11,620	0.60%	5,094
Arizona	13,113	0.68%	5,749
Arkansas	12,700	0.66%	5,568
California	138,854	7.20%	60,872
Colorado	15,530	0.81%	6,808
Connecticut	23,784	1.23%	10,427
Delaware	9,531	0.49%	4,178
Dist of Col	9,531	0.49%	4,178
Florida	65,535	3.40%	28,730
Georgia	32,826	1.70%	14,391
Hawaii	15,037	0.78%	6,592
Idaho	9,531	0.49%	4,178
Illinois	87,806	4.56%	38,494
Indiana	46,789	2.43%	20,512
Iowa	26,276	1.36%	11,519
Kansas	17,524	0.91%	7,683
Kentucky	24,710	1.28%	10,833
Louisiana	21,343	1.11%	9,356
Maine	15,029	0.78%	6,589
Maryland	46,956	2.44%	20,585
Massachusetts	65,917	3.42%	28,897
Michigan	83,480	4.33%	36,597
Minnesota	35,684	1.85%	15,644
Mississippi	17,492	0.91%	7,668
Missouri	53,821	2.79%	23,595
Montana	9,531	0.49%	4,178
Nebraska	9,930	0.52%	4,353
Nevada	9,531	0.49%	4,178
New Hampshire	19,402	1.01%	8,506
New Jersey	79,337	4.12%	34,781
New Mexico	9,531	0.49%	4,178
New York	214,294	11.12%	93,945
North Carolina	35,039	1.82%	15,361
North Dakota	9,531	0.49%	4,178
Ohio	109,297	5.67%	47,915
Oklahoma	15,685	0.81%	6,876
Oregon	21,932	1.14%	9,615
Pennsylvania	76,905	3.99%	33,714
Rhode Island	13,036	0.68%	5,715
South Carolina	19,889	1.03%	8,719
South Dakota	9,531	0.49%	4,178
Tennessee	28,203	1.46%	12,364
Texas	88,738	4.60%	38,902
Utah	10,230	0.53%	4,485
Vermont	9,531	0.49%	4,178
Virginia	39,733	2.06%	17,419
Washington	33,763	1.75%	14,801
West Virginia	30,265	1.57%	13,268
Wisconsin	52,487	2.72%	23,010
Wyoming	9,531	0.49%	4,178
Puerto Rico	25,322	1.31%	11,101
Virgin Islands	1,012	0.05%	444
Territories	4,519	0.23%	1,981
Indian Tribes	9,638	0.50%	4,225
Total	**$1,927,500**		**$845,000**

1/ Assumes that 1/2 percent of the additional funds will be set aside for Indian Tribes.

Table A-5
Summer Youth Employment
Potential Impact of Administration's Stimulus Package

(federal fiscal years, dollars in thousands)

State	Summer 1993 Allocation	State Share	Estimated Stimulus
Alabama	$12,343	1.8%	$9,037
Alaska	1,755	0.3%	1,285
Arizona	9,436	1.4%	6,908
Arkansas	7,455	1.1%	5,458
California	86,849	12.7%	63,587
Colorado	7,486	1.1%	5,481
Connecticut	7,185	1.1%	5,260
Delaware	1,673	0.2%	1,225
Dist of Columbia	3,092	0.5%	2,264
Florida	35,991	5.3%	26,351
Georgia	13,627	2.0%	9,977
Hawaii	1,673	0.2%	1,225
Idaho	2,260	0.3%	1,655
Illinois	33,082	4.8%	24,221
Indiana	11,102	1.6%	8,128
Iowa	4,061	0.6%	2,973
Kansas	2,655	0.4%	1,944
Kentucky	10,707	1.6%	7,839
Louisiana	18,733	2.7%	13,715
Maine	3,344	0.5%	2,449
Maryland	9,801	1.4%	7,176
Massachusetts	18,452	2.7%	13,510
Michigan	30,725	4.5%	22,496
Minnesota	7,597	1.1%	5,562
Mississippi	9,995	1.5%	7,318
Missouri	11,759	1.7%	8,610
Montana	2,364	0.3%	1,731
Nebraska	1,673	0.2%	1,225
Nevada	2,339	0.3%	1,713
New Hampshire	2,744	0.4%	2,009
New Jersey	17,994	2.6%	13,174
New Mexico	4,319	0.6%	3,162
New York	49,349	7.2%	36,131
North Carolina	13,241	1.9%	9,695
North Dakota	1,673	0.2%	1,225
Ohio	24,917	3.6%	18,243
Oklahoma	7,523	1.1%	5,508
Oregon	6,997	1.0%	5,123
Pennsylvania	29,204	4.3%	21,382
Rhode Island	2,972	0.4%	2,176
South Carolina	8,117	1.2%	5,943
South Dakota	1,673	0.2%	1,225
Tennessee	12,013	1.8%	8,795
Texas	47,354	6.9%	34,671
Utah	2,304	0.3%	1,687
Vermont	1,673	0.2%	1,225
Virginia	12,822	1.9%	9,388
Washington	11,337	1.7%	8,300
West Virginia	7,513	1.1%	5,500
Wisconsin	8,308	1.2%	6,083
Wyoming	1,673	0.2%	1,225
Puerto Rico	24,420	3.6%	17,879
Virgin Islands	359	0.1%	263
Territories	778	0.1%	570
Native American	12,419	1.8%	9,093
Allocated to Cities	0	0.0%	500,000
Total	**$682,912**	**100.0%**	**$1,000,000**

Table A-6
Chapter 1 Compensatory Education Programs
Potential Impact of Administration's Stimulus Package

(federal fiscal years; dollars in thousands)

	1992 Allocation		Estimated 1993 Allocation		$ Change Basic and Concentration Grants	State Share Concentration Grants	Estimated Summer
State	LEA Basic	LEA Concentration	LEA Basic	LEA Concentration	1992-1993	1993	Stimulus
Alabama	$116,147	$17,578	$102,536	$14,711	-$16,478	2.18%	$10,881
Alaska	10,208	637	11,262	536	953	0.08%	396
Arizona	54,791	7,602	73,795	12,271	23,673	1.82%	9,076
Arkansas	64,975	9,217	59,683	8,423	-6,086	1.25%	6,230
California	475,915	65,451	557,078	85,606	101,318	12.66%	63,318
Colorado	45,270	3,589	53,952	5,386	10,479	0.80%	3,984
Connecticut	59,348	4,805	50,547	3,170	-10,436	0.47%	2,345
DC	24,647	3,748	20,950	515	-6,930	0.08%	381
Delaware	15,604	1,532	13,490	2,460	-1,186	0.36%	1,820
Florida	237,698	31,503	231,385	31,219	-6,597	4.62%	23,091
Georgia	159,688	20,514	141,439	18,156	-20,607	2.69%	13,429
Hawaii	15,775	1,459	15,319	1,690	-225	0.25%	1,250
Idaho	16,557	1,459	17,375	1,690	1,049	0.25%	1,250
Illinois	262,166	28,731	240,451	31,760	-18,686	4.70%	23,491
Indiana	89,258	4,215	86,739	7,557	823	1.12%	5,589
Iowa	44,825	1,838	43,586	2,470	-607	0.37%	1,827
Kansas	37,703	2,078	40,200	3,280	3,699	0.49%	2,426
Kentucky	97,572	13,132	91,580	13,513	-5,611	2.00%	9,995
Louisiana	130,014	18,063	142,083	23,600	17,606	3.49%	17,456
Maine	30,060	2,325	25,551	1,379	-5,455	0.20%	1,020
Maryland	93,495	8,209	80,939	6,002	-14,763	0.89%	4,439
Massachusetts	129,189	13,050	110,903	9,603	-21,733	1.42%	7,103
Michigan	219,133	20,921	224,066	29,195	13,207	4.32%	21,594
Minnesota	63,132	4,083	68,354	5,430	6,569	0.80%	4,016
Mississippi	105,009	15,280	97,354	15,236	-7,699	2.25%	11,269
Missouri	93,357	9,703	92,758	11,783	1,481	1.74%	8,715
Montana	15,423	1,199	20,130	2,815	6,323	0.42%	2,082
Nebraska	26,690	1,845	25,859	1,690	-986	0.25%	1,250
Nevada	13,664	611	14,391	964	1,080	0.14%	713
New Hampshire	14,505	340	13,490	340	-1,015	0.05%	251
New Jersey	180,970	19,396	153,825	11,130	-35,411	1.65%	8,232
New Mexico	38,456	5,833	44,707	7,359	7,777	1.09%	5,443
New York	596,532	72,619	512,166	64,052	-92,933	9.48%	47,376
North Carolina	138,902	14,697	119,424	9,878	-24,297	1.46%	7,306
North Dakota	13,664	1,357	13,490	1,690	159	0.25%	1,250
Ohio	208,751	15,932	214,449	28,702	18,468	4.25%	21,229
Oklahoma	54,168	5,432	63,857	9,608	13,865	1.42%	7,106
Oregon	46,299	1,459	50,049	4,403	6,694	0.65%	3,257
Pennsylvania	282,232	21,858	256,379	26,876	-20,835	3.98%	19,879
Rhode Island	21,193	2,270	18,014	2,099	-3,350	0.31%	1,553
South Carolina	85,017	10,759	75,565	9,267	-10,944	1.37%	6,854
South Dakota	16,948	1,850	16,251	1,792	-755	0.27%	1,325
Tennessee	115,035	16,552	100,822	14,369	-16,396	2.13%	10,628
Texas	344,302	43,718	439,275	68,561	119,816	10.14%	50,711
Utah	19,885	1,459	26,067	1,766	6,489	0.26%	1,306
Vermont	13,530	878	13,490	340	-578	0.05%	251
Virginia	108,341	11,139	95,718	8,000	-15,762	1.18%	5,917
Washington	61,752	3,678	73,109	7,623	15,302	1.13%	5,638
West Virginia	48,079	5,658	50,215	7,783	4,261	1.15%	5,757
Wisconsin	82,552	4,851	95,378	7,608	15,583	1.13%	5,627
Wyoming	7,288	340	9,373	521	2,266	0.08%	385
Puerto Rico	220,114	33,476	187,097	30,124	-36,369	4.46%	22,281
Virgin Islands	8,623	0	8,506	0	-117	0.00%	0
Territories	46,073	0	45,453	0	-620	0.00%	0
Unallocated	3,816	0	0	0	-3,816	0.00%	0
Total	$5,524,340	$609,928	$5,449,924	$676,001	-$8,343		$500,000

Note: Funds for 1993 summer programs will be distributed on the basis of a slightly modified concentration grant formula.

Source: Department of Education

Table A-7
Head Start
Potential Impact of Administration's Stimulus Package
(federal fiscal year; dollars in thousands)

State	Estimated 1993 Allocation	State Share	Estimated Stimulus
Alabama	$47,089	1.75%	$8,746
Alaska	5,230	0.19%	971
Arizona	34,934	1.30%	6,489
Arkansas	26,231	0.97%	4,872
California	302,307	11.23%	56,150
Colorado	25,566	0.95%	4,749
Connecticut	21,987	0.82%	4,084
Delaware	5,248	0.19%	975
DC	11,398	0.42%	2,117
Florida	92,336	3.43%	17,150
Georgia	66,051	2.45%	12,268
Hawaii	8,893	0.33%	1,652
Idaho	8,030	0.30%	1,491
Illinois	117,503	4.36%	21,825
Indiana	37,803	1.40%	7,022
Iowa	19,600	0.73%	3,640
Kansas	17,755	0.66%	3,298
Kentucky	45,097	1.68%	8,376
Louisiana	62,587	2.32%	11,625
Maine	11,147	0.41%	2,070
Maryland	32,104	1.19%	5,963
Massachusetts	49,606	1.84%	9,214
Michigan	106,880	3.97%	19,852
Minnesota	30,593	1.14%	5,682
Mississippi	83,507	3.10%	15,511
Missouri	45,760	1.70%	8,499
Montana	8,172	0.30%	1,518
Nebraska	12,279	0.46%	2,281
Nevada	6,389	0.24%	1,187
New Hampshire	4,848	0.18%	900
New Jersey	64,188	2.38%	11,922
New Mexico	18,998	0.71%	3,529
New York	181,234	6.73%	33,662
North Carolina	54,041	2.01%	10,038
North Dakota	5,542	0.21%	1,029
Ohio	109,942	4.08%	20,421
Oklahoma	32,148	1.19%	5,971
Oregon	22,227	0.83%	4,128
Pennsylvania	99,554	3.70%	18,491
Rhode Island	8,187	0.30%	1,521
South Carolina	32,952	1.22%	6,120
South Dakota	6,445	0.24%	1,197
Tennessee	47,967	1.78%	8,909
Texas	171,557	6.37%	31,865
Utah	12,985	0.48%	2,412
Vermont	5,311	0.20%	986
Virginia	39,442	1.47%	7,326
Washington	37,286	1.39%	6,925
West Virginia	22,228	0.83%	4,129
Wisconsin	40,842	1.52%	7,586
Wyoming	4,152	0.15%	771
Puerto Rico	112,579	4.18%	20,910
Outer Pacific	7,345	0.27%	1,364
Virgin Islands	5,058	0.19%	939
Native American/ Migrant Programs	184,900	6.87%	34,343
Unallocated	17,900	0.66%	3,325
Total	**$2,691,940**	**100.00%**	**$500,000**

Source: Head Start Bureau, DHHS

Table A-8

Centers for Disease Control Grants to States and Cities for Immunizations

Actual 1992 Allocations

(federal fiscal years; dollars in thousands)

State	Immunization Grants to States	Immunization Grants to Cities	Total	Share of 1992 Total
Alabama	$4,907		$4,907	1.93%
Alaska	1,561		1,561	0.61%
Arizona	4,548		4,548	1.79%
Arkansas	2,712		2,712	1.07%
California	27,473	520	27,993	11.00%
Colorado	3,265		3,265	1.28%
Connecticut	2,250		2,250	0.88%
Delaware	994		994	0.39%
Dist of Col	1,492		1,492	0.59%
Florida	11,421		11,421	4.49%
Georgia	7,028		7,028	2.76%
Hawaii	1,505		1,505	0.59%
Idaho	1,093		1,093	0.43%
Illinois	7,090	3,840	10,930	4.29%
Indiana	6,230		6,230	2.45%
Iowa	2,987		2,987	1.17%
Kansas	1,753		1,753	0.69%
Kentucky	4,329		4,329	1.70%
Louisiana	5,384		5,384	2.12%
Maine	1,488		1,488	0.58%
Maryland	3,660		3,660	1.44%
Massachusetts	6,341		6,341	2.49%
Michigan	10,990		10,990	4.32%
Minnesota	3,161		3,161	1.24%
Mississippi	3,519		3,519	1.38%
Missouri	5,184		5,184	2.04%
Montana	1,377		1,377	0.54%
Nebraska	1,465		1,465	0.58%
Nevada	2,175		2,175	0.85%
New Hampshire	1,247		1,247	0.49%
New Jersey	5,317		5,317	2.09%
New Mexico	2,083		2,083	0.82%
New York	8,772	6,541	15,313	6.02%
North Carolina	5,421		5,421	2.13%
North Dakota	1,161		1,161	0.46%
Ohio	9,061		9,061	3.56%
Oklahoma	3,173		3,173	1.25%
Oregon	2,391		2,391	0.94%
Pennsylvania	10,502		10,502	4.13%
Rhode Island	1,499		1,499	0.59%
South Carolina	3,449		3,449	1.35%
South Dakota	1,410		1,410	0.55%
Tennessee	5,341		5,341	2.10%
Texas	14,456	4,634	19,090	7.50%
Utah	2,391		2,391	0.94%
Vermont	891		891	0.35%
Virginia	4,641		4,641	1.82%
Washington	4,553		4,553	1.79%
West Virginia	1,832		1,832	0.72%
Wisconsin	4,063		4,063	1.60%
Wyoming	1,088		1,088	0.43%
Puerto Rico	4,764		4,764	1.87%
Virgin Islands	380		380	0.15%
Territories	1,701		1,701	0.67%
Total	**$238,972**	**$15,534**	**$254,506**	

Table A-9
Ryan White Title II
Potential Impact of Administration's Stimulus Package
(federal fiscal years; dollars in thousands)

State	1992 Allocation	1993 Allocation	1993 Share	Estimated Stimulus with set-aside 1/
Alabama	$633	$938	0.81%	$695
Alaska	100	100	0.09%	0
Arizona	684	752	0.65%	557
Arkansas	438	528	0.46%	391
California	15,485	17,183	14.89%	12,735
Colorado	829	938	0.81%	695
Connecticut	911	1,068	0.93%	792
Delaware	172	229	0.20%	170
Dist of Col	1,379	1,442	1.25%	1,068
Florida	9,810	11,228	9.73%	8,321
Georgia	2,872	3,124	2.71%	2,316
Hawaii	365	372	0.32%	276
Idaho	100	100	0.09%	0
Illinois	2,816	3,598	3.12%	2,667
Indiana	725	754	0.65%	559
Iowa	164	215	0.19%	160
Kansas	256	324	0.28%	240
Kentucky	404	468	0.41%	347
Louisiana	1,665	1,844	1.60%	1,367
Maine	136	121	0.11%	90
Maryland	2,017	2,130	1.85%	1,579
Massachusetts	1,785	1,838	1.59%	1,362
Michigan	1,207	1,486	1.29%	1,101
Minnesotá	415	502	0.43%	372
Mississippi	588	546	0.47%	405
Missouri	1,324	1,459	1.26%	1,081
Montana	100	100	0.09%	0
Nebraska	117	147	0.13%	109
Nevada	441	531	0.46%	394
New Hampshire	104	102	0.09%	76
New Jersey	4,689	4,506	3.90%	3,339
New Mexico	254	259	0.22%	192
New York	16,829	17,619	15.27%	13,057
North Carolina	1,247	1,366	1.18%	1,012
North Dakota	100	100	0.09%	0
Ohio	1,367	1,477	1.28%	1,094
Oklahoma	488	513	0.44%	380
Oregon	655	675	0.58%	500
Pennsylvania	2,525	2,850	2.47%	2,112
Rhode Island	193	210	0.18%	156
South Carolina	791	764	0.66%	566
South Dakota	100	100	0.09%	0
Tennessee	734	905	0.78%	671
Texas	7,294	7,078	6.13%	5,246
Utah	234	304	0.26%	225
Vermont	100	100	0.09%	0
Virginia	1,345	1,431	1.24%	1,060
Washington	1,317	1,271	1.10%	942
West Virginia	153	135	0.12%	100
Wisconsin	457	482	0.42%	357
Wyoming	100	100	0.09%	0
Puerto Rico	5,655	6,121	5.30%	4,537
Virgin Islands	27	36	0.03%	27
Territories	5	3	0.00%	3
Set Asides	11,988	12,820	11.11%	9,501
Total	**$106,690**	**$115,394**		**$85,000**

1/ Assumes that the same proportion set aside from the original 1993 awards will be set aside from the supplemental appropriation. If the full $85 million is allocated to the states, the estimated stimulus figures would be approximately 12 percent higher for all states.

Table A-10

WIC - Supplemental Food Program for Women, Infants, and Children
Potential Impact of Administration's Stimulus Package

(federal fiscal years, dollars in thousands)

State	Preliminary 1993 Allocation	State Share	Estimated Stimulus
Alabama	$58,763	2.1%	$1,567
Alaska	8,777	0.3%	234
Arizona	51,665	1.8%	1,377
Arkansas	37,287	1.3%	994
California	300,303	10.7%	8,006
Colorado	27,996	1.0%	746
Connecticut	33,928	1.2%	905
Delaware	6,711	0.2%	179
Dist of Columbia	7,987	0.3%	213
Florida	119,094	4.2%	3,175
Georgia	85,269	3.0%	2,273
Hawaii	17,146	0.6%	457
Idaho	16,402	0.6%	437
Illinois	108,810	3.9%	2,901
Indiana	57,393	2.0%	1,530
Iowa	26,664	0.9%	711
Kansas	24,475	0.9%	653
Kentucky	50,792	1.8%	1,354
Louisiana	69,218	2.5%	1,845
Maine	13,845	0.5%	369
Maryland	34,516	1.2%	920
Massachusetts	44,627	1.6%	1,190
Michigan	89,026	3.2%	2,374
Minnesota	37,083	1.3%	989
Mississippi	50,773	1.8%	1,354
Missouri	54,575	1.9%	1,455
Montana	10,287	0.4%	274
Nebraska	15,526	0.6%	414
Nevada	10,108	0.4%	270
New Hampshire	9,307	0.3%	248
New Jersey	59,839	2.1%	1,595
New Mexico	22,700	0.8%	605
New York	200,069	7.1%	5,334
North Carolina	76,021	2.7%	2,027
North Dakota	9,190	0.3%	245
Ohio	110,549	3.9%	2,947
Oklahoma	41,241	1.5%	1,100
Oregon	28,641	1.0%	764
Pennsylvania	107,829	3.8%	2,875
Rhode Island	10,306	0.4%	275
South Carolina	52,086	1.9%	1,389
South Dakota	11,734	0.4%	313
Tennessee	60,120	2.1%	1,603
Texas	220,717	7.8%	5,884
Utah	27,881	1.0%	743
Vermont	8,208	0.3%	219
Virginia	54,224	1.9%	1,446
Washington	42,647	1.5%	1,137
West Virginia	23,643	0.8%	630
Wisconsin	42,612	1.5%	1,136
Wyoming	5,802	0.2%	155
Puerto Rico	109,788	3.9%	2,927
Territories	8,920	0.3%	238
Unallocated	70,384	0.0%	0
Total	**$2,883,502**	**100.0%**	**$75,000**

Note: Unallocated funds are those allocated to federal regional offices for discretionary grant

March 3, 1993

CHILDREN'S CARE TEAM BILLS

HB 2003

Establishes policy and standards for service delivery systems for children and families. Specifies that services will be delivered through family resource centers (prevention arm) and family service centers (treatment arm).

Section 4 (3), outlines need for universal contact with all newborns as a core component. It states that the program shall be linked to the health care system and public health nursing so that families receive the best of both health and social services.

Section 5 deals with outreach to pregnant women, universal contact with newborns and their families and streamlined access to a variety of services.

No funding identified.

HB 2004

Establishes the framework for the system.

Creates State Commission on Children and Families and defines commission powers and duties. Also creates the State Office of Services for Children and Families to provide services under the direction of the commission.

Creates a computerized system for communication and tracking in order to provide unduplicated, immediate and integrated services. Specifies that moneys shall be allocated for this system as a priority.

Describes county or regional commissions, duties, methods of communication and players.

Establishes framework for appointments at all levels.

No funding identified.

First Bill to be considered.

HB 2005

Section 1 establishes transfer of duties of child protective services from DHR to the State Office of Services for Children and Families. Also transfers funds for these activities.

Section 2 directs DHR to decategorize funding of several programs to be transferred for use by county and regional commissions on children and families.

Directs DHR to apply for federal waivers.

HB 2006

Deals with transmittal of client records to counselors and release of confidential information in records.

HB 2008

Calls for 1 - 3 pilot programs for comprehensive appraisal to all newly born children and families to determine children and families at risk of not being able to provide a healthy start for children. Provides for five year follow up for those determined to be at risk.

Children and Youth Services Commission working on a state-wide proposal. John Ball has stated local health departments (Babies First!) should be central component around which system is based. Critical need to coordinate with OCCYSC and CSD.

Based on Committee Amendments
3-1-93

67th OREGON LEGISLATIVE ASSEMBLY--1993 Regular Session

House Bill 2003

Introduced and printed pursuant to House Rule 13.01

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.

Establishes standards for support delivery systems for children and families by State Commission on [~~Office of Services for~~] Children and Families. Describes services of family resource centers and family service centers.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to support-based service delivery systems; and declaring an emergency.

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

SECTION 1. **The State Commission on Children and Families shall review the following considerations in establishing the duties of the State Office of Services for Children and Families and in relating with county and regional commissions to carry out the duties of the state commission under chapter ______, Oregon Laws 1993 (Enrolled House Bill 2004). Systems of support shall be based on service delivery models that:**

(1)(a) Involve principles of inclusion rather than exclusion, including recognition that all families may need support at some time during a child's development and that services should be offered without stringent eligibility requirements or stigmas; and

(b) Include extensive outreach and incentives for participation so that isolated, at-risk families may be reached and so that programs are available from earliest childhood, when infants and toddlers who may be most vulnerable to risks are unidentified, until a child enters the school system.

(2) Focus on maintaining and nurturing a child's full potential for healthy development by means of early outreach to families before predictable problems can take their toll.

(3) Focus on the family's natural points of contact:

(a) To provide a continuum of care, including prenatal care, childbirth services, well-child services, Head Start and school programs; and

(b) To assess and reduce risks at natural points of access so that intervention can occur at the earliest possible point of detecting risks, thus reducing the need for more intensive and expensive services later.

(4)(a) Focus on the family in recognition that children thrive or fail in families and that family-focused services reward unity and independence in the family unit; and

(b) Emphasize the need for services to be developed around family convenience in terms of operating hours, location and access.

(5) Build on family strengths by helping families to understand and develop their strengths rather than focusing on weaknesses, in order to produce long term positive

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.

changes where needed.

(6) Establish a community-based system that is locally managed and uses community-based providers so that dollars and decisions are managed by the people affected and services are delivered as close to the families as possible, by using helpers in the community and community points of access such as health facilities and preschools.

(7) Build accountability for clear outcomes for children and families in order to target resources over time to strategies, programs and services with proven effectiveness to:

(a) Maximize the benefits from public expenditures;

(b) Benefit clients by giving clients clear criteria for measuring program objectives; and

(c) Benefit the overall system by using shared information to create integrated outcome goals.

(8) Honor diversity because communities are growing more diverse, racially, ethnically and religiously, and it is essential that flexible practices are developed, including bilingual services, cultural and ethnic awareness and an ability to assess and value differences in order to provide a more relevant and efficient system of support to children and families.

SECTION 2. (1) Services to children and families shall be delivered through family resource centers and family service centers.

(2) Family resource centers serve as the prevention arm of the delivery system, integrated into neighborhood-based services that reach out to all parents to support their child's wellness.

(3) Family service centers serve as the treatment arm of the delivery system.

SECTION ~~3.~~ 4. (1) Services to be delivered through the local commissions on children and families, through family resource centers, shall be inclusive, low intensity, nonstigmatizing, continuous services of a preventive, voluntary nature, designed to fit the age group being served and offering combinations of comprehensive services. The services may be offered through the public schools, other public agencies such as public health agencies, private agencies, community centers and Head Start or other child-caring agencies.

(2) The basic services ~~to~~ which may be included are:

(a) Outreach to pregnant women for the purpose of arranging access to health care.

(b) Contact with newborn children and their families, including hospital-based assessment and in-home follow-up to all at-risk children.

(c) Parent training and support and family development.

(d) Child care, including respite care and coordination of care before and after school.

(e) Ongoing developmental assessment of children and referral for special needs.

(f) Early intervention services for children with identified mental, physical or emotional disabilities.

(g) Immunization outreach, well child care.

(h) Decentralized assistance in determining eligibility for aid to dependent children, food stamps, medical assistance and jobs programs.

(i) School bridging for preschoolers and retention services for older children.

(j) Assistance in obtaining housing and employment.

(k) Outreach and assessment with referral to or provision of treatment by private agencies or family service centers.

(3) Referral to family resource centers are primarily to be self-referrals but include re-

ferral by schools, medical community, service centers, courts, public and private agencies and natural helpers.

(4) The composition of services offered by a particular family resource center shall depend on locally assessed needs, the ages of targeted children and existing community resources.

SECTION ~~4.~~ 3. (1) Family resource centers shall be designed to reach the entire population of families with children ~~in the age range targeted by the center~~. The resource centers shall be based on a system of inclusion of all families rather than assuming that only exceptional parents or children require support. For example, the goal of the centers for youngest children (ages 0-5) is to start at the beginning to provide prenatal outreach, hospital-based assessment and ongoing integrated activities to enable all families to be successful nurturers. Similarly at the high school level, all children and their families are eligible for services.

(2) Resource centers shall be located at or near schools, depending on local needs and resources. Regardless of where they are located or the age group they serve, the resource centers shall provide essential educational, health and social services. Additional services, depending on local configuration, may be made available through assessment and referral at resource centers. Resource centers shall provide both an inclusionary safety net of services to prevent problems and provide frontline practitioners to detect immediately early symptoms so that problems can be dealt with at the earliest possible point of risk detection.

(3) A ~~core component of~~ Key recommendation for resource centers for families with children ages 0-5 is universal contact with all newborns. Each baby born ~~shall~~ would be assessed after delivery by an individual specially trained to determine risk potential and to offer supportive services. All families ~~shall~~ would be offered at least one follow-up home visit. Families viewed as at risk ~~shall~~ would be offered ongoing visits as needed and be offered incentives for ongoing involvement with the home visitor and the resource centers. The program ~~shall~~ should be linked to the health care system and public health nursing so that families receive the best of both health and social services.

(4) ~~Mandatory~~ Key concepts for resource centers include:

(a) Formal assessments made shortly after birth administered by caring, well-trained staff perceived as supportive to families.

(b) Voluntary involvement; incentives and outreach to highest risk families to establish ongoing participation.

(c) Home-based services as needed through a child's fifth year or until the family becomes involved in a Head Start or other comprehensive home outreach programs.

(d) Linkage to other parents and support services through resources centers.

SECTION 5. Family resource centers model services for children ages 0-5 may include:

(1) Inclusion and outreach services including:

(a) Community outreach to pregnant women;

(b) Universal contact with newborns and their families and hospital and home visits;

(c) Family center activities programs and services to attract families including clothing, toy and book banks;

(d) Ongoing parent training and support groups; and

(e) Preschool, Head Start and school registration, outreach and school bridging.

(2) Frontline services including:

(a) Decentralized streamlined eligibility determination for Aid to Dependent Children, food stamps, Women, Infants and Children and Medicaid; and

(b) Comprehensive case management and family development services.

(3) Health services for children including:

(a) Immunization outreach;

(b) Preventive health care;

(c) Developmental screening and referral for special needs;

(d) Access and referral to:

(A) Routine medical care;

(B) Follow-up treatment and therapy; and

(C) Necessary mental health services;

(e) Injury prevention programs such as car seat loans;

(f) Arranging for access to health care for parents and other family members as needed to improve outcomes for children including prenatal care, routine medical care and follow-up treatment and therapy;

(g) Nutrition supplements for pregnant and nursing mothers, infants and young children by enrolling women and children in Women, Infants and Children and insuring receipts of food;

(h) Access to family planning services for parents;

(i) Access to substances abuse treatment; and

(j) Access to sex abuse treatment.

(4) Social services including:

(a) Assistance with housing; and

(b) Assistance with career preparation, employment and training.

(5) Education services including:

(a) Child care resource and referral including relief care;

(b) Quality infant and toddler care for children of women entitled to child care under a job opportunities and basic skills program;

(c) Quality infant and toddler care for children at risk or with developmental delays or disabilities;

(d) Quality preschool programming for children needing such programming to achieve school readiness;

(e) Before and after school care;

(f) Constructive child care to enable parents to participate in school or center activities including on-site labs for parent training;

(g) Counseling for individual needs; and

(h) Specialized outreach to youth not in school.

SECTION 6. Family resource centers model services for children of grade school age may include:

(1) Inclusion and outreach services described in section 5 (1)(c) to (e) of this Act;

(2) Frontline services described in section 5 (2) of this Act;

(3) Health services for children described in section 5 (3)(a), (c), (d), (f) and (h) to (j) of this Act;

(4) Social services described in section 5 (4) of this Act; and

(5) Education services described in section 5 (5)(a) and (e) to (h) of this Act.

SECTION ~~7.~~ 8. Family resource centers model services for children of high school age may include:

(1) Inclusion and outreach services described in section 5 (1)(c) to (e) of this Act;

(2) Frontline services described in section 5 (2) of this Act;

(3) Health services for children described in section 5 (3) of this Act;

(4) Social services described in section 5 (4) of this Act; and

(5) Education services described in section 5 (5)(a) to (c) and (e) to (h) of this Act and including sexuality education that shall include abstinence, pregnancy prevention and education about Human Immunodeficiency Virus and other sexually transmitted disease and student assistance programs.

SECTION ~~8.~~ 7. Model family resource centers service for children of middle school age include:

(1) Inclusion and outreach services described in section 5 (1)(c) to (e) of this Act;

(2) Frontline services described in section 5 (2) of this Act;

(3) Health services for children described in section 5 (3)(a), (c), (d), (f) and (h) to (j) of this Act;

(4) Social services described in section 5 (4) of this Act; and

(5) Education services described in section 5 (5)(a) and (e) to (f) of this Act and including sexuality education that shall include abstinence, pregnancy prevention and education about Human Immunodeficiency Virus and other sexually transmitted diseases and student assistance programs.

~~County or Regional Commissions on Children and~~ Families to

SECTION 9. (1) ~~Services to be funded through the Office of Services for Children and Families and through~~ local family service centers shall ~~be~~ provide services with time limited objectives that present clear measurable plans and have strength-based practices and offer incentives to providers for integrated services, case management or team delivery. The services may be ~~offered through~~ provided by public agencies such as mental health agencies and ~~through~~ provided by suitable private agencies.

(2) The basic services ~~shall~~ may include:

(a) Permanent planning along the child welfare continuum.

(b) Mental health.

(c) Family preservation.

(d) Physical health, including treatment.

(e) Referral for alcohol and drug treatment.

(f) Referral to public assistance programs, jobs and housing.

(3) Referrals to family service centers shall come from the courts, law enforcement agencies, family resource centers, schools, public and private agencies and individuals.

SECTION 10. Family service centers shall be designed to provide intensive services currently available in most communities. The service centers shall provide as many services as possible comprehensively, under one roof. The configuration of services within family service centers shall vary depending on ~~local resources~~ resources made available to the local commission. The service centers shall be designed to offer:

(1) Single point of entry;

(2) Comprehensive assessment;

(3) Prioritized service agreements;

(4) Care coordinators;

(5) Multidisciplinary teams; and

(6) Strength-based practice.

SECTION 11. This Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Act takes effect on its passage.

3-1-93

67th OREGON LEGISLATIVE ASSEMBLY--1993 Regular Session

House Bill 2004

Introduced and printed pursuant to House Rule 13.01

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.**

Creates State Commission on Children and Families. Defines commission powers and duties. Creates State Office of Services for Children and Families to provide services under direction of commission.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to children; and declaring an emergency.

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

SECTION 1. (1) The Legislative Assembly finds that while dollars to support essential social services have skyrocketed in the last decade, the wellness of Oregon's children has deteriorated. Oregon has experienced steady growth in the rate of births to teens, the percentage of low birth weight babies and the percentage of children dying from child abuse or neglect. The future quality of life in Oregon depends upon our ability to reverse these realities. The implications of research point to the fact that adolescents who must become delinquent or pregnant in order to receive intensive interventions are the same children known to the system or to the neighborhood as being involved in growing problems. To allow this growing problem to consume public dollars and human potential is unaffordable. The cumulative effect of ignoring what is known about human development and human competence puts the future of this state and the nation at risk. This state must begin to protect its most valuable resources from the beginning. As Oregon copes with serious revenue constraints, it is essential to reconfigure the current system and implement a plan to stem the tide of children dependent on the system.

(2) Key elements of the plan are the following:

(a) A multiyear plan, incrementally implemented with measurable outcomes.

(b) A system based on what is known about human development, human competence and what families need to nurture both.

(c) A service continuum based on proactive protection and nurturance of wellness for each child, including:

(A) A system of family resource centers available in every community to support families at natural points of access, including but not limited to churches, hospitals, doctors' offices, schools and community centers.

(B) Streamlined intake and eligibility procedures for speedy access to essential services available to maintain health and family functioning for children prenatally through 18 years of age.

(d) Allowing decisions about committing funds and affecting children to be made by the people who are most affected by those decisions, including families and local communities,

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.

LC 1161

based on the following:

(A) That all state services and dollars for children and families be decentralized to the local level with the exception of low frequency, high intensity services such as child protective services.

(B) That whenever possible, families be allowed to design their own service programs, based on assessment of their needs and their solutions and resources for change.

(e) Creation of a statewide, limited access computerized communication and tracking system to provide unduplicated, immediate and integrated services. Moneys shall be allocated for this system as a priority.

SECTION 2. (1) There is established a State Commission on Children and Families of 11 members consisting of the Superintendent of Public Instruction and 10 members appointed by the Governor.

(2) The appointed members shall include:

(a) One representative of the Juvenile Justice Association from which the Governor may solicit suggestions;

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

(c) Two members from county or regional children and families commissions, one from a rural area, one from an urban area;

(d) One social service professional; and

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

(3) The term of office of each appointed member is four years. Before the expiration of the term of an appointed member, the Governor shall appoint a successor whose term begins on October 1 next following. An appointed member is eligible for reappointment. If there is a vacancy in an appointed position for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term.

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

(5) An appointed member of the state commission is entitled to compensation and expenses as provided in ORS 292.495.

SECTION 3. (1) The State Commission on Children and Families shall provide no direct program services. The state commission shall adopt goals and priorities for serving children and families and shall be an advocate for children and families. The state commission shall oversee implementation of the recommendations of the 1991-1992 interim committee titled the Children's Care Team and monitor the progress of state outcomes such as the Oregon benchmarks relating to children and families.

(2) The state commission shall develop standards for reviewing the progress of community plans that are intended to serve children and families and that are consistent with state goals and priorities.

(3) The state commission shall fund county or regional plans consistent with state goals and priorities from funds available therefor, and assist county and regional commissions in developing the capacity needed to offer services identified in the county or regional plan. The state commission shall transfer state and federal funds to the county or counties in a regional program for implementation of county or regional plans.

(4) To assist county or regional commissions in developing county or regional service plans, the state commission shall establish priorities for children's support areas based on state outcomes, such as the Oregon benchmarks. The state commission shall also develop program standards and quality assurance mechanisms that county or regional commissions may use to identify qualified programs and measure their performance. The state commission shall provide technical assistance to county or regional commissions by soliciting new fund sources, sponsoring training and eliminating barriers to integrated service delivery.

(5) The state commission shall perform research and development and disseminate information. The state commission may also recommend projects for funding to test and evaluate innovative approaches.

(6) The state commission [~~**may employ**~~] shall employ the staff director who will be responsible for hiring and supervising **staff to assist the state commission in performing its duties under this Act.**

SECTION 4. Notwithstanding the term of office specified by section 2 of this Act, of the members first appointed to the State Commission on Children and Families:

(1) __5__ shall serve for a term ending [~~**September 30, 199__.**~~] two years after appointment

(2) __5__ shall serve for a term ending [~~**September 30, 199__.**~~] four years after appointment

[~~**(3) _____ shall serve for a term ending September 30, 199__.**~~]

[~~**(4) _____ shall serve for terms ending September 30, 199__.**~~]

SECTION 5. (1) The State Commission on Children and Families shall select one of its members as chairperson and another as vice-chairperson, for such terms and with duties and powers necessary to perform the functions of such offices as the state commission determines.

(2) A majority of the members of the state commission constitutes a quorum for the transaction of business.

(3) The state commission shall meet at least once every month at a place, day and hour determined by the commission. The state commission also shall meet at other times and places specified by the call of the chairperson or of a majority of the members of the commission.

SECTION 6. In accordance with applicable provisions of ORS 183.310 to 183.550, the State Commission on Children and Families may adopt rules necessary to administrate the duties of the commission.

SECTION 7. (1) To aid and advise the State Commission on Children and Families in the performance of its functions, the state commission may establish such advisory and technical committees as it considers necessary. These committees may be continuing or temporary. The state commission shall determine the representation, membership, terms and organization of the committees and shall appoint their members.

(2) Members of committees are not entitled to compensation, but at the discretion of the state commission may be reimbursed from funds available to the state commission for actual and necessary travel and other expenses incurred in the performance of their official duties, subject to ORS 292.495.

SECTION 8. (1) The State Office of Services for Children and Families shall be established within 45 days after the effective date of this Act. The primary responsibility of the state office is to provide low frequency, high intensity services for children and families pursuant to policies and directives of the State Commission on Children and Families.

(2) The Director of the State Office of Services for Children and Families shall be ap-

pointed by the Governor from among persons well qualified by training and experience to provide the services described in subsection (1) of this section.

(3) The state director may appoint qualified personnel required to provide the services described in subsection (1) of this section and may contract as necessary with appropriate public and private providers for such services.

SECTION 9. (1) The board of county commissioners of a county or the boards of county commissioners of contiguous counties forming a region shall appoint a chairperson and at least eight members of a county or regional children and families commission. A majority of the commission, including the chairperson, shall be laypersons. Membership shall include persons who have knowledge of the issues relating to children and families in the affected communities.

(2) Members of a county or regional commission shall be appointed to four-year terms, except that the appointing board or boards of county commissioners shall establish staggered terms for the persons initially appointed to the commission. A member is eligible for reappointment.

(3) The county or regional commission shall prepare the county's or region's plans and applications for funds to implement this Act. The county or regional commission shall oversee the management of the service system for children and families and monitor progress of key outcomes related to the county or regional plan.

SECTION 10. The county or regional organizational structure is the recommended local structure for implementation of this Act. However, a county or group of counties may elect to offer another structure. The alternative structure must meet the criteria of the State Commission on Children and Families, including:

(1) The requirement of partnerships especially with common and union high school districts, education service districts and the courts;

(2) The separation of fund appropriation from the delivery of services;

(3) The separation of management from policy and standard setting; and

(4) Required citizen involvement and advocacy.

SECTION 11. (1) The county or regional commission's main purpose is to build advocacy for the children and families in the county or region and to develop and implement its service plan through contracting for services.

(2) The county or regional commission shall survey the county or region for needs and identify county or regional outcomes to be achieved. Its plan shall be designed to achieve state and county or regional outcomes, including the Oregon benchmarks, based on state guidelines and incorporation of existing county or regional resources. The county or regional commission shall develop a procedure for request for proposals and for funding public or private contractors to provide services according to the plan. The procedure shall include monitoring provisions. The county or regional commission is responsible for developing quality assurance mechanisms against which programs are to be measured. The county or regional commission shall employ [~~and direct~~] the county or regional commission staff.] The staff director who will be respo[nsible] for hiring and super[vising]

[~~SECTION 12. (1) The appointments required by section 2 of this Act shall be made within 30 days after the effective date of this Act.~~

~~(2) The appointments required by section 9 of this Act shall be made within 60 days after the effective date of this Act.~~]

[~~SECTION 13. This Act being necessary for the immediate preservation of the public~~

~~peace, health and safety, an emergency is declared to exist, and this Act takes effect on its passage.~~]

67th OREGON LEGISLATIVE ASSEMBLY--1993 Regular Session

House Bill 2005

Introduced and printed pursuant to House Rule 13.01

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.**

Transfers duties of child protective services from Department of Human Resources to State Office of Services for Children and Families. Transfers appropriated funds beginning January 1, 1994.

Directs Department of Human Resources to apply for federal waivers and submit plans for any needed federal agency approvals or plan amendments.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to children; and declaring an emergency.

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

SECTION 1. The State Commission on Children and Families established under chapter _____, Oregon Laws 1993 (Enrolled House Bill 2004), during the 1993-1995 biennium shall facilitate the transfer of duties from the Department of Human Resources to the State Office of Services for Children and Families for child protective services. The department shall transfer cases and case records to the commission by January 1, 1994, pursuant to an interagency agreement with the department. Thereafter, the commission shall assign the cases to the State Office of Services for Children and Families. The department shall transfer funds appropriated or otherwise available to it for such child protective services for the period commencing January 1, 1994.

SECTION 2. (1) During the period commencing with the effective date of this Act and ending June 30, 1998, the State Commission on Children and Families shall direct the Department of Human Resources to decategorize funding to the following programs, and the state commission shall facilitate the orderly transfer of the funds for use by county and regional commissions on children and families:

(a) The job opportunities and basic skills employment and training programs.

(b) Employment related day care programs.

(c) Emergency cash benefit programs.

(d) Child support services programs.

(e) Programs for strengthening families.

(f) Foster care programs.

(g) Purchase of care treatment programs.

(h) Alcohol and drug treatment programs.

(2) The administrative details of each transfer required by this section shall be developed through interagency agreement.

SECTION 3. Within 45 days after the effective date of this Act, the Department of Human Resources shall take action necessary to apply for necessary federal waivers and shall submit plans for approval to the affected federal agency for any implementation authorized

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.

by this Act that requires federal approval or plan amendment.

<u>SECTION 4.</u> This Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Act takes effect on its passage.

Board Briefing
3-16-93
B-1

PROPOSED STATE-WIDE PROBLEM GAMBLING HOTLINE

Annual assessment per County based upon $150,000 budget

BAKER (MTN. VALLEY)	$ 859
BENTON	1001
CLACKAMAS	11,454
CLATSOP	4,248
COLUMBIA	2,746
COOS	2,758
CROOK	416
CURRY	1,803
DESCHUTES	3,036
DOUGLAS	5,827
GRANT	309
HARNEY	173
JACKSON	6,564
JEFFERSON	309
JOSEPHINE	3,433
KLAMATH	1,933
LAKE	308
LANE	12,887
LINCOLN	3,966
LINN	3,831
MALHEUR	1,032
MARION	12,672
MID-COLUMBIA	2,570
MORROW/W/G	293
MULTNOMAH	44,143
POLK	1,928
TILLAMOOK	2,417
UMATILLA	1,865
UNION	1,379
WALLOWA	231
WASHINGTON	12,013
YAMHILL	1,609

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CURRENT STATUS REPORT 1/93
USE OF VIDEO POKER FUNDING IN THE TREATMENT OF PROBLEM GAMBLING

BAKER (MTN. VALLEY)--County Court (Commissioners) and agency Admin. Board are discussing what to do with VP funding. They are reluctant to develop/establish new programs without greater certainty that the revenue will continue. Plan to follow guidelines established by Assoc./County Counsel/AOC group.

BENTON--Helping to promote local GA Chapter. Have incorporated serving persons in their existing programs. Have only identified a couple of persons needing treatment for problem gambling services this year.

CLACKAMAS--Will survey community corrections population to determine need, which they anticipate will be high. Have assigned a clinical staff person to begin service delivery. Plan to support state-wide hotline. If they are assured the continuation of VP funding, they will develop a more permanent and extensive program.

CLATSOP--CMHP has developed a treatment program, however the County will not release the VP money until they go through budgetary process in the spring. This could take up to 6 months.

COLUMBIA--Have incorporated the problem gambling assessment into A&D and MH intakes, with greater focus in the A&D. Treatment incorporated into their addictive behaviors (A&D) therapy. They are providing information to judges, law enforcement personnel, and attorneys that problem gambling may be a factor in criminal behavior and that the CMHP is a resource.

COOS--Have one employee working part-time, primarily doing publicity. Plan to do prevention activities in the near future.

CROOK--County has not authorized disbursement of VP funds yet. They plan to provide group or individual treatment and/or referral as appropriate.

CURRY--Plan to provide training to A&D counselors, acquire special testing materials, methods, literature for information and treatment. May eventually hire part-time person to treat problem gambling.

DESCHUTES--Have incorporated into their A&D program. Are using assessment screens for problem gambling or other compulsive behaviors. They are also making efforts to help organize a local GA chapter. Publicity efforts include a major newspaper article. As they find persons they will begin to offer specialized recovery groups for individuals and their families. They also plan to train staff (MH and A&D) in treating problem gambling and to do prevention/public information campaigns.

DOUGLAS--Established it as part of their services for adults, providing as appropriate:

therapy (individual, family, or group)
educational services
medication management

Their approach is to treat as a compulsive disorder, which may have other complicating treatment issues (A&D, suicide attempts, etc.). They assisted with beginning a GA chapter in county.

GRANT--Have enhanced screening process by including problem gambling assessment. Using VP funds to support sliding fee scales for problem gambling treatment, and are in the process of developing local educational materials to increase awareness of symptoms.

HARNEY--Plan to incorporate it as part of their addiction services in A&D and MH. Believe it is premature to set up definite services until they have assessed local need.

JACKSON--County Administrtor, knowing all of the uncertain/unsettled issues is holding onto VP funds until things are clarified.

JEFFERSON--Have received only $463 in VP funding. Have put this into adult MHS and are addressing problem gambling as they find it in their screening process. Have identified 3 persons needing services in 6 months.

JOSEPHINE--Supervisory and clinical staff have received training; additional staff will be trained as needed. An evaluation instrument is being developed to be used as part of intake. Evaluations on existing CMI caseload is underway. Group treatment will be provided when a sufficient number of participants have been identified. Planning a community education program regarding gambling disorders and availability of services in cooperation with Public Health, A&D system, and schools. Program evaluation of problem gambling services will be incorporated into program evaluation for agency.

KLAMATH--In the thinking stage of developing a proposal to BCC for a program.

LAKE

LANE--Are in the process of planning with local providers and advisory board. Plan to support the state-wide hotline for problem gambling.

LINCOLN--Services are available on an as requested basis pending clarification and guidelines on legal restraints. Staff is being trained to provide services; they will deliver through their A&D program--will not develop seperate program or administration for treating problem gambling.

LINN--Commissioners have decided to budget VP funds for the year after the year in which they are received. They are in the process of developing a program and budget proposal for services to begin 7/1/93. They have sent staff to training and are planning to use the South Oaks Gambling scale to screen. Will be incorporated into A&D program.

MALHEUR--Have trained a staff person who will provide counseling services. Will begin to use a screening device incorporated into MED and A&D intake by 2/1/93. When the identified population is large enough, they will begin group therapy.

MARION--Have been working on hotline with Council on Problem Gambling and a planning committee for other services. Will meet in January 1993 to map out service continuum and recommendations to BCC.

MID-COLUMBIA--Nothing; waiting for guidelines from AOC & County Counsels.

MORROW/W/G

MULTNOMAH--BCC has appointed a Problem Gambling Subcommittee which has developed a four-part service plan, an RFP for treatment services, and an intermim treatment reimbursement methodology which may begin as early as 1/93.

POLK--Have not used their $2,000 yet (nor budgeted for yet-to-be-received $), but have said that persons with identified problem gambling concerns will be treated in the A&D program. They have contacted Marion Co. to indicate their interest in purchasing services from Marion when Marion begins treatment programs.

TILLAMOOK--Doing community outreach using educational brochures. Intake for all adults and adolescents include questions regarding potential gambling problem, second level of screening is done where indicated. Education (lecture, video, printed materials) about problem gambling is is done in Level I A&D groups. They provide problem gambling specific treatment on a 12-step model. Relapse prevention and aftercare will be encouraged through client connection to Gamblers Anonymous chapter they are trying to help develop. Staff has had both written and in-service training.

UMATILLA--Have designated one therapist to specialize. She has received some training; will get more in February. Treatment is individualized, based on addiction treatment knowledge and 12-step model. Incorporating screening for problems with gambling into all screeing/intakes. Hope to see a GA Chapter formed in the next few weeks.

UNION--Nothing; BCC has heard that VP funding may have to be returned and have instructed the CMHP not to spend anything.

WALLOWA--Plan to use VP funds for information and referral, promoting a GA chapter in community and addressing problem gambling in schools and DUII classes.

WASHINGTON--Have educated planning staff on problem gambling issues. Are now in planning process with advisory board. Have educated A&D providers and begun a pilot to screen for problem gambling. Plan to release RFP and implement continuum of services this year.

YAMHILL--Nothing; Yamhill is waiting for spending guidelines from AOC before using VP funds.

Board Briefing
3-16-93
B-1

CHILDREN'S CARE TEAM HB 2004
Issues for Lane County
from the Board of Commissioners' Legislative Committee

STRENGTHS OF THE LEGISLATION

- Moves state services for children, youth and families, state resources, and planning to the local level - unique opportunity to reconfigure and improve how services are delivered
- Local communities can do a better, more efficient job of meeting the needs of children, youth, and families
- Based on a model of planning, coordination, advocacy, and funding which has been working through the children and youth services commission model

CONCERNS ABOUT THE LEGISLATION

- Funds must go through the Board of County Commissioners (an amendment is being drafted for the Speaker's Office to make this change)
- Local commission lead staff must be hired by the county, not the local commission - this is a management function and should not be delegated to a policy body
- Need to secure funding; need assurance resources will continue to follow responsibilities
- Need to specify which services for children, youth, and families will be transferred to the local level
- If truly want to give local control, must either change all pertinent statutes to ensure flexibility or create a blanket waiver which supersedes all other sections
- Consider implementing on a phased schedule rather than all at once

Meeting Date: MAR 16 1993

Agenda No.: B-2

(Above space for Clerk's Office Use)

. . . .

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: Briefing on Quasi-Judicial Hearing Process and Procedures

BCC Informal March 16, 1993 (date) BCC Formal ______ (date)

DEPARTMENT DES DIVISION County Counsel & Planning

CONTACT Kressel / Pemble TELEPHONE 3138 / 3182

PERSON(S) MAKING PRESENTATION Kressel / Pemble

ACTION REQUESTED:

[x] INFORMATIONAL ONLY [ ] POLICY DIRECTION [ ] APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: 1 hour

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: ______

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

Review requirements and County process for making quasi-judicial land use decisions. Presentation will include a discussion of a typical case process, disclosing conflicts of interest and exparte contact, and making a land use decision and adopting findings.

BOARD OF COUNTY COMMISSIONERS 1993 MAR 10 AM 8:47 MULTNOMAH COUNTY OREGON

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL Gladys McCoy

Or

DEPARTMENT MANAGER ______

(All accompanying documents must have required signatures)

MAR 09 '93 16:25 ID:2717 FROM:MULT. CO. R/W T-665 P.01

OUTLINE FOR PRESENTATION TO BCC ON LAND USE PERMITTING PROCESS 3 16 93

GOALS

1. Better Understanding of BCC's role in this area; to put permit appeals in broader context

2. Provide specific aids to BCC in carrying out the current appeal process

3. Begin the process of examining whether current appeal procedures (fairly old) can be improved for greater efficiency and fairness

AGENDA

1. Contrast Legislative versus Quasi-Judicial (permits) (LK)

2. Review Stages in the Permit Process
    a. application, staff report, HO action (SP)
    b. focus on BCC's role once HO decision is reported (LK)
        i. Note the decisionmaking points in the process and
        ii. the criteria for those decisions.

3. Review Model BCC Motions for stages in the permit appeal process

Board Briefing
3-16-93
Handout #1
B-2

Types of Land Use Decisions

Legislative (Board makes policy)

Examples:
1. Comprehensive plan adoption or amendment.
2. Zoning code text change.

Decisionmakers:
1. Staff (recommends).
2. Planning Commission (recommends).
3. BCC adopts.

Forms
1. Ordinance

Procedures
1. Planning Comm hearing(s).
2. 2 readings by BCC.

Quasi-judicial (Board applies policies)

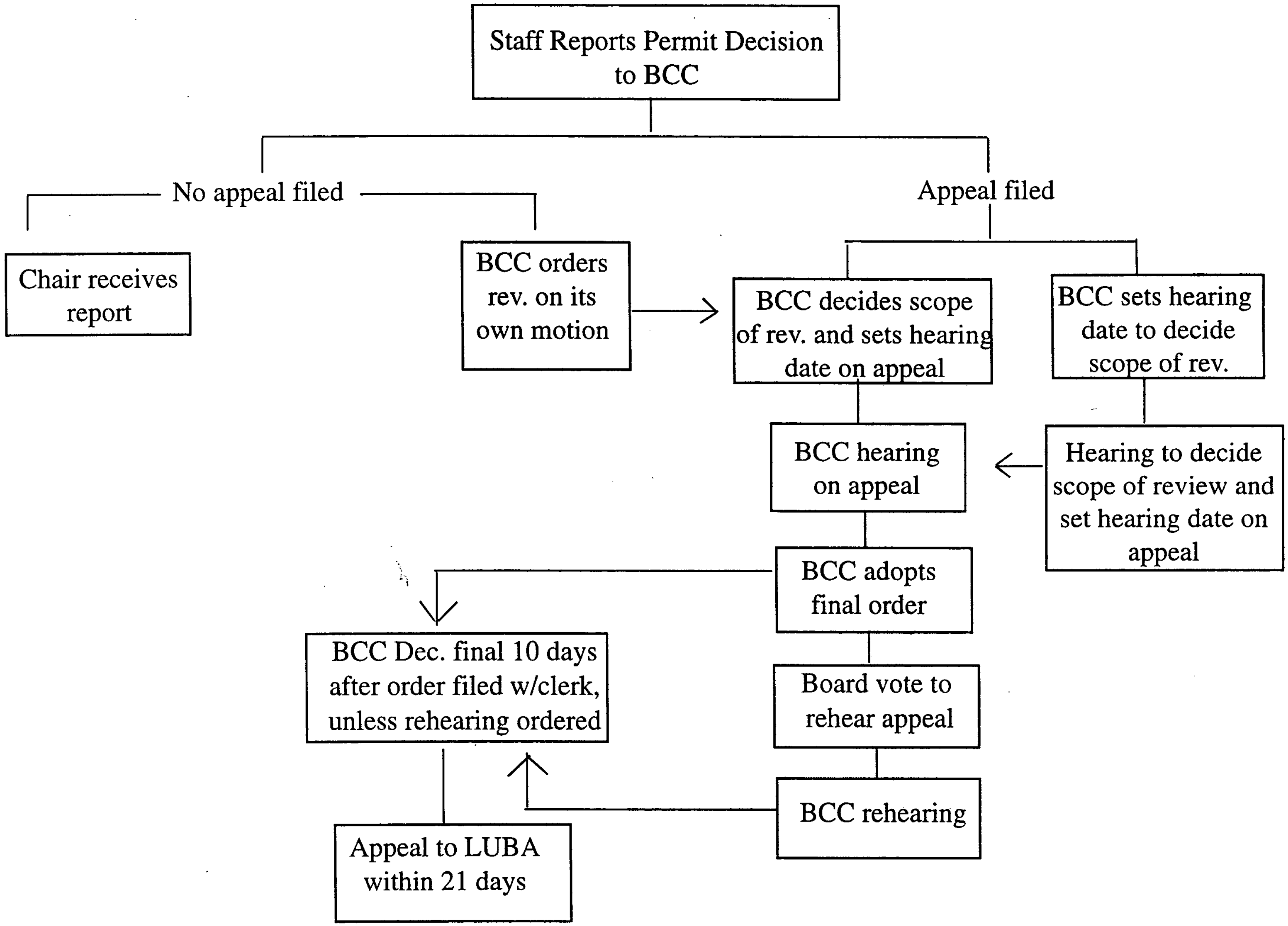
Examples:
1. Conditional use permit.
2. Single tract rezoning.
3. Planned unit development.
4. Variance.

Decisionmakers:
1. Staff.
2. Hearings Officer.
3. BCC, if appeal filed.

Forms
1. Notice of Appeal form.
2. Findings of fact and Conclusions of Law ("Final Order").

Procedures
Quasi-judicial and procedures - see flowchart

FLOWCHART OF PROCEDURES FOR BOARD ACTION IN LAND USE PERMIT APPEALS



MOTIONS TO SET HEARINGS ON LAND USE APPEALS [*These are made at the hearing where the staff reports the appealed decisions*]

1. Motion for a hearing to determine scope of review (where appellant has asked for <u>de novo</u> review or "on the record with additional evidence."

   I move that there be a hearing to determine the scope of review on Case #________, to be held on (date) ____________. Each side will be allowed 10 minutes.

2. Motion for a hearing on the record.

   I move that the hearing on (Case #) _________ be held on (date) __________ and that the hearing be on the record, allowing _____ minutes per side for argument.

3. Motion for hearing on the record with additional evidence.

   I move that the hearing on (Case #) _______ be held on (date) __________ and that the hearing be on the record, with additional evidence limited to the subject of: ____
   ____
   ____
   _________. Each side will be allowed ____ minutes.

4. Motion for <u>de novo</u> hearing.

   I move that the hearing on (Case #) _______ be held on (date) __________ and that the hearing be <u>de novo</u>, allowing each side _______ minutes.

CRITERIA FOR ALLOWING EITHER <u>DE NOVO</u> REVIEW OR REVIEW "ON THE RECORD WITH ADDITIONAL EVIDENCE":

The Board shall, in making such decision, consider:

(1) Prejudice to parties;

(2) Convenience or availability of evidence at the time of the initial hearing;

(3) Surprise to opposing parties;

(4) The competency, relevancy and materiality of the proposed testimony or other evidence.

PRESIDING OFFICER'S OPENING ANNOUNCEMENT IN LAND USE APPEALS.

This is the time and place for the appeal in Case # _______. The hearing will be [select one]: (a) on the record, (b) on the record with additional evidence limited to [insert], (c) de novo.

The order of presentations will be: first, the staff report, next the appellant and finally, the opponents. Each side will be allowed _______ minutes; questions by the board will not count against the times allowed. Pursuant to MCC 11.15.8270, the issues in this appeal are limited to the issues stated in the appellant's notice of review, copies of which we have received.

The appellant should advise us if it wishes to reserve some of its time for rebuttal at the end of the hearing.

We will hear the staff report now, unless there are any preliminary questions or ex-parte contact statements by members of the board.

MOTIONS ON THE MERITS OF APPEALS (*made after hearing*).

1. Motion to affirm hearings officer.

I move that the hearings officer's decision in Case # ______ be affirmed and that the Board adopts the findings of fact and conclusions of law as adopted by the hearings officer (alternate: " . . . the Board directs County Counsel to prepare a final order containing findings of fact and conclusions of law, to be presented to the Board on (date) ____________.

2. Motion to reverse hearings officer.

I move that the hearings officer's decision in Case # _______ be reversed; County Counsel shall prepare an appropriate final order for Board review on (date) ___________.

3. Motion to modify decision of hearings officer.

I move that the hearings officer's decision in Case # _________ be affirmed with the following changes: [insert changed]. County Counsel shall prepare an appropriate final order for Board review on (date) ___________.

* * * * *

MOTION FOR REHEARING [*can be made no more than 10 days after final order was filed with clerk*].

I move that the appeal in Case # _______ be reheard on (date) ________ [*note: can be no more than 21 days from the present day*]. Each side will be allowed _____ minutes.

D:\WPDATA\NINE\501LK.DOC\mw

U159

10:42 - 11:07

Board Briefing
3-16-93
Handout #3
B-2

DEPARTMENT OF ENVIRONMENTAL SERVICES
DIVISION OF PLANNING AND DEVELOPMENT
2115 SE MORRISON STREET
PORTLAND, OREGON 97214 (503) 248-3043

MULTNOMAH COUNTY

BUC#11

$387.50
1/26/93

NOTICE OF REVIEW

1. Name: Estate of Stephen N. Kaptur and Kaptur (Last), J. (Middle) Dwayne (First), Individually and as Personal Representative
2. Address: 4409 N. Willamette (Street or Box), Portland (City), Oregon 97203 (State and Zip Code)
3. Telephone: (503) 289 - 7962
4. If serving as a representative of other persons, list their names and addresses:

Estate of Stephen N. Kaptur

JAMES C. PURCELLA
ATTORNEY AT LAW
Gateway Professional Plaza
11157 N.E. Halsey
Portland, Oregon 97220
(503) 254-6313

5. What is the deci[sion you wish reviewed (e.g. denial] of a subdivision, [... zone] change, approval
   Conditional use of MUF-19 zoning
6. The decision was announced by the Planning Commission on 1-14, 1993
7. On what grounds do you claim status as a party pursuant to MCC 11.15.8225?
   Owner and Personal Representative of Estate of Stephen N. Kaptur

RECEIVED
[illegible] 18 [illegible]
[illegible] COUNTY OF

ands for Revers of Decision (*use additional sheets necessary*):

oning on parcel is being changed by the county. I feel that we met the tests for the conditional use approval under existing zoning codes but feel the county staff took the new zoning code (CFU) requirements into consideration which they are not supposed to do, in denying this conditional use.

9. Scope of Review *(Check One)*:

   (a) [ ] On the Record

   (b) [X] On the Record plus Additional Testimony and Evidence

   (c) [ ] *De Novo* (*i.e.*, Full Rehearing)

10. **If you checked 9(b) or (c), you must use this space to present the grounds on which you base your request to introduce new evidence** (Use additional sheets if necessary). For further explanation, see handout entitled *Appeal Procedure*.

One of the points used to deny this conditional use was the negative impact this would have on the neighboring property. We wish to counter this argument with a signed affidavit and possibly testimony.

Signed: Estate of Stephen N. Kaptur and Dwayne J. Kaptur, Individually
by: James C. Purcella
Attorney at Law

Date: 1-25-93

For Staff Use Only

Fee:

Notice of Review = $300.00
Transcription Fee:
Length of Hearing 25 Min x $3.50/minute = $ 87.50

Total Fee = $ 387.50

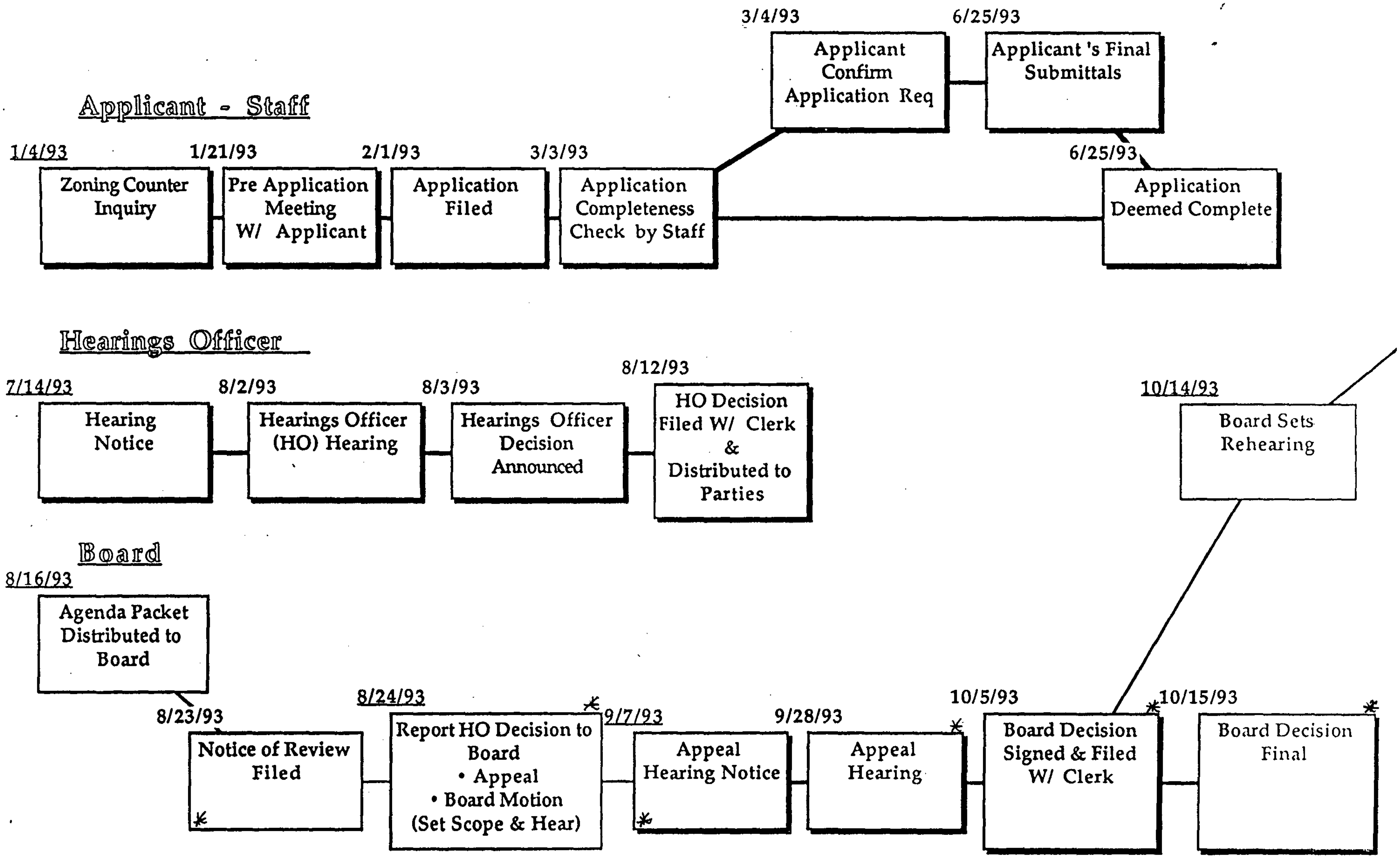
Received by: [signature] Date: 1-26-93 Case No. CU 22-92

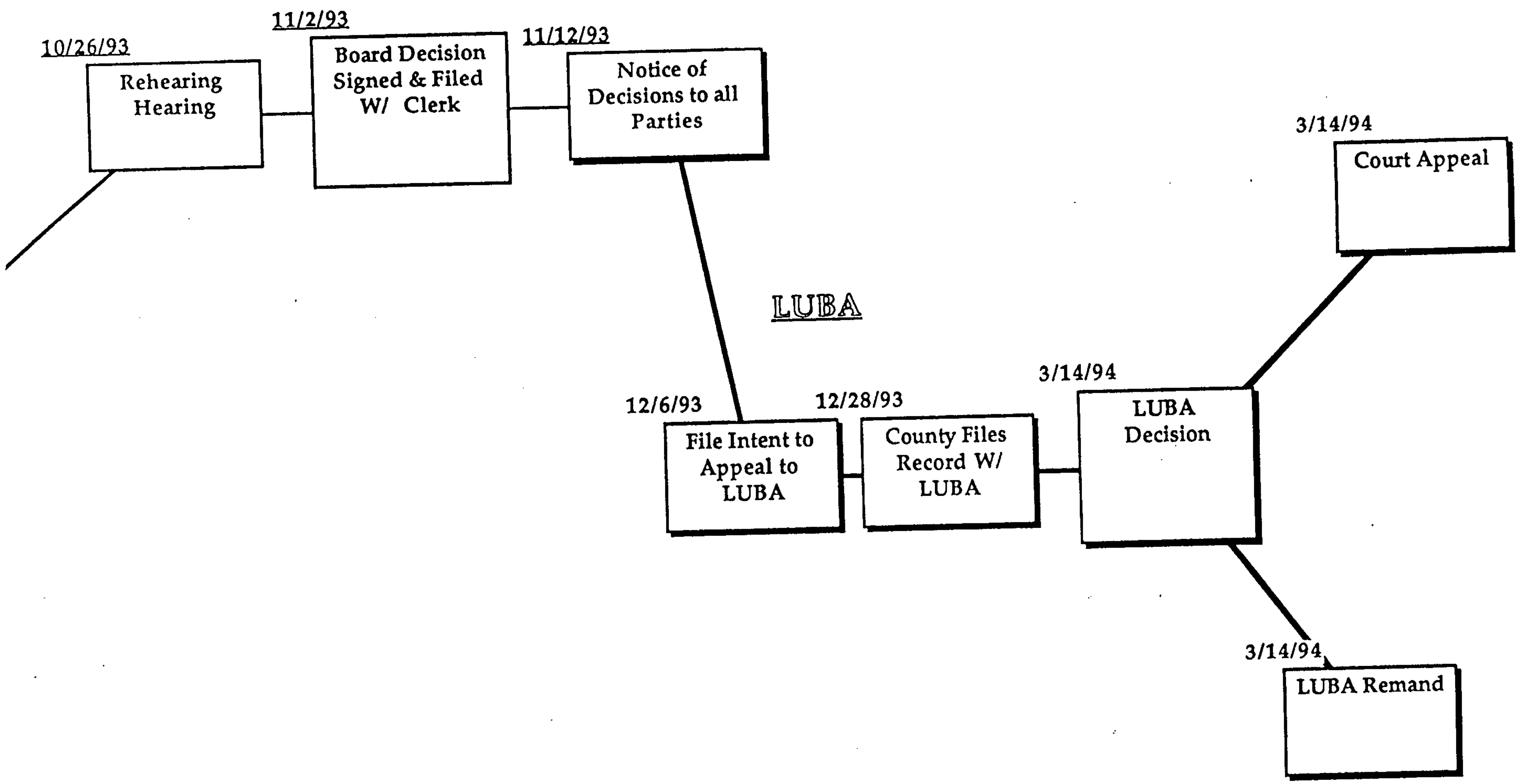
Board Briefing
3-16-93

Exhibit 3
Handout #2
B-2

Current Planning Program:

Quasi Judicial Process - Typical Case

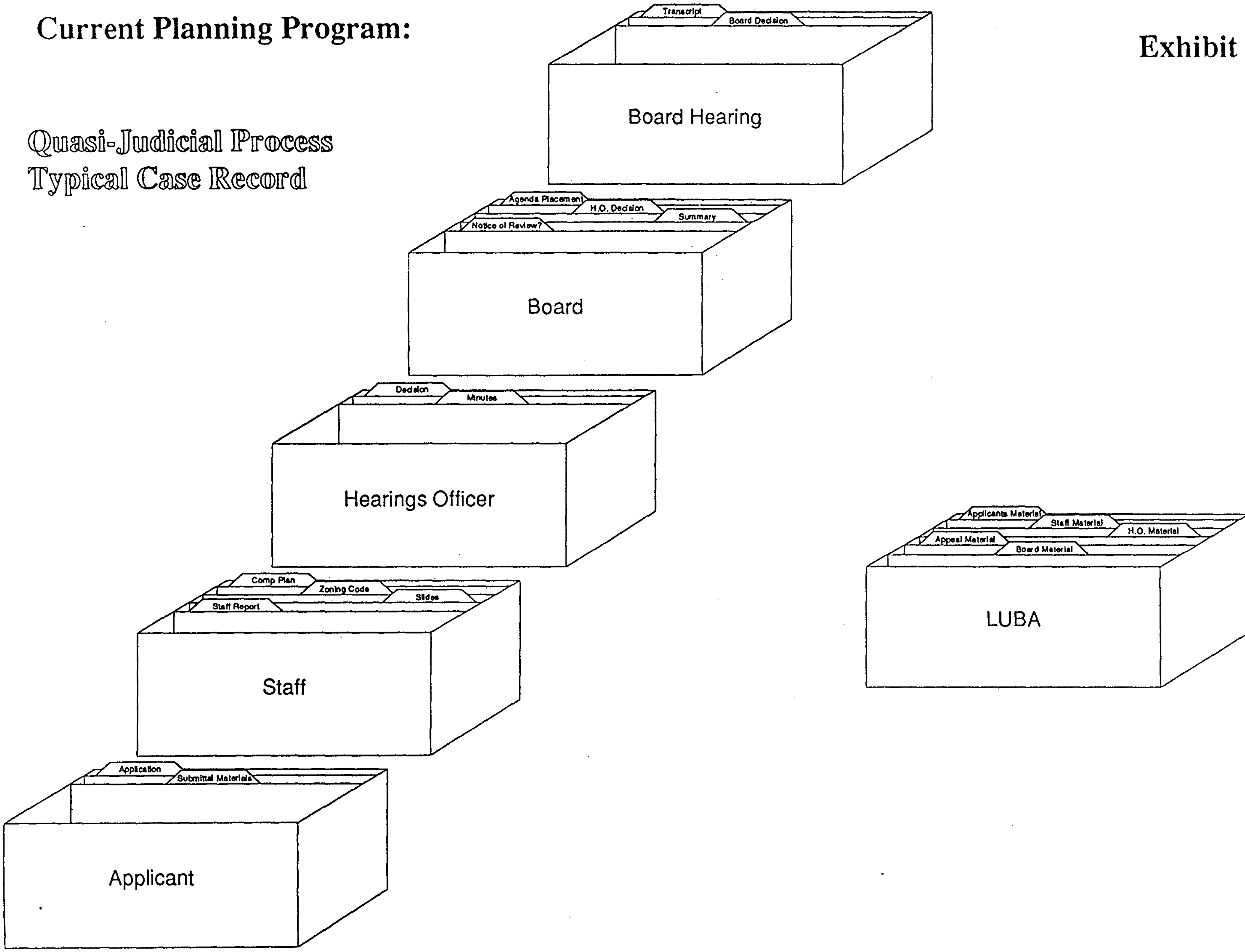



10/26/93
Rehearing Hearing
11/2/93
Board Decision Signed & Filed W/ Clerk
11/12/93
Notice of Decisions to all Parties
LUBA
12/6/93
File Intent to Appeal to LUBA
12/28/93
County Files Record W/ LUBA
3/14/94
LUBA Decision
3/14/94
Court Appeal
3/14/94
LUBA Remand

Current Planning Program:

Exhibit 4

Quasi-Judicial Process
Typical Case Record



MULTNOMAH COUNTY OREGON

DIVISION OF PLANNING & DEVELOPMENT/2115 S.E. MORRISON/PORTLAND, OREGON 97214

DIVISION OF PLANNING AND DEVELOPMENT

Board Planning Packet Check List

File No. ________

- [ ] Agenda Placement Sheet — No. of Pages ________

- [ ] Case Summary Sheet — No. of Pages ________
  - [ ] Previously Distributed ________

- [ ] Notice of Review — No. of Pages ________

  *(Maybe distributed at Board Meeting)
  - [ ] Previously Distributed ________

- [ ] Decision — No. of Pages ________

  (Hearings Officer/Planning Commission)
  - [ ] Previously Distributed ________

*Duplicate materials will be provided upon request.
Please call 2610.

(CL/1)

MULTNOMAH COUNTY OREGON
DIVISION OF PLANNING & DEVELOPMENT/2115 S.E. MORRISON/PORTLAND, OREGON 97214

DIVISION OF PLANNING AND DEVELOPMENT

Case File Record Check List

File No. _________

I. Materials Distributed to the Board

- ☐ Agenda Placement Sheet (Pages)
- ☐ Case Summary Sheet (Pages)
- ☐ Notice of Review Application (Pages)
- ☐ Decision (Pages)
  (Hearings Officer/Planning Commission)

II. Materials Available Upon Request

- ☐ Minutes (Pages)
- ☐ Transcript (Pages)
- ☐ Applicant's Application and Submittals (Pages)
- ☐ Case Correspondence (Letters)
- ☐ Slides (Slides)
- ☐ Exhibits/Maps (Exhibits)
  (Maps)
- ☐ Other Materials ( )

1960's

MULTNOMAH COUNTY PLANNING COMMISSION

STAFF RECOMMENDATIONS

Agenda A

May 3, 1960

Line 1 ZC 73-60 M-2 General Manufacturing District

8721 N.E. Columbia Blvd.

Recommend Approval

Planning Commission Policy: Encourage blocked-up or concentrated industrial developments in areas suitable for such uses. Encourage a stepping-down of uses from heavy to light.

Basis: This proposal is consistent with the Development Pattern and with other zoning in the area. Site has access from N.E. Columbia Blvd., a major arterial, and N.E. 92nd Dr., a minor arterial. Setbacks should be provided for the widening of both of these streets.

Line 2 ZC 75-60 Retail Commercial C-3

9062 N.E. Sandy Blvd.

Recommend Approval

Planning Commission Policy: Encourage blocked-up or concentrated commercial developments in locations suitable for such uses. Encourage a stepping-down of uses from heavy to light.

Basis: Other properties at this intersection are presently zoned C-3 retail commercial and such zoning is consistent with the Development Pattern for the area. Proposed use is permitted in the C-3 retail commercial district, provided that the business is conducted entirely within an enclosed building and that off-street parking requirements can be met. A review of the site plan indicates that the off-street parking proposed is insufficient for the use.

1970's

DEPARTMENT OF ENVIRONMENTAL SERVICES
Division of Land Use Planning
Agenda A May 7, 1974

Staff Report

Line 1 ZC 17-74, #332 M-2 General Manufacturing District
10945 N. E. Holman

Applicant's Proposal: Applicant proposes to rezone the site to permit continuation of his business on the site.

Planning Commission Policy: Encourage blocked-up or concentrated industrial developments in areas suitable for such uses. Encourage a stepping-down of uses from heavy to light.

Comprehensive Plan: The Comprehensive Plan shows this area as suitable for industrial use.

Surrounding Conditions: The area is a mixture of industrial and residential uses reflecting the slowly changing character of the area from larger suburban type residential lots to industrial use. Property to the east is zoned M-3, property to the west is tentaviely zoned M-3. Property to the south across from the site is zoned M-2.

The property north and west of the site has been acquired by the State Highway Department for I-205 right-of-way purposes.

History: Occupant was relocated to this site by the State Highway Department under the assumption that it was already zoned industrial.

Services: Access is from N. E. Holman Street currently a 40 foot right-of-way. Proposed right-of-way is for 60 feet.

The site is served by existing septic tank. Nearest gravity sanitary sewer to this site is at 112th & Holman. The existing line in Holman is a pressure line.

The site is served by Rockwood Water District at 90 psi. Drainage is to Drainage Canal system.

This property is or can be served with urban level utilities.

Ordinance Considerations: Established policy of the Planning Commission has been to require any occupied residence maintained on an industrial or commercial property to set aside a minimum of 7000 square feet for the residential use exclusive of the commercial or industrial use.

The Planning Commission has previously indicated a desire to approve M-3 light industrial zaning adjacent to the proposed I-205 Freeway rather than M-2.

Division of Land Use Planning
Agenda A
Staff Report

May 7, 1974

Line 1 ZC 17-74, cont'd

Elements to consider in any findings for approval of denial

1) That the proposed rezoning to M-2 is consistent with the Comprehensive Plan.

2) That the proposed rezoning is consistent with the zoning pattern for the area.

3) That there is a need for additional land of this size for industrial use in this area.

4) That the classification of this property for industrial use will represent very little or no burden to the neighborhood.

5) That there is a need for the dedication of an additional 10 feet off the southerly end of this property for the widening of N. E. Holman Street to meet the projected width specified by the Comprehensive Plan.

6) That the owner file an appropriate document agreeing to connect to any future sewer when built and further agreeing not to remonstrate against it.

7) That the site improvement plan be reviewed and approved by the Planning Commission staff including a provision that as long as the existing house is occupied by a residence, that 7000 square feet be set aside for residential purposes only.

NOTE: The adjacent properties are zoned M-3. The Planning Commission has suggested a policy of M-3 for properties adjacent to the Freeway. A fencing contractor is a permitted use in M-3.

1980's

BH

MULTNOMAH COUNTY DEPARTMENT OF ENVIRONMENTAL SERVICES
Division of Planning and Development
Land Development Section, 2115 SE Morrison Street, Portland, Oregon 97214

STAFF REPORT AND RECOMMENDATION

PLANNING COMMISSION | AGENDA A | July 11, 1983

This Staff Report consists of a recommended Decision, Conditions, if any, Findings of Fact and Conclusions.

IN THE MATTER OF:

CU 7-83, #662-#665 Conditional Use Approval (Non-Resource Related Dwelling) Line 7.

Applicant requests conditional use approval to construct a non-resource related single family dwelling on this 4.85-acre Lot of Record in the MUF-19 zoning district.

Location: 37924 East Knieriem Road

Legal: Lot 10, Houston Acres

Site Size: 330' x 640'

Size Requested: Same

Property Owner: C. Miles Barnette III
15225 SE 82nd Drive, Clackamas, OR. 97015

Applicant: JE DeLaney/AK Weir
3186 SW 16th Circle, Gresham, OR. 97030

Comprehensive Plan: Multiple Use Forest

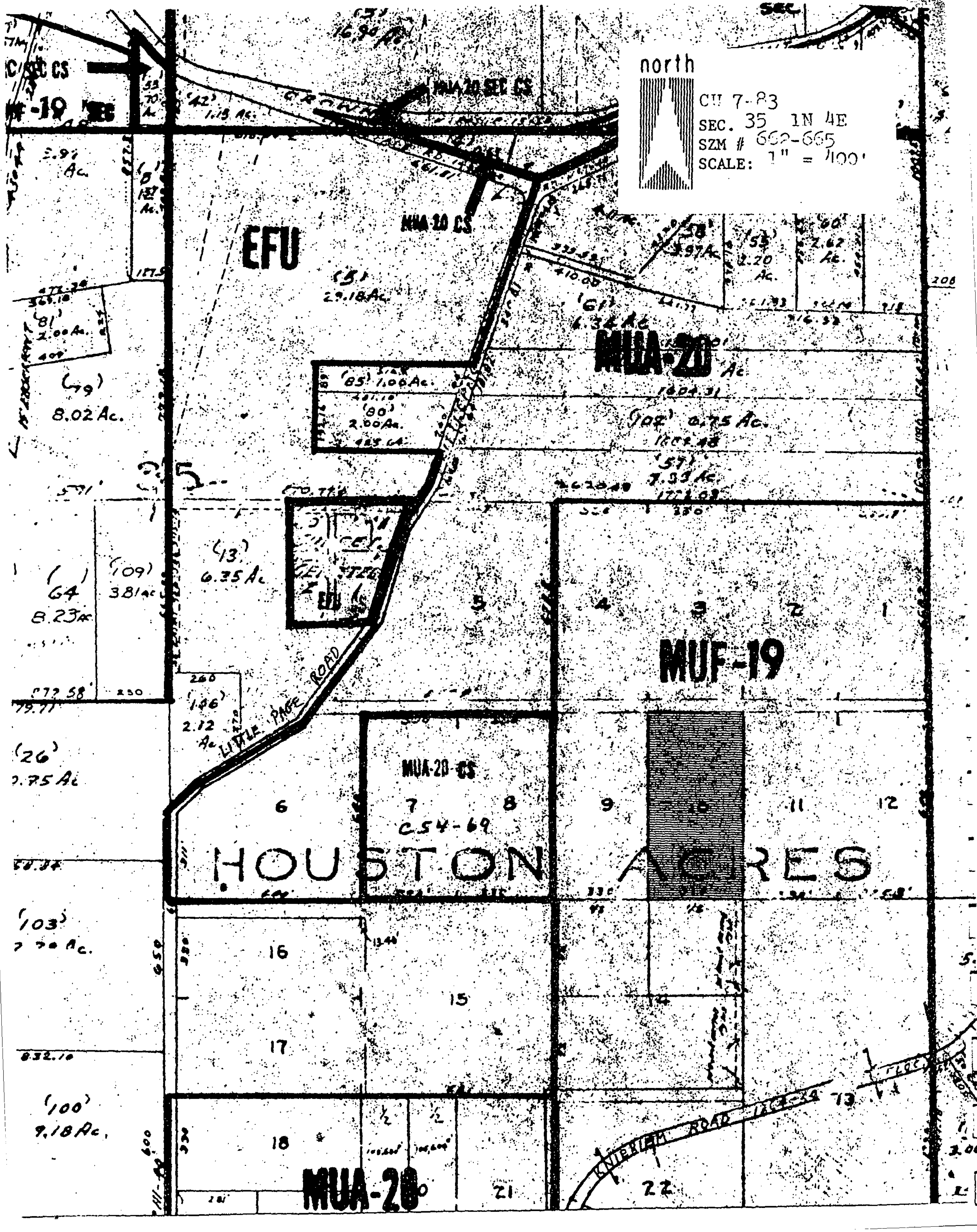
Present Zoning: MUF-19, Multiple Use Forest District
Minimum lot size of 19 acres.

RECOMMENDED PLANNING COMMISSION DECISION: Approve Conditional Use approval for a non-resource related single family residence in the MUF-19 District, subject to a condition, based on the following findings and conclusions.

Condition

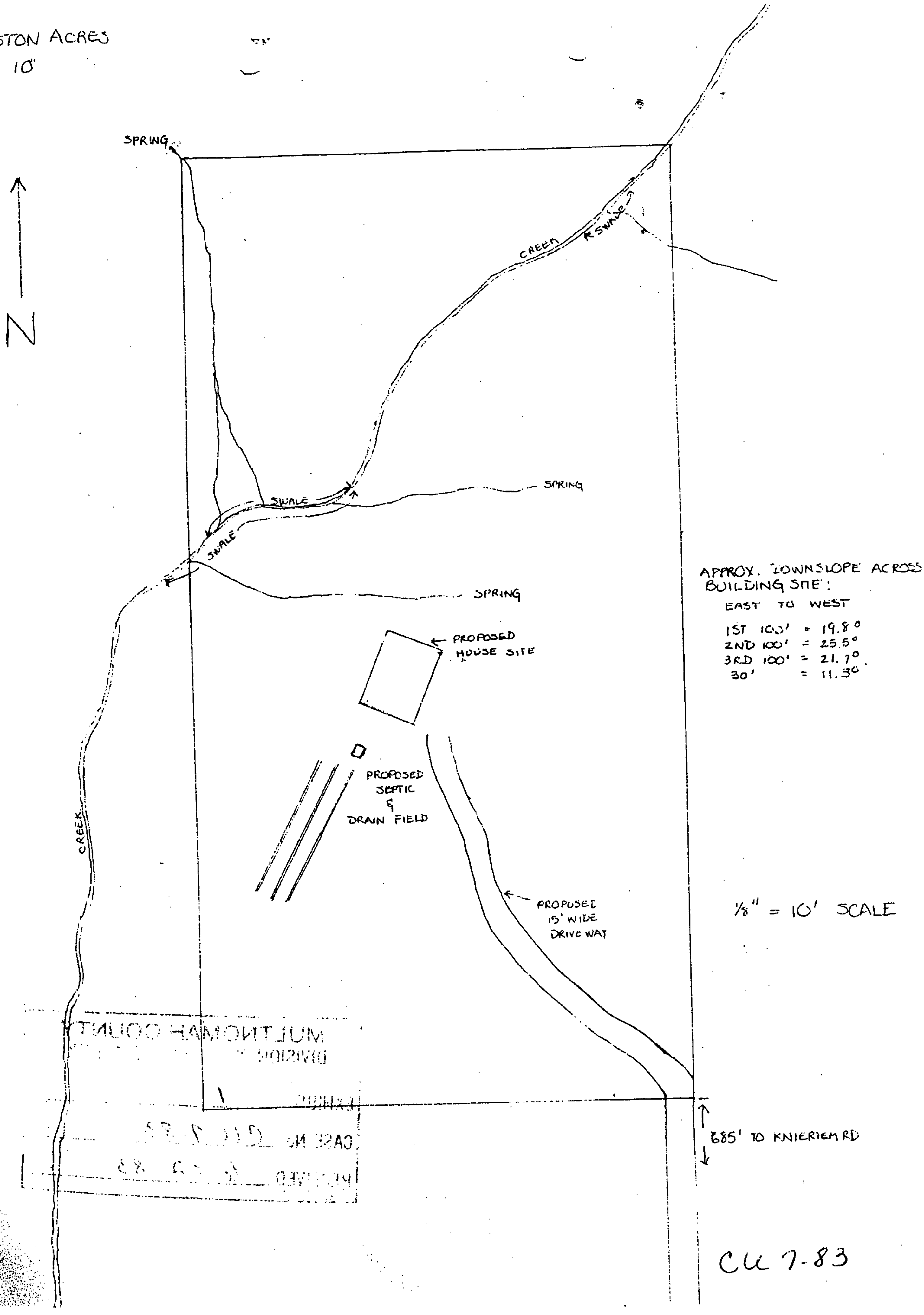
Prior to the issuance of building permits, the property owner shall provide the Land Development Section with a copy of the recorded deed restrictions, required under MCC 11.15.2172(D)(5). A prepared blank copy of this deed restriction is available at the Land Development offices.

-Continued-



north
CU 7-83
SEC. 35 1N 4E
SZM # 662-665
SCALE: 1" = 400'
EFU
MUA-20 CS
MUA-20 SEC CS
MUA-20
MUF-19
MUA-20 CS
C54-69
HOUSTON ACRES
LITTLE PAGE ROAD
KNIERIEM ROAD
29.18 Ac.
6.34 Ac
1.00 Ac.
2.00 Ac.
8.02 Ac.
6.35 Ac
8.23 Ac
2.12 Ac
9.18 Ac.
7.33 Ac.

HOUSTON ACRES
LOT 10



FINDINGS

1. Applicant's Proposal: Applicant requests approval to construct a non-resource related residence on the above described 4.84 acre Lot of Record.

2. Ordinance Considerations:

   A. A non-resource related residence is permitted in the MUF district as a conditional use where it is demonstrated that:

      1) The lot size shall meet the standard of MCC .2178(A), or .2182(A) to (C).

      2) The land is incapable of sustaining a farm or forest use, based upon one of the following:

         a. A Soil Conservation Service Agriculture Capability Class of IV or greater for at least 75% of the lot area, and physical conditions insufficient to produce 50 cubic feet/acre/year or any commercial tree species for at least 75% of the lot area;

         b. Certification by the Oregon State University Extension Service, the Oregon Department of Forestry, or a person or group having similar agricultural and forestry expertise, that the land is inadequate for farm and forest uses and stating the basis for the conclusion; or

         c. The lot is a Lot of Record under MCC .2192(A) through (C) and is ten acres or less in size.

      3) A dwelling, as proposed, is compatible with the primary uses as listed in MCC .2168 on nearby property, and will not interfere with the resources or the resource management practices or materially alter the stability of the overall land use pattern of the area;

      4) The dwelling will not require public services beyond those existing or programmed for the area;

      5) The owner shall record with the Division of Records and Elections a statement that the owner and the successors in interest acknowledge the rights of owners of nearby property to conduct accepted forestry or farming practices;

      6) The residential use development standards of MCC .2194 will be met; and

      7) The dwelling will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife, or that agency has certified that the impacts are acceptable.

B. A residential use located in the MUF district after August 14, 1980, shall comply with the following:

1) The fire safety measures outlined in the "Fire Safety Considerations for Development in Forested Areas", published by the Northwest Inter-agency Fire Prevention Group, including at least the following:

   a. Fire lanes at least 30 feet wide shall be maintained between a residential structure and an adjacent forested area;

2) An access drive at least 16 feet wide shall be maintained from the property access road to any perennial water source on the lot or an adjacent lot;

3) The dwelling shall be located in as close proximity to a publicly maintained street as possible, considering the requirements of MCC .2058(B). The physical limitations of the site which require a driveway in excess of 500 feet shall be stated in writing as part of the application of approval.

4) The dwelling shall be located on that portion of the lot having the lowest productivity characteristics for the proposed primary use, subject to the limitations of subpart 3 above;

5) Building setbacks of at least 200 feet shall be maintained from all property lines, wherever possible, except:

   a. A setback of 30 feet or more may be provided for a public road, or

   b. The location of dwelling(s) on adjacent lot(s) at a lesser distance which allows for clustering of dwellings or sharing of access;

6) The dwelling shall comply with the standards of the Building Code or as prescribed in ORS 446.002 through 446.200, relating to mobile homes.

7. The dwelling shall be attached to a foundation for which a building permit has been obtained.

8. The dwelling shall have a minimum floor area of 600 square feet.

9. The dwelling will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife, or that agency has certified that the impacts will be acceptable.

3. Site and Vicinity Characteristics:

This property is located north of Knieriem Road in the subdivision of Houston Acres, which was platted in 1910. The lot is bounded on the north by a 50 foot wide unimproved public right-of-way. Actual access to the property is gained via a 685 foot long easement to Knieriem Road. The property is undeveloped and supports only deciduous vegetation.

Surrounding properties are used for forest, agricultural and rural residential purposes. Approximately one-half of the ownerships in Houston Acres are developed with residences; however, all of the properties contiguous to this site are undeveloped.

All services necessary for residential development exist along the Knieriem Road frontage. Sewage disposal will be accommodated on-site, with a subsurface system. The proposed location of the residence satisfies the residential use locational criteria.

CONCLUSIONS:

1. The property is a Lot of Record and the proposed location of the residence satisfies the residential use locational standards.

2. A condition is necessary to ensure compliance with all code provisions.

3. The applicant has carried the burden necessary for the granting approval of a non-resource related residence in the MUF-19 district.

Signed July 11, 1983

By ____________________
Richard Cooley, Chairman

July 21, 1983
Filed with Clerk of the Board

Appeal to the Board of County Commissioners

Any party may file Notice of Review with the Planning Director within 10 days of the date the Decision is filed with the Clerk of the Board.

The decision in this item will be reported to the Board of County Commissioners for review at 9:30 a.m., Tuesday, August 2, 1983, in Room 602, Multnomah County Courthouse. For further information, call the Multnomah County Land Development Division at 248-3043.

1990's

BEFORE THE LAND USE HEARINGS OFFICER
FOR MULTNOMAH COUNTY, OREGON

Regarding a request by Dwayne and Stephen Kaptur for a) conditional use permit for a non-resource related dwelling) in the MUF-19 zone at 22401 NW St. Helens Road) in unincorporated Multnomah County, Oregon)	FINAL ORDER CU 22-92 (Kaptur)

I. SUMMARY

The applicant requests approval of a conditional use permit for a non-resource related single family detached dwelling on a 4.34-acre lot of record in the MUF-19 zone.

LOCATION: 22401 NW St. Helens Road; Tax lot '14', Section 1, T2N-R2W, WM, Multnomah County

APPLICANT AND OWNERS: Dwayne and Stephen Kaptur

SITE AREA: 4.34 acres

APPLICABLE LAW: Multnomah County Code (MCC) 11.15.2162, *et seq.*; Comprehensive Plan policies 13 (Air and Water Quality and Noise), 22 (Energy Conservation), 37 (Utilities), 38 (Facilities) and 40 (Development Requirements)

STAFF RECOMMENDATION: Deny

HEARINGS OFFICER DECISION: Denied

II. FINDINGS ABOUT SITE AND SURROUNDINGS

A. *Site size and shape* :

The size is an irregularly-shaped parcel that is as much as 800 feet north-south and 400 feet east-west. It contains 4.34 acres.

B. *Site location* :

The site is situated on the west side of NW St. Helens Road (US Highway 30) about 1500 feet north of the Wildwood Golf Course.

C. *Existing uses and structures* :

The site is not developed with structures other than those associated with high power electric transmission lines that cross the west portion of the site.

D. *Proposed uses and structures* :

The applicant proposes to develop a single family detached dwelling roughly centered on the site. The homesite is situated about 400 feet from NW St. Helens Road. A roughly 600-foot long driveway is proposed from the homesite to the southeast corner of the site. The driveway will cross a small section of the adjoining property to the south to reach NW St. Helens Road. The applicant proposes to develop a well due north of the homesite and to provide a sanitary waste system on the site.

E. Existing and proposed vegetation :

Where the electric transmission lines cross the west portion of the site, substantial vegetation has been removed. The remainder of the site is forested. The applicant will remove vegetation from the homesite and septic system drainfield.

F. Geology and soils :

Based on the Geologic and Slope Hazard Maps (September, 1978) and the USDA SCS General Soil Map for Multnomah County (August, 1974), the site is underlain by siltstone and claystone of the Troutdale formation and contains Gable-Cascade soils with moderately steep to steep slopes (down) from west to east. The site is not identified as having geologic or slope hazards.

G. Plan designation and zoning :

The Comprehensive Plan Map designates the site as Multiple Use Forest, and it is zoned MUF-19 (Multiple Use Forest-19).

H. Public services and utilities :

1. The site is not served by public water and sewer systems. The applicant proposes to develop a well and subsurface sanitation system on the site. The applicant argues that a well can be developed, based on the existence of two wells on nearby properties and opinions of owners of those wells and of two well drilling companies. The applicant argues a sanitation system can be developed, based on soils on the site. The applicant did not provide substantial evidence to support these arguments.

2. The site is in the Scappoose Rural Fire Protection District. The District Fire Chief advised the County that there is not adequate water pressure and flow at the site for fire fighting purposes. Water for fire fighting is provided by a tank truck, supplemented by ponds and creeks if any. The fire chief recommended certain mitigating measures regarding fire access if the application is approved.

I. Streets and access :

The site is due west of NW St. Helens Road, although it does not adjoin the road right of way. To gain access to the site, the applicant will have to cross a small portion of the lot to the south or negotiate a lot line adjustment with the Oregon Department of Transportation to provide road frontage.

J. Surrounding land uses :

1. Immediately north, west and south of the site is a roughly 59-acre parcel that is designated Commercial Forest Use and is zoned CFU-80 (Commercial Forest Use-80). That parcel contains a single family dwelling and agricultural outbuildings situated about 600 feet south of the site. West of the 59-acre parcel are large tracts used for commercial timber purposes by owner Longview Fiber Company.

2. About 1500 feet south of the site is the Wildwood golf course and associated structures. About 3000 feet south of the site is a relatively small concentration of single family homes; more homes are situated along the highway further south.

3. East of the site is a roughly 6-acre tract owned by the Oregon Department of Transportation (ODOT) Highway Division. That tract is used to facilitate slope stability adjoining the highway; it is not developed with structures. Across St. Helens Road east of the ODOT tract is a roughly 150-acre parcel used principally for pasture.

III. APPLICABLE APPROVAL STANDARDS

A. *Multnomah County Code (MCC) title 11.15 (Zoning).*

1. MCC 11.15.2172(C) allows a non-resource related single family dwelling in the MUF zone if the applicant shows:

a. The lot complies with MCC 11.15.2178(A), .2180(A) to (C), or .2182(A) to (C). MCC 11.15.2182(A)(2) recognizes as a "lot of record" a parcel of land:

(1) For which a deed or other instrument creating the parcel was recorded with the Department of General Services or was in recordable form prior to February 20, 1990;

(2) Which satisfied all applicable laws when the parcel was created;

(3) Does not meet the minimum lot size requirements of MCC .2178, (i.e., 19 acres); and

(4) Which is not contiguous to another substandard parcel or parcels under the same ownership.

MCC 11.15.2182(C) provides that separate lots of record shall be deemed created when a County maintained road or an EFU, CFU, MUA-20, RR or RC zoning district boundary intersects a parcel or aggregated group of contiguous parcels of land.

b. The land is incapable of sustaining a farm or forest use, because, among other reasons, it is a lot of record under MCC 11.15.2182(A) through (C) and is ten acres or less in size.

c. A dwelling, as proposed, is compatible with the primary uses as listed in MCC 11.15.2168 on nearby property and will not interfere with the resources or the resource management practices or materially alter the stability of the overall land use pattern of the area.

d. The dwelling will not require public services beyond those existing or programmed for the area.

e. The owner shall record with the Division of records and Elections a statement that the owner and successors in interest acknowledge the rights of owners of nearby property to conduct accepted forestry or farming practices.

f. The residential use development standards of MCC 11.15.2194 will be met.

2. The residential use development standards of MCC 11.15.2194 require the following:

a. The fire safety measures outlined in the "Fire Safety Considerations for Development in Forested Areas," published by the Northwest Inter-Agency Fire Prevention Group, including at least the following:

(1) Fire lanes at least 30 feet wide shall be maintained between a residential structure and an adjacent forested area; and

(2) Maintenance of a water supply and of fire fighting equipment sufficient to prevent fire from spreading from the dwelling to adjacent forested areas;

b. An access drive at least 16 feet wide shall be maintained from the property access road to any perennial water source on the lot or an adjacent lot;

c. The dwelling shall be located in as close proximity to a publicly maintained street as possible, considering the requirements of MCC 11.15.2178(B);

d. The physical limitations of the site which require a driveway in excess of 500 feet shall be stated in writing as part of the application for approval;

e. The dwelling shall be located on that portion of the lot having the lowest productivity characteristics for the proposed primary use, subject to the limitation of subpart #3 above;

f. Building setbacks of at least 200 feet shall be maintained from all property lines, wherever possible, except:

(1) A setback of 30 feet or more may be provided for a public road; or

(2) The location of dwelling(s) of adjacent lot(s) at a lesser distance which allows for the clustering of dwellings or the sharing of access...

g. The dwelling shall be located outside a big game winter wildlife habitat area as defined by the Oregon Department of Fish and Wildlife or that agency has certified that the impacts will be acceptable.

B. Multnomah County Comprehensive Plan Policies.

1. Policy 13 (Air and Water Quality and Noise) provides (in relevant part):

It is the county's policy to require, prior to approval of a legislative or quasi-judicial action, a statement from the appropriate agency that all standards can be met with respect to air quality, water quality and noise levels.

2. Policy 22 (Energy Conservation) provides (in relevant part):

The county shall require a finding prior to approval of a legislative or quasi-judicial action that the following factors have been considered:

a. The development of energy-efficient land uses and practices;

b. Increased density and intensity of development in urban areas...

c. An energy-efficient transportation system linked with increased mass transit, pedestrian and bicycle facilities;

d. Street layouts, lotting patterns and designs that utilize natural environmental and climactic conditions to advantage...

3. Policy 37 (Utilities) requires the county to find, prior to approval of a legislative or quasi-judicial action, that:

a. The proposed use can be connected to a public sewer and water system, both of which have adequate capacity; or

b. The proposed use can be connected to a public water system, and the Oregon Department of Environmental Quality (DEQ) will approve a subsurface sewage disposal system on the site; or

c. There is an adequate private water system, and the Oregon DEQ will approve a subsurface sewage disposal system; or

d. There is an adequate private water system and a public sewer with adequate capacity.

e. There is adequate capacity in the storm water system to handle the run-off; or

f. The run-off can be handled on the site or adequate provisions can be made; and

g. The run-off from the site will not adversely affect the water quality in adjacent streams, ponds or lakes or alter the drainage on adjoining lands.

h. There is an adequate energy supply to handle the needs of the proposal and the development level projected by the plan; and

i. Communications facilities are available.

4. Policy 38 (Facilities) requires the county to find, prior to approval of a legislative or quasi-judicial action, that:

a. The appropriate school district has had an opportunity to review and comment on the proposal.

b. There is adequate water pressure and flow for fire fighting purposes; and

c. The appropriate fire district has had an opportunity to review and comment on the proposal.

d. The proposal can receive adequate local police protection in accordance with the standards of the jurisdiction providing police protection.

5. Policy 40 (Development Requirements) requires the county to find, prior to approval of a legislative or quasi-judicial action, that:

a. Pedestrian and bicycle path connections to parks, recreation area and community facilities will be dedicated where appropriate and where designated in the bicycle corridor capital improvements program and map.

b. Landscaped areas benches will be provided in commercial, industrial and multiple family developments, where appropriate.

c. Areas for bicycle parking facilities will be required in development proposals, where appropriate.

IV. HEARING AND RECORD

A. Hearing.

Hearings Officer Larry Epstein received testimony at the public hearing about this application on January 4, 1993. A record of that testimony is included herein as Exhibit A (Parties of Record), Exhibit B (Taped Proceedings), and Exhibit C (Written Testimony). These exhibits are filed at the Multnomah County Department of Environmental Services.

B. Summary of selected relevant testimony.

1. Sandy Mathewson testified for the County and summarized the staff report and recommendation.

2. Dwayne Kaptur testified on his own behalf. He argued that the proximity of the subject site to NW St. Helens Road, together with the setbacks and vegetation on the subject site, are sufficient to ensure the dwelling will be compatible with surrounding farm and forest uses. Realtor Glenn Wright also testified in support of the proposal. He stated that the owners of tax lot '2' (Joseph and Roberta Miller) are in favor of the proposal, and that tax lot '10' is used for erosion control and slope stability. Richard Allison, who plans to purchase the subject the property and build the proposed dwelling, also testified in favor. He noted there are homes north and south of the site along NW St. Helens Road; therefore, the proposed dwelling is consistent with and will not materially alter the land use pattern in the area. He also testified sanitary waste system test holes have been dug on the property. He also noted that tax lot '2' separates the site from the Longview Fiber timberland further west, suggesting that the intervening lot would help prevent forest practices on the commercial timber land from conflicting with the proposed dwelling.

3. Chris Foster and Arnold Rochlin testified against the conditional use permit. Mr. Foster noted that roughly 3000 acres west of the site is used for commercial timber purposes, and he argued the applicant failed to show how the proposed dwelling would be compatible with timber practices. Mr. Rochlin noted that the site does not adjoin NW St. Helens Road except at the southeast tip of the site; the dwelling will not be situated near the road.

V. EVALUATION OF REQUEST

A. Compliance with MCC 11.15 (Zoning).

1. The lot is a lot of record of less than 10 acres, based on the deed at page 2130 of Book 1900 of the Division of Records and Elections. Also, based on County Assessment records, the applicant does not own contiguous properties. (MCC 11.15.2172(C)(1))

2. The land is incapable of sustaining a farm or forest use, because it is a lot of record smaller than 10 acres. (MCC 11.15.2172(C)(2))

3. The applicant did not bear the burden of proof that a dwelling on the subject site would be compatible with farm and forest uses on commercial timber land west of the site and would not materially alter the stability of the overall land use pattern of the area. (MCC 11.15.2172(C)(3))

a. The applicant did not describe accepted forest practices on that land and did not show how the proposed dwelling would be compatible with those practices.

b. The dwelling is not compatible with forest uses in the vicinity just because the applicant records a statement waiving rights to object to such practices. See *Champion International v. Polk County*, 16 Or LUBA 132 (1987). Hearsay testimony by the applicant and Mr. Allison that neighbors do not object to the proposed dwelling is not responsive to the applicable criterion, because the issue is not whether neighbors object. The issue is what uses occur in the area and whether a dwelling is compatible with them. Such hearsay also has little probative value.

c. The lack of substantial evidence in the record regarding this issue, particularly given the significant commercial timber operations west of the site, makes it impossible for the hearings officer to make the requisite finding about compatibility and non-interference. Such accepted forest practices as aerial and other chemical spraying, clear-cutting, and transportation of timber on land west of the site could conflict with residential use of the subject site, due to noise, odor, dust, visual and other impacts, and could be incompatible with a dwelling on the site.

d. The land use pattern of the area within a reasonable vicinity of the site is exclusively resource-oriented. The two dwellings within 1/2-mile of the site do not make the area primarily or significantly residential. One of those dwellings is resource-related; the other is related to a golf course, which is at least partially a resource-oriented use in that it is characterized by planting and maintenance of turf. The existence of additional dwellings more than 1/2-mile south of the site is not relevant, because of their distance from the site. Allowing the proposed dwelling would materially alter the land use pattern of the area from one which is exclusively resource-oriented. It would introduce a non-resource dwelling into the area. That could have a precedential effect contrary to the maintenance of the stability of the land use character of the area. See *Blosser v. Yamhill County*, 18 Or LUBA 253 (1989).

4. The applicant did not bear the burden of proof that the dwelling will not require public services beyond those existing or programmed for the area. Sanitation and water facilities are needed for the dwelling. Public facilities do not exist in the area and are not planned or programmed. The applicant proposes to use private systems, but failed to introduce substantial evidence from which the hearings officer could conclude that such systems will or are reasonably likely to be approved. (MCC 11.15.2172(C)(4))

5. The applicant has prepared the statement required by MCC 11.15.2172(C)(5), and it can be recorded if the permit is approved.

6. The proposed dwelling will comply with some of the residential use development standards of MCC 11.15.2194 as provided below:

a. Fire lanes can be provided around the dwelling, consistent with MCC 11.15.2194(A)(1).

b. A water supply for fire fighting purposes and fire fighting equipment can be provided by the Scappoose Rural Fire Protection District, based on the written statement from the District chief, consistent with MCC 11.15.2194(A)(2).

c. There are no perennial water sources on the subject lot or adjacent property, based on the aerial photograph in the record. Therefore, the applicant is not required to provide access to such water.

d. The dwelling is proposed to be as close to NW St. Helens Road as possible while providing a 200-foot setback from the east property line. However, given that MCC 11.15.2194(F) allows the dwelling to be 30 feet from the road, it could be closer. Therefore, the dwelling location violates MCC 11.15.2194(C).

e. The driveway to the homesite is more than 500 feet long. The application does not describe physical limitations that warrant such an excessive driveway length. Therefore, the proposed dwelling violates MCC 11.15.2194(D).

f. The application does not include information regarding the productivity characteristics of the site. Therefore, the hearings officer is unable to determine whether the dwelling is located on that portion of the lot having the lowest productivity characteristics, and the application fails to bear the requisite burden of proof under MCC 11.15.2194(E).

g. The proposed building location is at least 200 feet from property lines. Therefore, the location complies with MCC 11.15.2194(F).

h. The dwelling is located outside a big game winter wildlife habitat identified by the Oregon Department of Fish and Wildlife, based on the staff report. Therefore, the dwelling complies with MCC 11.15.2194(J).

B. Compliance with the Comprehensive Plan.

1. The proposal does not comply with Policy 13 (Air and Water Quality and Noise), because the application fails to include a statement from the applicable agency that all standards can be met with respect to water quality. The hearings officer assumes the proposed use will have negligible water quality impacts, because there are no perennial water sources on or adjoining the site. The proposed use will not generate significant noise and is not a noise sensitive use. Although traffic on NW St. Helens Road could could high noise levels, there is not substantial evidence in the record from which to conclude that the site is in a noise impacted area.

2. The proposal does not comply with Policy 22 (Energy Conservation), because it does not increase the energy efficiency of land uses and practices and does not increase density in the urban area. There is not substantial evidence in the record to determine whether the site is served by mass transit. There are no pedestrian facilities in the area. Bicycles commonly travel on the shoulders of NW St. Helens Road. There is not substantial evidence in the record to determine whether the proposed dwelling is sited to use natural environmental and climatic conditions to its advantage.

3. The proposal does not comply with Policy 37 (Utilities), because there is not substantial evidence in the record that shows the proposed dwelling is reasonably likely to be served by public or private water and sanitation facilities. The hearings officer assumes storm water run-off can be accommodated on the site, because of the relatively small impervious area that will result from the proposed development and the applicability of county regulations regarding drainage and hillside erosion control. The hearings officer also assumes that adequate energy supplies and communications facilities exist or can be provided to serve the proposed dwelling, because such facilities exist along NW St. Helens Road.

4. The proposal does not comply with Policy 38 (Facilities), because there is no evidence in the record that the applicable school district or the applicable law enforcement agency had an opportunity to review and comment on the proposal. The proposal complies with the policy regarding fire protection and fire district review, based on the written comment from the RFPD chief.

5. The proposal complies with Policy 40 (Development Requirements), because that policy does not require any dedications or improvements to implement the bicycle corridor capital improvements program and map, the site is not a commercial, industrial and multiple family development, and bicycle parking can be provided on the site.

VI. SITE VISIT

The hearings officer visited the site. His observations are reflected in Section II of the final order.

VII. CONCLUSIONS AND DECISION

A. *Conclusions.*

The hearings officer concludes that the proposed conditional use permit does not comply with MCC 11.15.2172(C)(3) or (4) or with MCC 11.15.2194(C), (D) or (E) and does not comply with Comprehensive Plan policies 13 (Air and Water Quality and Noise), 22 (Energy Conservation), 37 (Utilities) or 38 (Facilities).

B. *Decision.*

In recognition of the findings and conclusions contained herein, and incorporating the Staff Report and other reports of affected agencies and public testimony and exhibits received in this matter, the hearings officer hereby denies CU 22-92 (Kaptur).

Dated this 14th day of January, 1993.

Larry Epstein

Larry Epstein, Hearings Officer

IN THE MATTER OF CU 22-92

Signed by the Hearings Officer: January 14, 1993

Decision mailed to parties: January 14, 1993

Submitted to Clerk of the Board: January 14, 1993

ANY APPEALS OF THIS ACTION MUST BE FILED WITHIN TEN DAYS AFTER THE DECISION IS SUBMITTED TO THE CLERK OF THE BOARD.

Decisions of the Hearings Officer may be appealed to the Board of County Commissioners (Board) by any person or organization who appears and testifies at the hearing, or by those who submit written testimony to the record. A "Notice of Appeal" form and fee must be submitted to the County Planning Director within ten days after the Hearings Officer Decision is submitted to the Clerk of the Board [MCC 11.15.8260(A)(1)]. The appeal fee is **$300.00 plus a $3.50 per minute** charge for a transcript of the initial Hearing(s) [MCC 11.15.9020(B)]. "Notice of Appeal" forms and instructions are available at the Planning and Development office at 2115 SE Morrison Street, Portland.

Failure to raise an issue by the close of the record at or following the final hearing, (in person or by letter), precludes appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to provide specificity on an issue sufficient for the Board to respond, precludes appeal to LUBA on that issue.

This Hearings Officer Decision will be reported to the Board of County Commissioners on Tuesday, January 26, 1993 at 9:30 a.m. in Room 602 of the Multnomah County Courthouse.

For further information call the Multnomah County Division of Planning and Development at 248-3043.