

Senate Bill 1035

Sponsored by Senator BOQUIST; Senators ATKINSON, FERRIOLI, GIROD, KRUSE, MORSE, TELFER, WHITSETT, WINTERS (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs specified state agencies, boards and commissions to report to Legislative Assembly or Emergency Board on plan to abolish agency, board or commission or merge with another agency, board or commission.

Directs specified state agencies, boards and commissions to report to Legislative Assembly or Emergency Board on plan to reduce funding level of agency, board or commission by specified percentage below legislatively approved budget for agency, board or commission for biennium beginning July 1, 2009.

Directs specified state agencies to maintain expenditures at level equal to level of legislatively approved budget for agency for biennium ending June 30, 2009.

Suspends cost-of-living increases, salary step increases, upward reclassifications, filling of vacant positions, creation of new positions and out-of-state travel for employees of specified state agencies. Suspends purchases of additional goods or supplies.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to state financial administration; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section, "legislatively approved budget" has the meaning**
5 **given that term in ORS 291.002.**

6 **(2) Not later than June 30, 2010, the Oregon Liquor Control Commission shall report to**
7 **the Legislative Assembly or the Emergency Board on a plan to abolish the commission. The**
8 **plan shall include proposals for the elimination or transfer of the functions of the commis-**
9 **sion.**

10 **(3) Not later than June 30, 2010, the Teacher Standards and Practices Commission, the**
11 **Department of State Lands and the Employment Relations Board shall report to the Legis-**
12 **lative Assembly or the Emergency Board on a plan to merge the commission, department**
13 **or board with another state agency or abolish the commission, department or board. The**
14 **plan shall include proposals for funding the functions of the former commission, department**
15 **or board at a level that is at least 10 percent below the legislatively approved budget for the**
16 **commission, department or board for the biennium beginning July 1, 2009.**

17 **(4) Not later than June 30, 2010, the following agencies, commissions, departments and**
18 **boards shall report to the Legislative Assembly or the Emergency Board on a plan for**
19 **funding the functions of the agency, commission, department or board at a level that is be-**
20 **low the legislatively approved budget for the agency, commission, department or board for**
21 **the biennium beginning July 1, 2009, by at least the amount specified:**

22 **(a) State Department of Agriculture: 6 percent.**

23 **(b) State Department of Energy, operations: 10 percent.**

24 **(c) State Department of Energy, other than operations: 10 percent.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

- 1 (d) Columbia River Gorge Commission: 25 percent.
- 2 (e) State Marine Board: 25 percent.
- 3 (f) State Parks and Recreation Department: 13 percent.
- 4 (g) Oregon University System: 12 percent.
- 5 (h) Water Resources Department: 20 percent.
- 6 (i) State Board of Chiropractic Examiners: 12 percent.
- 7 (j) State Board of Licensed Social Workers: 12 percent.
- 8 (k) Department of Consumer and Business Services: 10 percent.
- 9 (L) Oregon Board of Dentistry: 10 percent.
- 10 (m) Oregon Health Licensing Agency: 16 percent.
- 11 (n) Board of Naturopathic Medicine: 14 percent.
- 12 (o) Occupational Therapy Licensing Board: 25 percent.
- 13 (p) Board of Medical Imaging: 18 percent.
- 14 (q) Oregon State Veterinary Medical Examining Board: 7 percent.
- 15 (r) Bureau of Labor and Industries: 11 percent.
- 16 (s) Oregon Medical Board: 17 percent.
- 17 (t) Oregon State Board of Nursing: 16 percent.
- 18 (u) State Board of Pharmacy: 19 percent.
- 19 (v) State Board of Psychologist Examiners: 25 percent.
- 20 (w) Public Utility Commission: 5 percent.
- 21 (x) Real Estate Agency: 25 percent.
- 22 (y) State Board of Tax Practitioners: 17 percent.
- 23 (z) Oregon Department of Administrative Services: 25 percent.
- 24 (aa) Oregon Government Ethics Commission: 25 percent.
- 25 (bb) Oregon Racing Commission: 12 percent.
- 26 (cc) Secretary of State: 16 percent.
- 27 (dd) Public Defense Services Commission: 25 percent.

28 (5) Not later than June 30, 2010, the Legislative Fiscal Officer shall report to the Legis-
 29 lative Assembly or the Emergency Board on a plan for funding the functions of the Legisla-
 30 tive Assembly at a level that is 35 percent below the legislatively approved budget for the
 31 Legislative Assembly for the biennium beginning July 1, 2009.

32 **SECTION 2.** (1) As used in this section, “state agency” means the:

- 33 (a) Department of Environmental Quality;
- 34 (b) Department of Transportation;
- 35 (c) Department of Education;
- 36 (d) Construction Contractors Board;
- 37 (e) Oregon Advocacy Commissions Office;
- 38 (f) State Library;
- 39 (g) State Treasurer; and
- 40 (h) Judicial Department.

41 (2) Notwithstanding any other provision of law, for the biennium beginning July 1, 2009:

- 42 (a) All cost-of-living increases to salaries of state agency employees are suspended;
- 43 (b) All step increases within the salary range of each state agency employee are sus-
 44 pended;
- 45 (c) All upward reclassifications of state agency employees are suspended;

1 (d) Vacant positions within a state agency may not be filled except when necessary to
2 protect essential services of the state agency;

3 (e) New positions within a state agency may not be created except when necessary to
4 protect essential services of the state agency;

5 (f) If allowed by terms of the agreement or contract and notwithstanding any other law,
6 the terms of any collective bargaining agreement or services contract entered into by a state
7 agency concerning cost-of-living increases, salary step increases, reclassifications and the
8 filling of vacant positions are suspended;

9 (g) Payments by state agencies for out-of-state travel by employees of the state agency
10 are prohibited;

11 (h) Purchases of goods and supplies for which payment is not already obligated are sus-
12 pended; and

13 (i) Expenditures by the state agency may not exceed the levels of expenditures allowed
14 under the legislatively approved budget for the agency during the biennium ending June 30,
15 2009.

16 (3) When a salary increase suspension under this section is no longer in effect, the salary
17 increase applies only prospectively. A state agency may not retroactively pay a salary in-
18 crease suspended under this section for any period during which the salary increase was
19 suspended.

20 (4) This section does not apply to state officers elected by popular vote, or appointed to
21 fill vacancies in elective offices, whose salaries are fixed by law.

22 **SECTION 3.** This 2010 Act being necessary for the immediate preservation of the public
23 peace, health and safety, an emergency is declared to exist, and this 2010 Act takes effect
24 on its passage.

25 _____