

**74th OREGON LEGISLATIVE ASSEMBLY – 2007 Regular Session
BUDGET REPORT AND MEASURE SUMMARY**

MEASURE: HB 5034

JOINT COMMITTEE ON WAYS AND MEANS

**Carrier – House: Rep. Garrard
Carrier – Senate: Sen. Nelson**

Action: Do Pass

Vote: 17 – 3 – 1

House – Yeas: D. Edwards, Galizio, Garrard, Jenson, Nathanson, Nolan, Shields

– Nays: Hanna, Morgan

– Exc:

Senate – Yeas: Bates, Carter, Devlin, Gordly, Johnson, Morse, Nelson, Schrader, Verger, Westlund

– Nays: Whitsett

– Exc: Winters

Prepared By: Kay Erickson, Department of Administrative Services

Reviewed By: Dawn Farr, Legislative Fiscal Office

Meeting Date: 2/23/07

Agency

Land Use Board of Appeals

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Biennium

2007-09

Senators: Bates, Carter, Devlin, Gordly, Johnson, Morse, Nelson,
Schrader, Verger, Westlund, Whitsett, Winters

Senator Kurt Schrader, Co-Chair

Representatives: D. Edwards, Galizio, Garrard, Hanna, Jenson,
Morgan, Nathanson, Nolan, Shields

Representative Mary Nolan, Co-Chair

Senator Richard Devlin, Natural Resources Subcommittee Chair

Budget Summary *

	<u>Legislatively Approved Budget (1)</u>	<u>Governor's Budget</u>	<u>Committee Recommendation</u>	<u>Difference from Governor's Budget</u>	<u>Governor's Budget</u>
General Fund	\$ 1,330,824	\$ 1,405,426	\$ 1,405,426	\$ 0	0.0%
Other Funds	67,391	75,149	75,149	0	0.0%
Total	\$ 1,398,215	\$ 1,480,575	\$ 1,480,575	\$ 0	0.0%

Position Summary

Authorized Positions	6	6	6	0
Full-time Equivalent (FTE) Positions	6.00	6.00	6.00	0.00

(1) Includes adjustments through the December 2006 meeting of the Emergency Board

* Excludes Capital Construction expenditures

Summary of Revenue Changes

The Land Use Board of Appeals is funded primarily with General Fund. Other Funds revenue is generated through filing fees and the sale of publications of the Board's opinions and final orders. Revenues received from filing fees are transferred to the General Fund. The Joint Ways and Means Subcommittee on Natural Resources made no changes to revenues.

Summary of Subcommittee Action

The Land Use Board of Appeals (LUBA) hears appeals of land use decisions made by state agencies, special districts, and local governments. The Board was created by legislation in 1979 to ease the workload in the court system and provide a forum to resolve land use disputes quickly and consistently. The Joint Subcommittee approved a budget of \$1,405,426 General Fund, \$75,149 Other Funds, and six positions (6.00 full-time equivalent). This represents a 9.9% increase over the 2005-07 Legislatively Approved Budget and is equivalent to the 2007-09 Essential Budget Level. The budget maintains the Board's current level of operations.

The Joint Subcommittee discussed potential future impacts of Measure 37, the land use regulation compensation law, on the agency's caseload. Although it is difficult to predict the potential effect of the Measure on LUBA's workload, this remains an area of concern. If Measure 37 or other factors result in significant increases to workload, the agency's ability to meet its statutory deadlines may be compromised. If this occurs, LUBA may require supplemental resources.

Summary of Performance Measure Action

See attached Legislatively Adopted 2007-09 Key Performance Measures form.