

the Board assumes that, consistent with the provisions of ORS 689.135, a \$25 annual fee would be imposed. This would generate an estimated \$1,154,000 Other Funds, which exceeds the cost of this program. The Board notes that it doesn't have a sufficient operating ending balance to provide funding for unanticipated expenses. However, the Governor's budget for the Board includes fee increases that, if approved, would generate a 9 month ending balance. Therefore, the Board may not need to impose the full \$25 fee that is authorized in the bill.

The U.S. Department of Justice, Bureau of Justice Programs awarded a \$350,000 federal grant to the Board to develop a prescription drug monitoring program for Oregon. The grant was approved by the Emergency Board in January 2004 and awarded by the U.S. Department of Justice in July 2004. The original grant period ended July 31, 2005, but has been subject to annual extensions since 2005. The expenditure of the entire grant requires state enabling legislation in the form of this measure. Similar measures during the 2005 and 2007 Legislative Sessions failed to become law (SB 180 and SB 34). Without the enactment of such legislation, only \$50,000 of the grant can be expended for planning purposes. The agency has expended a portion of the \$50,000 and anticipates that the remainder will be spent by the end of the 2009 biennium, leaving a balance of \$300,000 in 2009-11 for this program. The Board indicates that it may apply for further federal program improvement grants if this bill is enacted.