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

MEASURE NUMBER: SB 77 **STATUS:** A Engrossed
SUBJECT: Establishes process to declare a public safety services emergency.
GOVERNMENT UNIT AFFECTED: Criminal Justice Commission, Secretary of State, Department of Revenue, State Treasurer, Office of the Governor and Oregon State Police
PREPARED BY: Tim Walker
REVIEWED BY: Doug Wilson, Daron Hill, Laurie Byerly, and Steve Bender
DATE: April 14, 2009

	2009-2011	2011-2013
EXPENDITURES:		
See Analysis.		

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 bill would allow the Governor to declare a pubic safety services emergency in the event a county cannot provide a minimally adequate level of public safety services and allows the Governor to appoint a fiscal control board to assess the situation and provide a recovery plan.

This measure has an indeterminate impact due to the uncertainty of how often an emergency may be declared, which counties may be affected, and the total amount of resources required responding to an emergency in any given situation. Therefore, the agencies affected by this bill may require a budget adjustment, by the current Legislature, the Emergency Board, or a future Legislature, if the agency's budgeted resources prove insufficient to cover the actual cost of this measure.

The Criminal Justice Commission (CJC) is required to establish guidelines to identify what constitutes a minimally adequate level of public safety services. This bill requires CJC to seek "broad input" which CJC interprets as the Commission holding hearings across the state. CJC estimates the cost of travel, staff time, and Attorney General costs for the administrative rule process to be $94,000 in the 2009-11 biennium.

It is not clear from the bill that, if an emergency was declared, what level of resources may be provided by the state, if the resources could be a pass through of funds to continue public safety services or if state employees may be required to provide services and at what level. If an emergency is declared, the Office of the Governor, Secretary of State, State Treasurer and the Department of Revenue are expected to provide permanent staff to the fiscal control board or allows the Governor, the Secretary of State and the State Treasurer to employ individuals to support the duties of the fiscal control board. The level of staff support that the Board would require is not clear.