

**2009 Regular Legislative Session**  
**FISCAL ANALYSIS OF PROPOSED LEGISLATION**  
**Prepared by the Oregon Legislative Fiscal Office**

---

**MEASURE NUMBER:** HB 3199

**STATUS:** A-Engrossed

**SUBJECT:** Program Change

**GOVERNMENT UNIT AFFECTED:** Oregon Liquor Control Commission, Department of Administrative Services, Secretary of State, State Treasurer, Public Utilities Commission, Department of Revenue, Department of Human Services, Economic and Community Development Department, Judicial Department, Land Use Board of Appeals, Department of Corrections, Department of Public Safety Standards and Training, Military Department, Mortuary and Cemetery Board, and Department of Transportation

**PREPARED BY:** John Borden

**REVIEWED BY:** Ken Rocco, Daron Hill, Michelle Deister, Laurie Byerly, Paul Siebert, Steve Bender, Doug Wilson, John Britton, Robin LaMonte, and Susan Jordan

**DATE:** June 24, 2009

---

**EXPENDITURES:**

See Analysis

2009-2011

2011-2013

**REVENUES:**

See Legislative Revenue Impact Statement

**EFFECTIVE DATE:** On passage

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

**ANALYSIS:** This measure implements statutory changes necessary to support the legislatively adopted budget and to clarify the application of statutes. This measure, relating to state financial administration, is not an appropriation bill and therefore does not include the appropriation of funds. However, the measure is necessary to achieve a balance budget for the 2009-11 biennium. The measure is effective on passage.

The provisions of this measure that have a fiscal impact are detailed below by program area:

**Administrative Program Area**

Section/Gov't Unit	Program Change	Fiscal Impact
§1 Oregon Liquor Control Commission	Distributes Oregon Liquor Control Commission Account revenue from a per bottle surcharge to the General Fund	Net \$23.9 million transfer to General Fund
§2 & 3 Legislative Fiscal Office	Requires Executive Branch agencies to provide the Legislative Fiscal Office with allotment estimates and modifications	No fiscal impact
§10 Department of Revenue	Authorizes the State Treasurer to lend money to the Department of Revenue for the State Senior Property Deferral Account with repayment required within five years	No fiscal impact
§11 & 12 Various state agencies	Authorizes the allocation of authority to issue bonds under the federal American Recovery and Reinvestment Act of 2009	Indeterminate - permissive

§13 Department of Administrative Services	Transfers funds from the Department of Administrative Services Operating Fund to the General Fund.	\$1,123,741 transfer to the General Fund
§14 Oregon Liquor Control Commission	Maintains Oregon Liquor Control Commission bank credit card fees as limited Other Funds expenditures rather than Nonlimited Other Funds	No fiscal
§15 Department of Administrative Services	Transfers funds from the Insurance Fund [risk management] to the General Fund	\$30 million transfer to the General Fund

### Consumer and Business Services Program Area

Section/Gov't Unit	Agency/Program Change	Fiscal Impact
§16 & 17 Public Utilities Commission	Authorizes the Public Utilities Commission to use moneys from the universal service fund for broadband mapping, under specified circumstances	Indeterminate fiscal impact. Federal guidelines for this grant have not yet been drafted. Match may be required, either in kind or cash, for the mapping project.
§17a Department of Human Services/Mortuary and Cemetery Board	Applies death certificate fees on or after July 1, 2009	No fiscal impact; corrects error in measure effective date

### Economic and Community Development Program Area

Section/Gov't Unit	Program Change	Fiscal Impact
§18 to 22 Department of Administrative Services	Authorizes the Oregon Progress Board to accept contributions from federal or other sources & enter into intergovernmental agreements for services	Indeterminate
§23 to 32	Deleted by amendment	No fiscal impact
§33 Department of Higher Education	Establishes a limit a maximum allocation from the Administrative Services Economic Development Fund to the Sports Lottery Account (\$9,665,082 for the 2009-11 biennium).	Program reduction of \$1,705,603
§34 Economic and Community Development Department	Allows moneys in the Special Public Works Fund and Water Fund to be used by the Economic and Community Development Department for lawful purposes permitted under the Oregon Constitution	Utilizes \$10 million in fund balances for program support
§35 Economic and Community Development Department	Authorizes the Economic and Community Development Department to use Marine Navigation Improvement Fund for Debt Service payments on lottery revenue bonds	Provides \$1.4 million for Lottery Bond Debt Services avoiding the need for the issuance of new Lottery Bonds
§36 Department of Administrative Services/ County government	Reduces quarterly transfer of video and lottery game revenue transferred to Administrative Services Economic Development Fund	Reduces biennial allocation of \$5 million Lottery Funds to counties
§37 Department of Administrative Services/ County government	Allocates Administrative Services Economic Development Funds to the Department of Administrative Services to be deposited into the County Fair Account	Allocation of \$3,043,303 Lottery Funds for county fairs

**Judicial Program Area**

<b>Section/Gov't Unit</b>	<b>Program Change</b>	<b>Fiscal Impact</b>
§37a Judicial Department	Authorizes the Chief Justice to establish fees for the use of the Oregon Judicial Information Network	Approx. \$3.1 million impact if measure does not become law
§37b to 37h Judicial Department	Allows the Chief Justice by temporary order to exempt certain categories of cases from the fees established under this paragraph when the exemption is needed to ensure the equitable imposition of such fees.	Minimal fiscal impact
§37i Judicial Department	Clarifies application of certain fees established in HB 2287	Minimal fiscal impact

**Natural Resources Program Area**

<b>Section/Gov't Unit</b>	<b>Program Change</b>	<b>Fiscal Impact</b>
§38 & 39 Land Use Board of Appeals	Imposes and increases a filing fees for appeals with the Land Use Board of Appeals	Approx. \$50,450 in revenue from fees
§40 Water Resources Department	Transfers funds from the Water Development Administration and Bond sinking Fund to the General Fund	\$300,000 transfer to General Fund
§40a State Treasurer	The State Treasurer may not issue lottery bonds for Water Resources if HB 3369 does not become law.	Indeterminate
§41 State Lands	Transfers unexpended moneys from the New Carissa settlement Distributable Income Account to the General Fund	\$664,952 transfer to General Fund

**Public Safety Program Area**

<b>Section/Gov't Unit</b>	<b>Program Change</b>	<b>Fiscal Impact</b>
§42 Department of Justice	Transfers funds from the Consumer Protection and Education Revolving Account to the General Fund	\$2 million transfer to General Fund
§43 to 46d Department of Corrections/Department of Public Safety Standards and Training	Transfers training of the Department of Correction's (DOC) correctional officers from the Department of Public Safety Standards and Training to DOC. Requires oversight and certification by DPSST and allows portability of certifications.	Net savings of \$7.6 million General Fund assumed in agency budgets
§47 Military Department	Requires that interest earnings on moneys in the Emergency Communications Account (9-1-1) be deposited into the General Fund.	Est. \$800,000 General Fund

**Transportation Program Area**

<b>Section/Gov't Unit</b>	<b>Program Change</b>	<b>Fiscal Impact</b>
§48 Department of Transportation	Authorizes the use of moneys from snowmobile registration fees for urban trails	\$1 million transfer, without negatively impacting snowmobile program activities

**Education Program Area**

<b>Section/Gov't Unit</b>	<b>Program Change</b>	<b>Fiscal Impact</b>
§49 Department of Education	Requires the Department of Education to provide partial reimbursement to school districts for the cost of making breakfasts accessible at no charge to eligible students.	\$2,295,000 General Fund allocated in the end of session bill.