

Assuming that future application and claim processing costs are similar to historic costs, the average cost per claim will be approximately \$2,500. Included in this average cost calculation are expenditures for rulemaking, outreach, notifications, claim review, certification and an assessment to cover anticipated Attorney General fees. Work would be completed by retaining DLCD Measure 49 limited duration positions through the end of the 2009-11 biennium. Total Personal Services expenditures are estimated at \$284,913 Other Funds and Services and Supplies are \$461,994 Other Funds which includes \$400,000 in Attorney General fees. Implementation of the bill will require investing resources in outreach, notification, and rulemaking activities prior to receiving application fee revenues. Upfront costs are estimated at \$14,000. The agency would use existing Measure 49 General Fund resources to cover these expenditures until fee revenues materialize. If application fees are not sufficient to cover these sunk costs, the agency may need to reduce expenditures or return to the Emergency Board for additional General Fund appropriation.

Land Use Board of Appeals (LUBA)

LUBA does not anticipate a fiscal impact associated with this bill. Section 8(1)(e) contains a legal technical adjustment that clarifies the reference to “Board” as being the Land Use Board of Appeals. The reference to DLCD providing clerical support to LUBA is not the current budgeting practice; and, it is not clear whether clerical support was ever provided by DLCD. LUBA is a separate state agency with an independent budget that is reviewed and approved by the Legislature. LFO may address this issue as part of the 2010 session program change bill.

The Department of Justice’s (DOJ) 2009-11 legislatively approved budget included staffing and related expenditures to support Measure 37/49 work. DOJ believes it has sufficient staffing and limitation in its current budget to meet the increased DLCD related work that may result from this bill. The impacts on the 2011-13 biennium are not known at this time; however, the agency anticipates requesting some level of continued staffing and related expenditures for Measure 37/49 work in the 2011-13 biennium.

The Association of Oregon Counties anticipates that counties will need to provide some historical information to the DLCD on applications. This additional work is expected to have a minimal fiscal impact.