

**76<sup>th</sup> OREGON LEGISLATIVE ASSEMBLY – 2012 Session  
BUDGET REPORT AND MEASURE SUMMARY**

**JOINT COMMITTEE ON WAYS AND MEANS**

**MEASURE: SB 5701-A**

**Carrier – House: Rep. Richardson**

**Carrier – Senate: Sen. Devlin**

**Action:** Do Pass as Amended and be Printed A-Engrossed

**Vote:** 24 – 0 – 1

House – Yeas: Beyer, Buckley, Cowan, Freeman, Garrard, Komp, McLane, Nathanson, Nolan, Read, Richardson, G. Smith, Thatcher, Whisnant

– Nays:

– Exc:

Senate – Yeas: Bates, Devlin, Girod, Johnson, Monroe, Nelson, Thomsen, Verger, Whitsett, Winters

– Nays:

– Exc: Edwards

**Prepared By:** Linda Ames, Laurie Byerly, Doug Wilson  
Legislative Fiscal Office

**Reviewed By:** Sheila Baker, Legislative Fiscal Office

**Meeting Date:** March 5, 2012

---

<u>Agency</u>	<u>Budget Page</u>	<u>LFO Analysis Page</u>	<u>Biennium</u>
Various Agencies Emergency Board	---	---	2011-13

## **Budget Summary\***

\* Excludes Capital Construction

	<b>2011-13 Legislatively Adopted Budget</b>	<b>2012 Session Legislatively Approved Budget</b>	<b>Legislative Adjustments (difference between 2012 and 2011-13)</b>	<b>Percentage Change from Legislatively Adopted Budget</b>
<b><u>Emergency Board</u></b>				
<b><u>Emergency Fund</u></b>				
General Fund - Emergency Fund	\$ 25,000,000	\$ 27,218,734	\$ 2,218,734	8.87%
General Fund - Special Purpose Appropriations				
Public Defense Services Commission	\$ 0	\$ 3,500,000	\$ 3,500,000	-
Oregon Judicial Department	\$ 0	\$ 1,084,432	\$ 1,084,432	-
Allotment mitigation; home foreclosure issues; human services caseloads	\$ 0	\$ 60,000,000	\$ 60,000,000	-
Education programs	\$ 0	\$ 10,000,000	\$ 10,000,000	-
Forestry, fire suppression costs	\$ 4,781,000	\$ 2,660,983	\$ -2,120,017	-44.34%
Early learning programs	\$ 17,649,000	\$ 0	\$ -17,649,000	-100.00%
Employment-related daycare and others	\$ 5,713,750	\$ 0	\$ -5,713,750	-100.00%
Child welfare differential response	\$ 5,000,000	\$ 0	\$ -5,000,000	-100.00%
Department of Human Services/ Oregon Health Authority program costs	\$ 8,000,000	\$ 0	\$ -8,000,000	-100.00%
Oregon Youth Authority	\$ 1,700,000	\$ 0	\$ -1,700,000	-100.00%
<b><u>Education Program Area</u></b>				
<b><u>Department of Community Colleges and Workforce Development</u></b>				
General Fund	\$ 403,049,433	\$ 402,796,921	\$ -252,512	-0.06%
General Fund Debt Service	\$ 15,341,082	\$ 15,693,047	\$ 351,965	2.29%
Lottery Funds Debt Service	\$ 6,882,643	\$ 7,144,080	\$ 261,437	3.80%
Other Funds Debt Service	\$ 0	\$ 200,000	\$ 200,000	-
<b><u>Department of Education</u></b>				
General Fund	\$ 5,498,242,728	\$ 5,501,587,079	\$ 3,344,351	0.06%
Lottery Funds	\$ 556,980,287	\$ 554,000,717	\$ -2,979,570	-0.53%
Lottery Funds Debt Service	\$ 52,311,630	\$ 54,160,517	\$ 1,848,887	3.53%
Other Funds	\$ 55,144,882	\$ 60,754,918	\$ 5,610,036	10.17%
Other Funds Debt Service	\$ 2,464,515	\$ 2,525,733	\$ 61,218	2.48%

\* Excludes Capital Construction

		<b>2011-13 Legislatively Adopted Budget</b>		<b>2012 Session Legislatively Approved Budget</b>		<b>Legislative Adjustments (difference between 2012 and 2011-13)</b>		<b>Percentage Change from Legislatively Adopted Budget</b>
<b><u>Oregon University System</u></b>								
General Fund	\$	596,905,346	\$	593,761,359	\$	-3,143,987		-0.53%
	\$							
General Fund Debt Service		72,263,657		74,503,194		2,239,537		3.10%
Lottery Funds		8,825,680		8,592,720		-232,960		-2.64%
Lottery Funds Debt Service		14,133,456		14,394,033		260,577		1.84%
Other Funds Debt Service		23,541,337		23,885,391		344,054		1.46%
<b><u>Oregon Health &amp; Science University</u></b>								
General Fund	\$	66,059,636	\$	66,041,261	\$	-18,375		-0.03%
<b><u>Oregon Student Access Commission</u></b>								
General Fund	\$	99,921,326	\$	99,891,570	\$	-29,756		-0.03%
<b><u>Teacher Standards &amp; Practices Commission</u></b>								
General Fund	\$	100,000	\$	0	\$	-100,000		-100.00%
Federal Funds		0		85,455		85,455		-
<b><u>Human Services Program Area</u></b>								
<b><u>Oregon Health Authority</u></b>								
General Fund	\$	1,667,478,497	\$	1,642,896,745	\$	-24,581,752		-1.47%
Lottery Funds		10,779,583		10,388,614		-390,969		-3.63%
Other Funds		1,918,748,828		1,937,343,629		18,594,801		0.97%
Federal Funds		4,877,574,818		5,030,408,569		152,833,751		3.13%
<b><u>Department of Human Services</u></b>								
General Fund	\$	2,019,007,853	\$	2,122,494,290	\$	103,486,437		5.13%
Other Funds		430,256,781		452,262,224		22,005,443		5.11%
Federal Funds		3,131,478,990		3,292,158,766		160,679,776		5.13%

\* Excludes Capital Construction

	<b>2011-13 Legislatively Adopted Budget</b>	<b>2012 Session Legislatively Approved Budget</b>	<b>Legislative Adjustments (difference between 2012 and 2011-13)</b>	<b>Percentage Change from Legislatively Adopted Budget</b>
<b><u>Public Safety Program Area</u></b>				
<b><u>Department of Corrections</u></b>				
General Fund	\$ 1,188,270,117	\$ 1,221,349,965	\$ 33,079,848	2.78%
General Fund Debt Service	133,972,115	138,859,174	4,887,059	3.65%
General Fund Capital Improvement	2,543,185	2,635,425	92,240	3.63%
Other Funds	27,563,757	30,884,955	3,321,198	12.05%
Other Funds Capital Improvement	0	413,449	413,449	-
Federal Funds	6,908,809	7,816,182	907,373	13.13%
<b><u>Criminal Justice Commission</u></b>				
Federal Funds	\$ 12,512,069	\$ 19,499,190	\$ 6,987,121	55.84%
<b><u>District Attorneys and their Deputies</u></b>				
General Fund	\$ 9,979,285	\$ 10,339,261	\$ 359,976	3.61%
<b><u>Department of Justice</u></b>				
General Fund	\$ 53,992,283	\$ 53,831,443	\$ -160,840	-0.30%
Other Funds	225,622,550	224,899,837	-722,713	-0.32%
Federal Funds	107,968,730	107,173,021	-795,709	-0.74%
<b><u>Oregon Military Department</u></b>				
General Fund	\$ 14,341,387	\$ 18,757,381	\$ 4,415,994	30.79%
General Fund Debt Service	9,727,048	9,655,111	-71,937	-0.74%
Other Funds	120,644,724	124,763,063	4,118,339	3.41%
Other Funds Debt Service	112,363	660,530	548,167	487.85%

\* Excludes Capital Construction

	<b>2011-13 Legislatively Adopted Budget</b>	<b>2012 Session Legislatively Approved Budget</b>	<b>Legislative Adjustments (difference between 2012 and 2011-13)</b>	<b>Percentage Change from Legislatively Adopted Budget</b>
<b><u>Department of State Police</u></b>				
General Fund	\$ 215,889,726	\$ 221,145,845	\$ 5,256,119	2.43%
Lottery Funds	6,653,450	6,855,630	202,180	3.04%
Other Funds	93,439,786	93,876,661	436,875	0.47%
Federal Funds	9,122,153	9,644,097	521,944	5.72%
<b><u>Department of Public Safety Standards and Training</u></b>				
General Fund Debt Service	\$ 10,968,292	\$ 11,283,810	\$ 315,518	2.88%
Other Funds	33,836,196	32,962,299	-873,897	-2.58%
<b><u>Oregon Youth Authority</u></b>				
General Fund	\$ 251,618,682	\$ 250,012,705	\$ -1,605,977	-0.64%
General Fund Debt Service	5,155,518	5,342,506	186,988	3.63%
<b><u>Economic and Community Development Program Area</u></b>				
<b><u>Oregon Business Development Department</u></b>				
General Fund	\$ 3,851,208	\$ 3,842,479	\$ -8,729	-0.23%
Lottery Funds	57,070,679	56,577,026	-493,653	-0.86%
Lottery Funds Debt Service	79,270,043	82,100,202	2,830,159	3.57%
Other Funds	24,000,075	23,722,575	-277,500	-1.16%
Other Funds Debt Service	1,797,848	2,119,733	321,885	17.90%
Other Funds Nonlimited	196,559,609	193,244,609	-3,315,000	-1.69%
<b><u>Employment Department</u></b>				
General Fund	\$ 3,670,948	\$ 3,334,080	\$ -336,868	-9.18%
Other Funds	132,527,941	127,142,810	-5,385,131	-4.06%
Federal Funds - CCDF	128,161,683	134,361,683	6,200,000	4.84%
Federal Funds -Non-CCDF	145,721,505	158,066,704	12,345,199	8.47%

\* Excludes Capital Construction

	<b>2011-13 Legislatively Adopted Budget</b>	<b>2012 Session Legislatively Approved Budget</b>	<b>Legislative Adjustments (difference between 2012 and 2011-13)</b>	<b>Percentage Change from Legislatively Adopted Budget</b>
<b><u>Housing and Community Services Department</u></b>				
General Fund	\$ 10,018,855	\$ 10,155,271	\$ 136,416	1.36%
Lottery Funds Debt Service	10,383,766	10,464,685	80,919	0.78%
Other Funds	140,534,236	149,615,398	9,081,162	6.46%
Federal Funds	203,039,554	208,039,554	5,000,000	2.46%
<b><u>Department of Veterans' Affairs</u></b>				
General Fund	\$ 6,469,659	\$ 6,562,195	\$ 92,536	1.43%
<b><u>Natural Resources Program Area</u></b>				
<b><u>State Department of Agriculture</u></b>				
General Fund	\$ 12,917,172	\$ 12,108,804	\$ -808,368	-6.26%
Lottery Funds	6,894,457	7,827,343	932,886	13.53%
Other Funds	52,099,191	52,140,502	41,311	0.08%
<b><u>Department of Geology and Mineral Industries</u></b>				
General Fund	\$ 2,465,906	\$ 2,464,702	\$ -1,204	-0.05%
Other Funds	7,246,479	9,034,864	1,788,385	24.68%
Federal Funds	3,558,985	5,268,289	1,709,304	48.03%
<b><u>State Department of Energy</u></b>				
Lottery Funds	\$ 2,088,439	\$ 2,164,185	\$ 75,746	3.63%
Other Funds	31,477,822	35,726,832	4,249,010	13.50%
Federal Funds	36,736,670	36,845,834	109,164	0.30%
<b><u>Department of Environmental Quality</u></b>				
General Fund	\$ 19,693,974	\$ 19,438,356	\$ -255,618	-1.30%
General Fund Debt Service	5,379,568	5,573,180	193,612	3.60%

\* Excludes Capital Construction

	<b>2011-13 Legislatively Adopted Budget</b>	<b>2012 Session Legislatively Approved Budget</b>	<b>Legislative Adjustments (difference between 2012 and 2011-13)</b>	<b>Percentage Change from Legislatively Adopted Budget</b>
<b><u>State Department of Fish and Wildlife</u></b>				
General Fund	\$ 6,729,454	\$ 6,429,582	\$ -299,872	-4.46%
General Fund Debt Service	338,094	350,262	12,168	3.60%
Other Funds	197,593,072	197,564,072	-29,000	-0.01%
Federal Funds	109,794,486	109,934,486	140,000	0.13%
<b><u>State Forestry Department</u></b>				
General Fund	\$ 45,083,041	\$ 47,291,038	\$ 2,207,997	4.90%
General Fund Debt Service	2,788,506	2,890,593	102,087	3.67%
Lottery Funds Debt Service	2,453,947	2,542,324	88,377	3.60%
<b><u>Land Conservation &amp; Development Department</u></b>				
General Fund	\$ 10,885,017	\$ 11,132,225	\$ 247,208	2.27%
<b><u>State Marine Board</u></b>				
Other Funds	\$ 22,020,102	\$ 23,287,102	\$ 1,267,000	5.75%
<b><u>Department of State Lands</u></b>				
General Fund	\$ 0	\$ 681,266	\$ 681,266	-
Other Funds	36,548,524	37,606,121	1,057,597	2.89%
Federal Funds	5,671,787	6,099,914	428,127	7.55%
<b><u>State Parks and Recreation Department</u></b>				
Lottery Funds	\$ 79,815,323	\$ 81,546,565	\$ 1,731,242	2.17%
Federal Funds	12,733,936	15,785,886	3,051,950	23.97%
<b><u>Oregon Watershed Enhancement Board</u></b>				
Lottery Funds	\$ 64,796,420	\$ 64,012,066	\$ -784,354	-1.21%
<b><u>Water Resources Department</u></b>				
General Fund	\$ 20,614,684	\$ 20,359,297	\$ -255,387	-1.24%
Lottery Funds Debt Service	706,751	732,384	25,633	3.63%

\* Excludes Capital Construction

	<b>2011-13 Legislatively Adopted Budget</b>	<b>2012 Session Legislatively Approved Budget</b>	<b>Legislative Adjustments (difference between 2012 and 2011-13)</b>	<b>Percentage Change from Legislatively Adopted Budget</b>
<b><u>Transportation Program Area</u></b>				
<b><u>Department of Transportation</u></b>				
General Fund Debt Service	\$ 15,416,053	\$ 10	\$ -15,416,043	-100.00%
Lottery Funds Debt Service	69,700,542	72,614,930	2,914,388	4.18%
Other Funds	3,201,362,946	3,211,074,312	9,711,366	0.30%
Other Funds Debt Service	351,243,517	367,214,388	15,970,871	4.55%
<b><u>Consumer and Business Services Program Area</u></b>				
<b><u>Department of Consumer and Business Services</u></b>				
Federal Funds	\$ 753,662	\$ 3,187,702	\$ 2,434,040	322.96%
<b><u>Oregon Health Licensing Agency</u></b>				
Other Funds	\$ 6,612,566	\$ 6,591,815	\$ -20,751	-0.31%
<b><u>Bureau of Labor and Industries</u></b>				
General Fund	\$ 11,282,811	\$ 11,068,996	\$ -213,815	-1.90%
<b><u>Administration Program Area</u></b>				
<b><u>Department of Administrative Services</u></b>				
General Fund Debt Service	\$ 6,575,467	\$ 6,813,955	\$ 238,488	3.63%
Lottery Funds Debt Service	8,164,343	8,497,075	332,732	4.08%
Other Funds	397,950,590	395,575,646	-2,374,944	-0.60%
<b><u>Employment Relations Board</u></b>				
General Fund	\$ 932,803	\$ 1,932,803	\$ 1,000,000	107.20%



\* Excludes Capital Construction

	<b>2011-13 Legislatively Adopted Budget</b>	<b>2012 Session Legislatively Approved Budget</b>	<b>Legislative Adjustments (difference between 2012 and 2011-13)</b>	<b>Percentage Change from Legislatively Adopted Budget</b>
<b><u>Office of the Governor</u></b>				
General Fund	\$ 13,339,757	\$ 13,607,119	\$ 267,362	2.00%
Other Funds	2,740,911	2,740,912	1	0.00%
<b><u>State Library</u></b>				
General Fund	\$ 2,888,189	\$ 2,868,303	\$ -19,886	-0.69%
<b><u>Oregon Liquor Control Commission</u></b>				
Other Funds	\$ 133,668,473	\$ 134,176,446	\$ 507,973	0.38%
<b><u>Public Employees Retirement System</u></b>				
Other Funds	\$ 78,010,820	\$ 77,260,820	\$ -750,000	-0.96%
<b><u>Department of Revenue</u></b>				
General Fund	\$ 146,373,434	\$ 145,198,243	\$ -1,175,191	-0.80%
<b><u>Secretary of State</u></b>				
General Fund	\$ 12,040,291	\$ 11,906,971	\$ -133,320	-1.11%
<b><u>State Treasurer</u></b>				
Other Funds	\$ 34,998,684	\$ 35,248,684	\$ 250,000	0.71%
<b><u>Judicial Branch Program Area</u></b>				
<b><u>Judicial Department</u></b>				
General Fund	\$ 342,262,371	\$ 346,366,819	\$ 4,104,448	1.20%
General Fund Debt Service	16,971,657	20,257,855	3,286,198	19.36%
Other Funds	24,966,976	55,747,370	30,780,394	123.28%
Other Funds Capital Improvement	0	97,460	97,460	-
<b><u>Commission on Judicial Fitness and Disability</u></b>				
General Fund	\$ 183,353	\$ 176,934	\$ -6,419	-3.50%

\* Excludes Capital Construction

	<b>2011-13 Legislatively Adopted Budget</b>	<b>2012 Session Legislatively Approved Budget</b>	<b>Legislative Adjustments (difference between 2012 and 2011-13)</b>	<b>Percentage Change from Legislatively Adopted Budget</b>
<b><u>Public Defense Services Commission</u></b>				
Other Funds	\$ 1,192,555	\$ 3,830,055	\$ 2,637,500	221.16%
<b><u>Legislative Branch Program Area</u></b>				
<b><u>Legislative Assembly</u></b>				
General Fund	\$ 35,750,449	\$ 35,622,289	\$ -128,160	-0.36%
<b><u>Legislative Administration Committee</u></b>				
General Fund	\$ 28,438,846	\$ 28,303,995	\$ -134,851	-0.47%
<b><u>Legislative Counsel Committee</u></b>				
General Fund	\$ 8,127,672	\$ 8,527,715	\$ 400,043	4.92%
<b><u>Legislative Fiscal Officer</u></b>				
General Fund	\$ 5,596,558	\$ 5,626,531	\$ 29,973	0.54%
<b><u>Legislative Revenue Officer</u></b>				
General Fund	\$ 1,903,986	\$ 1,889,455	\$ -14,531	-0.76%
<b><u>Commission on Indian Services</u></b>				
General Fund	\$ 395,270	\$ 368,819	\$ -26,451	-6.69%
<hr/>				
<b>General Fund Total</b>			\$ 158,436,384	
<b>Lottery Funds Total</b>			\$ 6,703,657	
<b>Other Funds Total</b>			\$ 119,666,559	
<b>Federal Funds Total</b>			\$ 352,637,495	

<b><u>Position Summary</u></b>	<b>2011-13 Legislatively Adopted Budget</b>	<b>2012 Session Legislatively Approved Budget</b>	<b>Legislative Adjustments (difference between 2012 and 2011-13)</b>	<b>Percentage Change from Legislatively Adopted Budget</b>
<b><u>Oregon Health Authority</u></b>				
Authorized Positions	4,089	4,036	-53	-1.30%
Full-time Equivalent (FTE) positions	4,033.27	3,980.27	-53.00	-1.31%
<b><u>Department of Human Services</u></b>				
Authorized Positions	7,392	7,405	13	0.18%
Full-time Equivalent (FTE) positions	7,298.44	7,311.44	13.00	0.18%
<b><u>Department of Corrections</u></b>				
Authorized Positions	4,511	4,509	-2	-0.04%
Full-time Equivalent (FTE) positions	4,420.74	4,416.55	-4.19	-0.09%
<b><u>Department of Justice</u></b>				
Authorized Positions	1,290	1,288	-2	0.16%
Full-time Equivalent (FTE) positions	1,270.80	1,268.55	-2.25	-0.18%
<b><u>Department of Public Safety Standards and Training</u></b>				
Authorized Positions	137	131	-6	-4.38%
Full-time Equivalent (FTE) positions	135.79	132.04	-3.75	-2.76%
<b><u>Oregon Business Development Department</u></b>				
Authorized Positions	131	132	1	0.76%
Full-time Equivalent (FTE) positions	129.37	129.87	0.50	0.39%
<b><u>Employment Department</u></b>				
Authorized Positions	1,500	1,514	14	0.93%
Full-time Equivalent (FTE) positions	1,450.30	1,463.68	13.38	0.92%
<b><u>Housing and Community Services Department</u></b>				
Authorized Positions	190	210	20	10.53%
Full-time Equivalent (FTE) positions	168.37	183.72	15.35	9.12%

	<b>2011-13 Legislatively Adopted Budget</b>	<b>2012 Session Legislatively Approved Budget</b>	<b>Legislative Adjustments (difference between 2012 and 2011-13)</b>	<b>Percentage Change from Legislatively Adopted Budget</b>
<b><u>Department of Geology and Mineral Industries</u></b>				
Authorized Positions	43	53	10	23.26%
Full-time Equivalent (FTE) positions	42.20	48.57	6.37	15.09%
<b><u>Department of Energy</u></b>				
Authorized Positions	127	128	1	0.79%
Full-time Equivalent (FTE) positions	113.23	118.73	5.50	4.86%
<b><u>Department of Forestry</u></b>				
Authorized Positions	1,192	1,142	-50	-4.19%
Full-time Equivalent (FTE) positions	862.32	852.40	-9.92	-1.15%
<b><u>Department of Fish and Wildlife</u></b>				
Authorized Positions	1,469	1,467	-2	-0.14%
Full-time Equivalent (FTE) positions	1227.32	1,225.32	-2.00	-0.16%
<b><u>Department of Consumer and Business Services</u></b>				
Authorized Positions	930	934	4	0.43%
Full-time Equivalent (FTE) positions	919.68	921.90	2.22	0.24%
<b><u>Department of Administrative Services</u></b>				
Authorized Positions	774	773	-1	-0.13%
Full-time Equivalent (FTE) positions	770.67	769.67	-1.00	-0.13%
<b><u>Oregon Judicial Department</u></b>				
Authorized Positions	1,878	1,878	0	0.00%
Full-time Equivalent (FTE) positions	1,739.20	1,752.66	13.46	0.77%

## **Revenue**

The budget adjustments in Senate Bill 5701 anticipate a net \$101 million increase in General Fund resources from transfers of Other Funds account balances included in Senate Bill 1579 and other actions. Two major legal settlements contribute to this increase in General Fund resources. First, the State's share of the punitive damages related to the Williams vs. Philip Morris tobacco related case is \$56.2 million. This amount is transferred from the Criminal Injuries Compensation Account by Senate Bill 1579. The second is a multi-state agreement between 49 states and major mortgage lenders over mortgage fraud practices. The amount of \$25.2 million will be directly deposited in the General Fund. Senate Bill 1579 transfers a further \$4 million from the Department of Justice's Education and Protection Fund to the General Fund.

The rebalance plan also assumes a net increase to the June 2012 forecast of \$5 million from lower than anticipated costs related to the issuance of Tax Anticipation Notes (TANs).

## **Summary of Committee Action**

Senate Bill 5701 is the omnibus budget reconciliation bill for the 2012 legislative session, implementing the statewide rebalance plan that addresses changes in projected revenues and expenditures since the close of the 2011 session. The Joint Committee on Ways and Means approved Senate Bill 5701 with amendments to reflect budget adjustments as described below.

## **Statewide Adjustments/Special Actions**

### **Statewide Restructure of State Government Business Operations**

As part of the legislative plan to rebalance the 2011-13 biennium budget, the Co-Chairs of the Joint Committee on Ways and Means included a reduction of \$28 million in combined General Fund and Lottery Funds as part of an effort to restructure state government business operations designed to make permanent changes to the management of agency programs and services. This effort is complementary to the Executive Branch interest in studying and modifying the state's compensation and classification systems to potentially realign the relative balance of management service and represented employees in state government.

Based on this decision, the personal services budgets of selected state agencies were reduced by targeted amounts. These amounts are highlighted in each agency's section of this budget report. The following budget note was adopted, to apply to each agency subject to the management service personal services reduction:

## **BUDGET NOTE**

The budget rebalance plan developed by the Co-Chairs of the Joint Committee on Ways and Means included the elimination of targeted amounts from adopted budgets through actions to be taken to reduce the number of middle managers and public affairs positions in state government and to reduce the amount currently planned for advertising and personal services contracts. In order to make these targeted reductions primarily to personal services appropriations, the Legislative Fiscal Office is directed to work with agencies to identify specific management and other positions to be eliminated as part of a restructuring of business operations aimed at making permanent changes to the management of agency programs and services. Affected agencies are directed to report on the status of this effort, with the assistance of the Legislative Fiscal Office, to the Emergency Board in May 2012. Since these reductions are intended to be permanent, it is expected that no positions recommended for elimination as a result of this plan will be included in the Governor's proposed 2013-15 budget.

### **E-Government Funding Model Change**

The statewide budget rebalance includes General Fund savings in agencies resulting from an upcoming change in the state's e-government funding model. Currently, agencies are assessed by the Department of Administrative Services (DAS) based on the number of an agency's full-time equivalent (FTE) positions to the cost of the statewide contract for e-government services. The expenditure is part of the statewide price list and is budgeted as a State Government Service Charge in an agency's budget.

In November 2011, DAS signed a contract with NICUSA to take over e-government services (the current contract expires in June 2012) using a self-funded model; under the model the vendor will be paid primarily through a convenience fee tied to certain (mostly commercial business) transactions. The new vendor and funding model is projected to be up and running in July 2012; DAS has calculated that it will be able to reduce agency assessments by \$2,232,000 for the last portion of the biennium. Those assessments are eliminated in the DAS budget, along with \$970,912 General Fund budgeted in other state agencies to pay for that assessment.

## **Emergency Board**

The Emergency Board provides General Fund appropriations and Other Funds and Federal Funds expenditure limitation to state agencies for unanticipated needs in approved agency budgets when the Legislature is not in session. As part of the 2011-13 biennium statewide rebalance plan, Senate Bill 5701 adjusts the Emergency Board's general purpose and special purpose appropriations as described below.

### **General Purpose Emergency Fund**

The bill disappropriates \$681,266 General Fund from the Emergency Fund to correspond with a General Fund appropriation to the Department of State Lands, in the same amount, for payment of expenses related to the Portland Harbor Superfund. It also increases the Emergency Fund by \$2.9 million. These two actions leave a balance of \$27.2 million in the general purpose Emergency Fund for the 2011-13 biennium.

### **Special Purpose Appropriations**

Senate Bill 5701 repeals five special purpose appropriations established during the 2011 legislative session for early learning programs and services (\$17.7 million); employment related day care or other supports and services for children and families (\$5.7 million); child welfare differential response (\$5 million); Department of Human Services and Oregon Health Authority caseload and costs for programs and services (\$8 million); and education-related expenses in the Oregon Youth Authority (\$1.7 million). The bill also:

- Reduces a special purpose appropriation for the Department of Forestry by \$2,120,017, with a corresponding \$2,120,017 General Fund appropriation to the Department of Forestry to pay for fire suppression costs.
- Establishes a \$3.5 million special purpose appropriation for the Public Defense Services Commission in the event that the Commission requires additional resources to support trial-level public defense services.
- Establishes a \$1.1 million special purpose appropriation for the Judicial Department to meet any potential operating needs of the courts.
- Establishes a \$60 million special purpose appropriation for potential allotment reduction mitigation; for home foreclosure issues; or for human services caseload increases.
- Establishes a \$10 million special purpose appropriation for the preservation of education programs in case of allotment reductions. This applies to the Community College Support Fund, the Department of Education grant-in-aid programs, and the state General Fund support of the Oregon Health Sciences University.

If the moneys in the special purpose appropriations are not allocated by the Emergency Board before December 1, 2012, the moneys are available to the Emergency Board to be allocated for any purpose for which the Emergency Board lawfully may allocate funds.

## **Adjustments to Agency Budgets**

### **Education Program Area**

#### **Department of Community Colleges and Workforce Development**

The Committee approved a 3.5% reduction to the General Fund appropriation for the following programs that had not been subject to the supplemental ending balance adjustment made during the 2011 Legislative Session:

- Skill Centers – \$19,250
- Trucking Solutions Consortium and loans to students participating in commercial driver training – \$17,500
- National Career Readiness Certificate and on-the-job training programs – \$119,000

The Committee restored \$813,402 for debt service (\$351,965 General Fund, \$261,437 Lottery Funds, and \$200,000 Other Funds) which had been reduced as part of the supplemental ending balance in the 2011 legislative session. The Community College and Workforce Development Department has \$200,000 available in interest earnings on bond proceeds to make a portion of the debt service payment.

As part of the statewide effort to restructure state government business operations and management of agency programs and services, the personal services budget for the agency was reduced by \$95,768 General Fund. A reduction of \$994 General Fund was made for the agency's share of the statewide e-government savings.

### **Department of Education**

The Committee approved a 3.5% reduction to the General Fund appropriation for the Oregon Department of Education (ODE) for the following new programs that had not been subject to the supplemental ending balance adjustment made during the 2011 legislative session:

- School District Collaboration (Senate Bill 252) – \$175,000
- Career and Technical Education (House Bill 3362) – \$70,000
- Accelerated College Credit (Senate Bill 254) – \$8,750
- For Inspiration and Recognition of Science and Technology (FIRST) – \$5,250
- Farm-to-School (House Bill 2800) – \$7,000
- After School Meal and Snack (Senate Bill 480) – \$6,300

An increase of \$5,610,036 Other Funds expenditure limitation was approved for the long-term care and treatment program. The increase supports an additional 271 slots from the implementation of Senate Bill 170 (2011) and \$1.6 million Other Funds for a high-cost reserve and inflation in the average net operating expenditures.

The 2011-13 legislatively adopted budget included \$5 million General Fund to cover the cost from a breach of contract lawsuit. The Department was directed to first use its 2009-11 legislatively approved budget to the greatest extent possible to address the payments, with any remaining balance due to be paid from the 2011-13 appropriation. The Committee approved a reduction of \$2 million General Fund as final payments have been made.

The overall funding level for the State School Fund was increased by \$2.5 million to cover the cost of extending the sunset for the Small School District Supplement Fund until June 30, 2013 (one additional year). Further, the Committee modified the funding sources to address a forecasted decline in Lottery Funds revenues. The General Fund appropriation is increased by \$5,479,570; the Lottery Funds allocation and expenditure limitation is decreased by \$2,979,570 million.

The Committee added \$587,015 General Fund for the Early Head Start Program. With this additional funding, the Department is expected to maintain 59 enrollment slots for the balance of the biennium.

A \$431,521 General Fund reduction in the personal services budget for the agency was made as ODE's share of the statewide effort to restructure state government business operations and management of agency programs and services (\$280,465 Operations, \$151,056 School for the Deaf). The budget was also reduced by \$18,413 General Fund to capture statewide e-government savings.

The Committee restored debt service of \$1,848,887 Lottery Funds and \$61,218 Other Funds to cover obligations that were reduced as part of the supplemental ending balance in the 2011 legislative session.



### **Oregon Health & Science University**

The Committee approved a 3.5% reduction, or \$18,375 General Fund, for new Health Care Loans (House Bill 2397, 2011) that had not been subject to the supplemental ending balance adjustment made during the 2011 legislative session.

### **Oregon Student Access Commission**

Senate Bill 5701 reflects three adjustments to the Commission's budget. The Committee transferred \$34,152 General Fund from the Oregon Opportunity Grants to child care grants to offset the 3.5% supplemental ending balance reduction for that program in the legislatively adopted budget. The second reduced personal services by \$29,294 General Fund for the Commission's share of the statewide effort to restructure state government business operations and management of agency programs and services. The third change was a \$462 General Fund reduction to capture statewide e-government savings.

### **Teacher Standards and Practices Commission**

As part of the Co-Chairs' statewide rebalance plan, the Committee eliminated the \$100,000 General Fund appropriation for the Educator Preparation Improvement Fund established in House Bill 3474 (2011). The Fund remains in statute and the Teacher Standards and Practices Commission may still accept grants, donations or gifts of money.

The Committee also established an \$85,455 Federal Funds expenditure limitation for the Advancing Longitudinal Data for Educational Reform (ALDER) grant funds received through an intergovernmental agreement with the Department of Education. Funds will be used to support staff time, data gathering, and hardware.

### **Oregon University System**

General Fund debt service appropriations for the Oregon University System (OUS) are adjusted based on updated repayment schedules and restorations of supplemental ending balance reductions taken as part of the legislatively adopted budget. General Fund debt service on Article XI-G general obligation bonds was increased by \$1.7 million. General Fund debt service on certificates of participation (COPs) was increased by \$585,977. General Fund debt service for repayment of energy loans to the Department of Energy (SELP) was decreased by \$3.1 million. The net effect of these adjustments is a savings of \$892,900 General Fund. Lottery Funds expenditure limitation for debt service was increased by \$260,577 to meet lottery bond obligations. Sports Lottery was reduced by \$232,960 to make Lottery Funds available to meet debt service obligations, with direction that this reduction be split between the University of Oregon (\$118,613) and Oregon State University (\$114,347), both of which are on track to experience significant increases in athletic revenues in the 2012-13 fiscal year. In addition, Other Funds debt service was increased by \$344,054 to reflect the redirection of lottery bonds proceeds issued in 2007 for capital repair projects to now pay for debt service on existing lottery bonds.

The Committee approved a 3.5% reduction, \$11,550 General Fund, for clinical legal education (House Bill 5056, 2011) that had not been subject to the supplemental ending balance adjustment made during the 2011 legislative session

## Human Services Program Area

### Oregon Health Authority

The Oregon Health Authority (OHA) budget is organized into several program areas including Health Care Programs, Addictions and Mental Health, and Public Health, as well as Central and Shared Services. Senate Bill 5701 adjusts the OHA budget for updated pricing of program caseloads, costs and revenues, and selected management actions to help “rebalance” the budget. Most notable are additional costs of \$21.3 million General Fund mostly related to a shortfall in personal services funding in the budget, and \$25.0 million General Fund savings primarily related to caseload changes. The rebalance plan includes agency actions to manage a portion of the personal services underfunding. Finally, the rebalance plan includes a number of technical adjustments to fix errors made in the original split of the Department of Human Services (DHS) into two agencies, and to realign resources within OHA. This includes moving 13 positions from OHA to DHS, and a realignment of positions in the Oregon State Hospital.

The budget as adjusted reflects a number of actions to be taken as a result of the \$62.4 million General Fund and \$390,969 Lottery Funds withheld in the legislatively adopted budget for the 3.5% supplemental statewide ending balance. These actions include various program reductions and the use of one-time revenue sources. They also include total administrative reductions of \$15.3 million General Fund, including the expectation that the agency will manage \$8.3 million of the personal services underfunding in the agency through holding position vacancies and other actions. This total also includes a reduction of \$5.1 million General Fund, which is OHA’s share of the statewide effort to restructure state government business operations and management of agency programs and services. The budget was reduced by \$104,840 General Fund and \$100,729 Federal Funds to reflect savings in State Government Service Charges from the changes in the state’s e-government funding model.

With the addition of certain other actions beyond that already described, the approved adjustments result in an overall \$146.5 million increase in the agency’s total funds budget, but a \$24.6 million General Fund decrease. These actions also result in a \$390,969 decrease in Lottery Funds expenditure limitation, an \$18.6 million increase in Other Funds expenditure limitation, a \$152.8 million increase in Federal Funds limitation, and a reduction of 53 positions (53.00 FTE).

A more detailed description of each program area follows.

### Health Care Programs

The budget adjustments in Senate Bill 5701 reflect a net reduction of \$34.1 million General Fund in the Health Care Programs budget, with a \$4.3 million increase in Other Funds expenditure limitation and a \$64 million increase in Federal Funds expenditures limitation. Positions are reduced by 18 (18.00 FTE).

The rebalance plan approved by the Committee includes overall savings of \$25.9 million General Fund, primarily as a result of lower caseloads, but also savings from a slight increase in the federal match rate. Increased costs include a shortfall of \$1.2 million in tobacco tax forecast, as well as \$2.6 million in General Fund costs related to the Medicaid Management Information System (MMIS) as a result of new federal requirements. The federal government will contribute \$21.8 million or 90% of these costs. The rebalance also includes an additional \$80 million in Federal Funds expenditure limitation for the Federal Medical Insurance Pool (FMIP), which is a new federal program to provide insurance coverage for high risk individuals.

The Committee approved a number of other actions, partially to manage the \$33.1 million General Fund withheld in the legislatively adopted budget for the 3.5% supplemental statewide ending balance. Federal revenues from both the 2010 and 2011 federal Children's Health Insurance Program Reauthorization Act (CHIPRA) bonuses, totaling \$23.5 million, will replace General Fund. A total of \$16.8 million of insurer's tax revenue will be redirected to help ensure access to health care for children. Of this total, \$11 million will be used to preserve services for children by preventing program reductions in the Oregon Health Plan (OHP) Plus program. These resources come from unallocated funds of \$10 million and an additional \$1 million in reduced marketing/advertising for the Healthy Kids program. Another \$5.8 million will be used in the Family Health Insurance Assistance Program (FHIAP) to prevent further program reductions. These resources result from lower than expected caseloads in Healthy Kids Connect. The following budget note was approved related to the insurer's tax:

### **BUDGET NOTE**

The Oregon Health Authority is instructed to convene a stakeholder work group consisting of all eight health insurers domiciled in Oregon to review whether there is a future for the health insurance premium tax. Further, by December 2012, the work group shall make recommendations on how to address the funding gap that will arise after the September 30, 2013 sunset of the existing tax authority and how to allocate any surplus premium tax revenue in the remaining months of the 2011-13 biennium to health care programs, especially for Oregon's children. The Oregon Health Authority is instructed to memorialize discussions in writing, as well as to provide updates on the work group discussions to the interim health care policy committees.

A number of program reductions are included in this budget, including administrative reductions of \$1.5 million General Fund. In addition, the agency is expected to manage all personal services underfunding within this program area. Membership in FHIAP will be reduced to save \$2 million General Fund, and those clients will be eligible for OHP Standard. Six positions (6.00 FTE) are also eliminated in the program. Funding for outreach workers at Federally Qualified Health Centers will be reduced by \$134,875 General Fund. The Committee approved the addition of \$1 million General Fund to mitigate the earlier reductions to the reimbursement rates for durable medical equipment. These adjustments are expected to be implemented at the same time as the overall rate adjustments for durable medical equipment for the fiscal year beginning July 1, 2012. This budget has also been reduced by \$699,560 General Fund as a result of the statewide effort to restructure state government business operations and management of agency programs and services. The following budget note relating to generic drugs was approved:

### **BUDGET NOTE**

The Oregon Health Authority is directed to pursue a competitive bidding process for the purchase of lowest cost generic drugs within the Medicaid program. The agency shall report back to the Emergency Board by December 2012 on the status and results of this initiative.

At the direction of the Governor and legislative leadership, OHA suspended new program enrollment in OHP Standard effective January 2012. This was done in order to give the Legislature maximum flexibility to rebalance the budget. These resources were not used in the budget rebalance, and the agency is expected to reopen enrollment in this program.

### Addictions and Mental Health

Overall budget adjustments for Addictions and Mental Health increase General Fund by \$3.3 million. These adjustments also result in a reduction to Lottery Funds expenditure limitation of \$390,969, an increase in Other Funds limitation of \$5.7 million, and an increase in Federal Funds limitation of \$3.2 million. A total of 35 positions are eliminated (35.00 FTE).

The rebalance plan approved by the Committee includes General Fund costs of \$12 million, primarily a result of underfunded personal services costs. The Oregon State Hospital accounts for \$14.1 million out of the total \$17.5 million General Fund shortfall in personal services funding agency wide. The rebalance plan reports management actions to absorb about 30% of this shortfall. This is a particularly difficult area of the budget in which to manage personal services costs, since holding vacancies of direct-care staff can result in inadequate staffing levels to provide the necessary care, and may also result in higher overtime costs. The rebalance includes a realignment of positions in the Oregon State Hospital. While this has no impact on the budget, it does result in a reduction of 34 positions. An additional Federal Funds expenditure limitation of \$3.9 million is included in the rebalance. A portion of this is needed as a result of more federal resources from Alcohol and Drug program grants than was originally anticipated. The remainder is for additional federal match of General Fund at the state hospital, which was understated in the legislatively adopted budget.

The Committee approved a number of other actions, partially to manage the \$23.4 million General Fund withheld in the legislatively adopted budget for the 3.5% supplemental statewide ending balance. Four wards in the new Oregon State Hospital will not be opened until the beginning of the 2013-15 biennium. This results in one-time General Fund savings of \$19.6 million in 2011-13, primarily as a result of positions held vacant for part of the biennium. Gambling addiction programs have been reduced by \$390,969 Lottery Funds. This is in addition to the program reduction as a result of the 3.5% supplemental ending balance holdback. Funding for the development of new capacity in the community mental health system is reduced by \$2.8 million General Fund, leaving \$4.8 million in the budget to move forward with immediate plans for expansion of capacity.

This budget anticipates using, in the second year of the biennium, \$5.7 million Other Funds from the Community Mental Health (Dammasch) Housing Trust Fund to support program services. This amount is equal to one-half of the current principal in the Fund. The Other Funds will be used to continue to provide community services to children and adults with mental illness. The community housing grant program will continue during the 2011-13 biennium, at reduced levels as funding permits. The following budget note related to the Dammasch Fund was approved:

### **BUDGET NOTE**

Funds from the Dammasch Trust Fund in the 2011-13 budget are being used due to the severe revenue shortfall the state has experienced. Dammasch funds are being used exclusively for vital mental health services. If revenue should substantially increase in the current biennium, the Legislature will restore these funds to their full amount.

This budget has been reduced by \$3.4 million General Fund as a result of the statewide effort to restructure state government business operations and management of agency programs and services. The agency is also expected to manage a portion of the personal services underfunding within this program area.

## Public Health

In Public Health, the overall budget adjustments add \$1.8 million General Fund, \$5.1 million Other Funds, and \$5.7 million Federal Funds.

The rebalance plan approved by the Committee includes a General Fund cost of \$1.2 million, primarily a result of underfunded personal services costs. The plan also includes a \$6.2 million Federal Funds expenditure limitation increase for the Office of Family Health and the Office of Environmental Health. This includes grant awards for the Maternal Infant and Early Childhood Home Visiting Program, the WIC Breastfeeding Program, and the Healthy Homes grant.

Actions were approved to manage the \$1.2 million General Fund withheld in the legislatively adopted budget for the 3.5% supplemental statewide ending balance. The agency is expected to manage all personal services underfunding within this program area. This budget has also been reduced by \$303,303 General Fund as a result of the statewide effort to restructure state government business operations and management of agency programs and services. Other approved actions include the transfer of \$1.5 million from the Tobacco Use Reduction Account to the state General Fund.

## Central, Shared & Direct Charge Services

The budget adjustments for Central, Shared and Direct Charge Services increase General Fund by \$5.1 million, Other Funds expenditure limitation by \$3.5 million, and Federal Funds expenditure limitation by \$80 million.

The rebalance plan includes a General Fund cost of \$4 million, primarily a result of underfunded personal services costs. The plan also includes a \$3.5 million increase in Other Funds expenditure limitation for Shared Services. Federal Funds expenditure limitation is increased by \$80.4 million to support additional resources for projects supported by the Office of Health Information Technology (OHIT). OHIT has received additional federal grant funds to support the infrastructure that will promote the development of health information technology strategies and applications to support the widespread improvement of the health care system. It also expects to receive \$67.8 million Federal Funds during the biennium to pass through to health care professionals and hospitals in Oregon as incentives to develop electronic health record systems.

The Committee approved a number of other actions, partially to manage the \$4.7 million General Fund withheld in the legislatively adopted budget for the 3.5% supplemental statewide ending balance. The agency is expected to manage all personal services underfunding within this program area. The original \$4.7 million holdback included \$1.9 million General Fund related to debt service, which was added back. This budget has also been reduced by \$691,053 General Fund as a result of the statewide effort to restructure state government business operations and management of agency programs and services.

## Department of Human Services

Senate Bill 5701 increases the Department of Human Services (DHS) budget by a net \$103.5 million General Fund, \$22 million Other Funds, \$160.7 million Federal Funds, and 13 positions (13.00 FTE). The 13 positions are moved from the Oregon Healthy Authority, for no net increase between the two agencies. The net adjustments reflect updated pricing of program caseloads, costs and revenues, and selected agency actions to help “rebalance” the legislatively adopted budget; technical adjustments to fix errors made in the initial distribution of resources between DHS and the Oregon Health Authority when that new agency was created; actions to be taken to address the \$73.7 million General Fund unspecified reduction in the legislatively adopted budget for the 3.5% supplemental statewide ending balance; and other actions anticipated in the Ways and

Means Co-Chairs' statewide budget plan. The budget was reduced by \$240,259 General Fund and \$196,576 Federal Funds to reflect savings in State Government Service Charges from the change in the state's e-government funding model. More detailed description of the budget changes and actions in each program area follows.

#### Central Services

The Central Services budget is reduced by \$522,515 General Fund, \$10,047 Other Funds, \$1.3 million Federal Funds, and 9 positions (8.99 FTE). This includes reductions of \$580,630 General Fund and \$478,824 Federal Funds as part of the statewide effort to restructure state government business operations and management of agency programs and services. This unit is also expected to manage \$310,205 General Fund and \$310,205 Federal Funds in higher-than-budgeted position costs through holding position vacancies and other actions. Technical adjustments are made to move one position (1.00 FTE) into and 10 positions (9.99 FTE) out of this budget.

#### Children, Adults and Families

Senate Bill 5701 increases funding for Children, Adults and Families (CAF) by \$26.8 million General Fund, \$14.9 million Other Funds, and \$31.1 million Federal Funds. This reflects budget adjustments based on CAF's budget rebalance needs and technical adjustments, the \$28.7 million General Fund reduction made in the 2011-13 legislatively adopted budget for the 3.5% supplemental ending balance, and other actions anticipated in the statewide budget plan.

DHS identified a net \$34.5 million General Fund need in the CAF budget in its financial report to the Joint Interim Committee on Ways and Means in January 2012. The federally-funded Supplemental Nutrition Assistance Program (SNAP) caseload continues significant growth: \$130 million was added to CAF's nonlimited Federal Funds expenditure limitation in December 2011, 5.6% above the legislatively adopted budget level. Caseloads and costs in the Temporary Assistance to Needy Families (TANF) cash assistance programs are forecast to be \$44.1 million General Fund higher than budgeted, with the most notable increase in the TANF Basic caseload, where the average caseload is now projected to be 28,607 monthly, 17.2% higher than the 24,407 average in the legislatively adopted budget. Child Substitute Care caseloads are forecast higher than budgeted, primarily in regular foster care, special contracts, residential treatment, and target children cases. Other substitute care programs show a small savings compared to the budget. Adoptions program caseloads and costs are projected to be lower than funded in the legislatively adopted budget.

Notable revenue adjustments in CAF's budget rebalance and in the statewide budget plan include the use of \$16 million in federal TANF funds received but not spent in the 2009-11 biennium; \$5.1 million in SNAP access and application process bonuses; and \$6.2 million in federal Child Care and Development Fund moneys received from the Employment Department as Other Funds. In addition, \$10 million in federal fiscal year 2013 TANF contingency funds are assumed to replace a \$5 million shortfall in federal fiscal year 2012 funding and to help avoid \$8 million in further reductions in TANF programs.

Key elements of the CAF budget after the Senate Bill 5701 adjustments include the following:

- In the TANF program, basic cash assistance payment levels and income eligibility criteria are unchanged. Current TANF Parents as Scholars clients can complete their education without losing cash assistance. The TANF Family Support and Connections program is maintained at full funding. Adults who meet the federal 60-month time limit in- or out-of-state will not be eligible for TANF in Oregon. The current "job quit"

ineligibility period is extended from 60 to 120 days. Post-TANF payments to working families are ended May 1, 2012, two months earlier than originally budgeted. There continues to be risk in TANF caseloads which are already running above the Fall 2011 forecast level.

- \$9 million in unallocated JOBS funding is maintained for job placement, contracted slots and client support services such as child care and transportation.
- Employment Related Day Care (ERDC) caseloads are funded at an expected 8,500 average cases, with a continued mix of General Fund and federal Child Care and Development Fund moneys. Client co-payments are increased by 10%, an average of \$5 to \$10 monthly for families receiving subsidies. The unallocated \$5.7 million special purpose appropriation to the Emergency Board for ERDC or other supports and services for children and families is eliminated.
- Child welfare services are maintained, including funding for SB 964 (2011) community-based, family preservation and reunification programs. The unallocated \$5 million special purpose appropriation to the Emergency Board for child welfare differential response is abolished. The new initiative to contract for domestic violence advocates in program offices is scaled back, and \$1 million for new infrastructure grants to domestic violence shelters is eliminated. Foster care, adoptions assistance and other child welfare provider reimbursement payments are unchanged from the legislatively adopted budget level.
- Funding for refugee services is decreased by \$100,000, reducing the legislatively adopted budget for the program by less than 1% overall. The \$100,000 reduction is made in federal TANF funds which will be used elsewhere in CAF to free up \$100,000 General Fund.
- Vocational Rehabilitation Services are continued without reduction.

Higher-than-budgeted position costs in CAF total \$15.6 million General Fund and \$15.6 million Federal Funds; these costs will be managed through holding position vacancies and other actions. An additional \$1.9 million General Fund and \$1.9 million Federal Funds reduction is made in CAF self-sufficiency program staffing and other operating costs. The CAF budget is further reduced by \$3 million General Fund, \$180,000 Other Funds and \$2.8 million Federal Funds as part of the statewide effort to restructure state government business operations and management of agency programs and services. Overall, the impact of these actions is expected to reduce CAF staffing by the equivalent of more than 310 positions, and bring field staffing levels for self-sufficiency and child welfare programs down to less than 70% of the workload staffing models for those programs.

#### Seniors and People with Disabilities

The budget for Seniors and People with Disabilities (SPD) is increased by \$77.2 million General Fund, \$4.4 million Other Funds, and \$129.8 million Federal Funds. Technical adjustments move one position (1.00 FTE) from SPD to the Central Services budget. These budget adjustments address SPD's budget rebalance and technical adjustments, the \$44.1 million General Fund reduction made in the 2011-13 legislatively adopted budget for the 3.5% supplemental ending balance, and other actions anticipated in the statewide budget plan.

DHS reported in January 2012 to the Joint Interim Committee on Ways and Means that caseloads in long-term care facilities for seniors and people with physical disabilities are expected to be down just slightly overall from the caseloads funded in the legislatively adopted budget.

However, costs for in-home cases and community-based care were higher than budgeted, in part because of some clients shifting to home and community-based care settings from Medicare Part A and Part B Buy-in programs that pay Medicare premiums for low-income “dual eligible” seniors who qualify for both Medicare and Medicaid. In the programs serving people with developmental disabilities, caseloads overall were slightly less than initially funded, although costs per case were running higher due to higher client acuity levels and some movement between program settings. Higher Medicaid client participation rates in those programs were expected to provide more Federal Funds to help offset the higher overall costs. Overall, SPD’s budget rebalance showed a small General Fund savings from the legislatively adopted budget, before consideration of the 3.5% supplemental ending balance reduction and the budgeted long-term care reimbursement reduction.

In addition to the unspecified \$44.1 million General Fund reduction for the 3.5% supplemental ending balance, the legislatively adopted budget reflected a reduction of \$51.5 million General Fund, \$147.6 million total funds in the second year of the biennium for long-term care costs for seniors and adults with physical disabilities in in-home services, community-based facilities, and nursing facilities. When repriced for the shift in service settings and costs in the agency’s budget rebalance, to fully restore this reduction would require \$53.4 million General Fund. The adjustments in Senate Bill 5701 include an additional \$40 million General Fund appropriation in this program area, reducing the potential reimbursement reduction from \$53.4 million to \$13.4 million. The Co-Chairs’ intent is that the Governor’s Office, the Oregon Health Authority and DHS will pursue additional federal Medicaid funding or other federal revenue to mitigate or eliminate the full reduction. DHS is expected to report on this issue to the Emergency Board at its May 2012 meeting, with recommendations regarding any further action to be taken at that time. In addition, as part of the Co-Chairs’ budget rebalance plan, an agreement was made to consider using the Emergency Fund to cover the remaining \$13.4 million reimbursement reduction if additional federal funds are not obtainable and the June 2012 Oregon Economic and Revenue Forecast of 2011-13 biennium General Fund revenues, excluding the impact of 2012 legislative session adjustments, exceeds the amount of General Fund revenues in the March 2012 forecast by at least \$25 million.

The approved budget makes no reductions in Oregon Project Independence services, Medicaid adult day services, or Medicaid home-delivered meals programs.

Alternatives to Employment Services, Sheltered Employment, Supported Employment, the Family Support Program and Family-to-Family network for people with developmental disabilities and their families also continue without reductions. The plan avoids further reductions to reimbursement rates for brokerages and community developmental disability programs (CDDPs). It also adds \$7.5 million General Fund for 24-hour residential providers; for supported living providers; and for children’s residential providers including children’s foster care group homes, to bring the 2011-13 biennial budget reductions to no more than 6% below the 2009-11 level. No changes were made at this time for the adult foster care programs, which are currently in collective bargaining negotiations. The following budget note was approved:

**BUDGET NOTE**

The Department of Human Services is to report to the Emergency Board in September 2012 on the outcome of the negotiations for the adult foster care programs. If the negotiations result in a reduction that is more than 6% below the 2009-11 reimbursement rate, DHS is to identify options for bringing reimbursement for adult foster care programs to no more than a 6% reduction for the balance of the biennium, and include its preferred option in the agency’s next budget rebalance plan.



Costs for crisis diversion and in-home services for some individuals with developmental disabilities will be limited, resulting in budget savings of \$241,149 General Fund and \$956,710 Federal Funds. Clients in three additional state operated group homes for adults with disabilities will be moved to private group homes, for a \$350,190 General Fund and \$571,410 Federal Funds savings this biennium. With three state operated group homes already in the process of being closed, DHS will move a total of 30 clients to private group homes by the end of the biennium, for an estimated net savings of \$1.3 million General Fund and \$3.4 million Federal Funds.

The budget adjustments anticipate \$2.8 million in General Fund savings from a total of \$1.5 million Other Funds and \$1.3 million Federal Funds in increased revenue, based on contractor estimates for higher third-party recoveries for long-term care cases, higher projected estate recoveries, and a new Medicaid 1915(c) waiver for in-home comprehensive services for children with developmental disabilities.

Higher-than-budgeted position costs in SPD total \$9.4 million General Fund and \$10.7 million Federal Funds; these costs will be managed through holding position vacancies and other actions. An additional \$1 million General Fund and \$1 million Federal Funds reduction is made in SPD and Area Agencies on Aging (AAAs) program staffing and other operating costs. The SPD budget is further reduced by \$2.5 million General Fund and \$3.3 million Federal Funds as part of the statewide effort to restructure state government business operations and management of agency programs and services. Overall, the impact of these actions is expected to reduce staffing for AAA, DD, and SPD staffing by the equivalent of 180 positions, with reduced field staffing levels for Medicaid eligibility and case management.

#### Shared Services

The Shared Services budget is increased by a net \$2.8 million Other Funds and 23 positions (22.99 FTE). Technical adjustments add \$3.5 million Other Funds, based on the transfer of 23 positions to Shared Services from within DHS and the Oregon Health Authority. The budget reflects a reduction of \$716,863 Other Funds as part of the statewide effort to restructure state government business operations and management of agency programs and services. Higher-than-budgeted position costs of \$4 million Other Funds will be managed through holding position vacancies and other actions.

Of note: Senate Bill 5701 abolishes the unallocated \$8 million special purpose appropriation to the Emergency Board established in 2011 for Department of Human Services and Oregon Health Authority caseloads and costs for programs and services. However, the agencies may, if needed, be able to access a part of the new \$60 million special purpose appropriation to the Emergency Board designated for potential allotment reduction mitigation; for home foreclosure issues; or for human services caseload increases.

### **Public Safety Program Area**

#### **Department of Corrections**

Senate Bill 5701 adds a net \$38.1 million General Fund for the Department of Corrections (DOC), reflecting a partial restoration of the 2011-13 legislatively adopted budget's adjustment for the supplemental ending balance, a "rebalance" of resources across the agency's divisions, and DOC's share of the statewide effort to restructure state government business operations and management of agency programs and services.

The 2011-13 legislatively adopted budget included a \$48.2 million General Fund (3.5%) reduction for the supplemental ending balance. The Committee restored \$38.1 million resulting in the following reductions and actions the agency must make to close the resulting funding gap:

- The amount of funding dedicated for the reimbursement of counties for the jail costs of incarcerating Ballot Measure 73 offenders is reduced by \$1.6 million General Fund. Requests for reimbursement have been lower than expected for the first six months of the biennium. The agency would need to request further funding or reallocate resources within its budget if requests return to at least the amount assumed in the legislatively adopted budget.
- A greater amount of federal funds through the State Criminal Alien Assistance Program (SCAAP) is now anticipated so \$315,352 General Fund in the Health Services Division may be replaced with an equivalent amount of federal funds.
- The amount of debt service required for 2011-13 is reduced by \$81,641 General Fund through refinancing of existing certificates of participation (COPs). Future biennial budgets will reflect savings due to this refinancing.
- DOC's share of the statewide effort to restructure state government business operations and management of agency programs and services is \$7.9 million General Fund.

### **BUDGET NOTE**

The Department of Corrections is instructed not to close or deactivate any facility or units for the purposes of the \$7.9 million reduction related to the agency's share of the statewide effort to restructure state government business operations and management of agency programs and services without consulting the Emergency Board or the Legislature.

The Committee also approved an agency-wide rebalance of appropriation and expenditure limitation affecting most of the divisions. Overall, this rebalance reflects no net increase in General Fund, a \$98,019 increase in Other Funds expenditure limitation, and a \$7,989 decrease in the Federal Funds expenditure limitation. As part of this rebalance, \$220,875 General Fund is transferred to the Operations Division from the Transitional Services Division accounting for funding for one of the five management positions that were eliminated in the 2011-13 legislatively adopted budget. This bill eliminates the five positions (5.00 FTE) since only the funding was eliminated in the 2011 legislative session. The agency's budget was also reduced by \$266,788 General Fund to capture statewide e-government savings.

The bill also repeals the appropriation section for Chapter 666 (House Bill 2940, 2011) and combines this \$100,095 General Fund appropriation with the primary appropriation for the agency found in Chapter 635 (Senate Bill 5505, 2011). Also established in this bill is an Other Funds expenditure limitation for Capital Improvements of \$413,449 for the replacement of components of the Eastern Oregon Correctional Institution's (EOCI) water heating system utilizing solar panels.

The Other Funds expenditure limitation is increased by \$3.2 million for grants to local jails funded by criminal court fees. This limitation was inadvertently left out of House Bill 2712 (2011). The Federal Funds expenditure limitation is also increased by \$600,000 for a federal grant that the agency has received relating to the Prison Rape Elimination Act (PREA). There are three limited duration positions (0.81 FTE) authorized for the activities associated with this grant.

### **Oregon Criminal Justice Commission**

The Committee approved an increase in the Federal Funds expenditure limitation for the Criminal Justice Commission (CJC) of \$6,987,121 reflecting the amount of federal resources that must be spent by the end of the 2011-13 biennium. At the time final action on CJC's 2011-13 budget was taken during the 2011 legislative session, the amount of available federal funding through various grants was not finalized. These funds will mostly be used for programs similar to drug courts for Ballot Measure 57 offenders.

### **District Attorneys and Their Deputies**

Senate Bill 5701 appropriates \$359,976 General Fund for the District Attorneys and Their Deputies. This increase represents a restoration of the entire amount reduced for the supplemental ending balance in the 2011-13 legislatively adopted budget offset by a \$2,078 General Fund decrease for the e-government adjustment. The only option for adjusting this budget is to reduce the compensation of the 36 locally elected District Attorneys.

### **Department of Justice**

The Committee approved a net reduction of \$160,840 in the General Fund appropriation (2 positions, 2.25 FTE) for the Department of Justice (DOJ). Instead of restoring the \$1.9 million General Fund (3.5%) that had been reduced in the 2011-13 legislatively adopted budget for the supplemental ending balance, several reductions were made to fill the gap. These General Fund adjustments include \$600,652 for the Defense of Criminal Convictions (DCC) program. At this time the agency believes this reduction will not significantly affect the DCC program as long as the target savings from management actions are met and the resources in a special purpose appropriation to the Emergency Board are available for the program. This DCC reduction also leads to decreases in the Other Funds expenditure limitations for the Appellate Division of \$210,442 (one position/1.00 FTE) and for the Trial Division of \$39,347 (0.25 FTE).

The Division of Child Support will use mostly vacancy savings to save \$785,156 General Fund, also resulting in a decrease of \$1,395,709 in federal matching funds. The Committee did approve a \$300,000 General Fund increase and a \$600,000 increase in the Federal Funds expenditure limitation for matching federal funds to continue the development of the replacement of the Division of Child Support's major information management system necessary to keep pace with changing program and federal requirements. The Criminal Justice Division will reduce its District Attorney Assist and Organized Crime programs by \$270,831 General Fund (one position/1.00 FTE) which also results in a \$221,874 reduction in the Other Funds expenditure limitation for the Division. Other General Fund reductions include \$10,500 for the grant to Project Clean Slate and \$50,000 from the Civil Rights unit. The change in the General Fund also reflects the use of \$348,950 Other Funds in penalties and other resources collected through the Medicaid Fraud unit to offset an equivalent amount of General Fund.

The DOJ's share of the statewide effort to restructure state government business operations and management of agency programs and services is \$600,000 Other Funds. It is expected all of the agency's programs will be reviewed and that a portion of the resulting reduction could lead to overall General Fund savings as the rate for agency legal services is adjusted.

The Department of Justice has joined the Attorneys General in 49 other states in a financial settlement with major private mortgage lenders. Funding to assist distressed homeowners and direct payments to states are part of this settlement. The following budget note is included for the Department of Justice.

## **BUDGET NOTE**

The Department of Justice may request funding for activities related to mortgage fraud and similar issues from the special purpose appropriation established for this purpose. These activities may include investigation and prosecution of mortgage fraud cases, efforts to assist distressed homeowners access funding made available by the recent multi-state settlement with private mortgage lenders, housing counseling, and other activities relating to possible foreclosures. The Department of Justice shall work with the Department of Consumer and Business Services, the Housing and Community Services Department, and other agencies and entities in formulating a plan for the best use of these funds for presentation to the Emergency Board as part of its request for these funds.

### **Oregon Military Department**

None of the funding reduced in the 2011-13 legislatively adopted budget was restored for the Oregon Military Department. The Committee made further reductions including \$35,046 General Fund in the Operations program through vacancy savings for a facilities engineer position, and transferred \$71,937 in savings from the Capital Debt Service program to the Operations program for general operating services and supplies expenses. The net General Fund increase to the Operations program is \$36,891. The Committee also decreased the Emergency Management program by a total of \$120,897 General Fund. A portion of this reduction is from vacancy savings in the Director of Emergency Management position (\$11,816) with the remainder as the agency's share of the statewide effort to restructure state government business operations and management of agency programs and services (\$109,081).

The Committee appropriated \$4.5 million General Fund to Military Department for depositing into the Oregon Local Disaster Assistance Loan and Grant Account for school districts that have raised at least 50% of the cost from local resources and donations for the replacement and relocation of school buildings damaged or destroyed by a flood that is declared a federal disaster. The Committee also approved \$4 million Other Funds expenditure limitation for the Oregon Local Disaster Assistance Loan and Grant Account for the payment of such expenses.

The Community Support program's Other Funds expenditure limitation is increased by \$118,339 for 2011 fire season expenditures.

The Committee also increased the Capital Debt Service Other Funds expenditure limitation by \$306,589 for cash proceeds from previously issued Seismic Rehabilitation Grant bonding and \$241,578 for cash proceeds from previously issued certificates of participation used to fund various armory capital improvements. These funds will be used in lieu of General Fund, for \$548,167 in General Fund Debt Service savings.

The following budget note was adopted.

## **BUDGET NOTE**

The Military Department is directed to prepare a statewide information technology plan for upgrading Oregon's 9-1-1 system(s) to Next Generation technology. The plan shall include a detailed component to consolidate the state's Public Safety Answering Points based upon the 2012 L.R. Kimball Consolidation Analysis and Next Generation 9-1-1

Implementation Report. The plan is to be submitted through the normal budget review process for an information technology project and be reviewed by the Department of Administrative Services - Information Enterprise Strategy and Policy Division.

### **Department of State Police**

Senate Bill 5701 reflects a net \$5.3 million increase in the General Fund appropriation for the Oregon State Police (OSP), including adjustments for the restoration of the reduction for the supplemental ending balance, adjustments across divisions based on a rebalance plan proposed by the agency, and OSP's share of the statewide effort to restructure state government business operations and management of agency programs and services. The total \$7.8 million reduced in the 2011-13 legislatively adopted budget for the supplemental ending balance (3.5% reduction) is restored across the agency.

The changes in the bill include the adjustment of General Fund appropriations for each division based on updated projected spending for the remainder of the biennium. This "rebalance" of resources generally transfers General Fund from the Forensics and Information Management divisions to the Patrol and Criminal divisions. Major factors for these transfers include final employee compensation decisions greater than what was assumed in the legislatively adopted budget, savings from vacant positions, increasing fuel costs, need to replace patrol car video camera systems, and specific programmatic needs. The Committee also approved a reduction of \$2.5 million General Fund for OSP's share of the statewide effort to restructure state government business operations and management of agency programs and services.

The 2011-13 legislatively adopted budget was also reduced by \$241,486 Lottery Funds for the supplemental ending balance. None of this reduction is restored in this bill. In addition, other cost increases (e.g., employee compensation and fuel costs) have left the Fish and Wildlife Division with a Lottery Funds shortfall of over \$700,000. To avoid further staffing reductions, funding for up to five Fish and Wildlife trooper positions will be transferred from Ballot Measure 76 Lottery Funds to Other Funds resources available from carry-forward of Oregon Department of Fish and Wildlife revenues and vacancy savings. This transfer requires an additional \$436,875 in Other Funds expenditure limitation. An increase of \$202,180 in the Lottery Funds expenditure limitation is also approved taking advantage of a greater use of Lottery Funds balances.

The Committee approved a \$521,944 increase in the Federal Funds expenditure limitation for OSP to execute a spending plan for the use of forfeiture and seizure funds. These federal resources have restrictions on how they may be used; and generally do not include the salaries and benefits of current permanent personnel. They also may not be used to replace or supplant appropriated resources of the agency. OSP plans to use these funds to purchase equipment to increase the productivity and safety of troopers including Tasers, equipment for the bomb squad, "Speak Write" software, and "confidential" funds for Criminal Division detectives.

### **Department of Public Safety Standards and Training**

An increase of \$315,518 General Fund was approved for the Department of Public Safety Standards and Training (DPSST). All of the General Fund for the agency is for Debt Service payments for the certificates of participation (COPs) issued for the construction of the agency's Salem facility. This amount represents what was reduced for the supplemental ending balance during the 2011 legislative session, less the amount of savings from refinancing some of the COPs.

The Committee approved an \$873,897 decrease of Other Funds expenditure limitation for the Criminal Justice Training program. This reduction corresponds with a decrease in the allocation of Criminal Fines Account (CFA) resources to the agency that is included in House Bill 5702

(2012). This allocation adjustment increases the amount of CFA resources available for the General Fund. This reduction in training funding will result in the discontinuation of the child abuse training program and the elimination of six positions (3.75 FTE) including a Training Support Specialist, two Range Masters, a Training Development Coordinator, a Health and Fitness Coordinator and a general trainer position. The agency has stated that these reductions will not affect the number of basic law enforcement training classes.

### **Oregon Youth Authority**

To restore county programs affected by the supplemental ending balance reduction applied in the Oregon Youth Authority (OYA) 2011-13 legislatively adopted budget, the Committee added \$910,596 General Fund for Diversion (\$325,265), Juvenile Crime Prevention (\$276,061), Multnomah County Gang (\$163,264), and Individualized Services (\$146,006). As part of the county funding discussion, state support for the East Metro Gang Enforcement Team (EMGET) was confirmed to be \$1,666,753 General Fund for the 2011-13 biennium. This amount consists of \$566,753 in state General Fund from Multnomah County's gang funding grant along with \$1.1 million in designated EMGET General Fund.

The Committee used \$186,988 General Fund from OYA's operations budget to restore debt service. The budget was also reduced by \$64,628 General Fund to capture statewide e-government savings.

To generate additional program savings, \$1 million General Fund was eliminated from the budget based on lower utilization of about 25 foster care and residential beds. The personal services budget was also reduced by \$1.3 million as part of the statewide effort to restructure state government business operations and management of agency programs and services.

## **Economic and Community Development Program Area**

### **Oregon Business Development Department**

The Committee reduced the agency's General Fund appropriation by \$8,729; reduced Lottery Funds expenditures for operations by \$493,653; reduced Other Funds expenditures for operations by \$277,500; and increased Lottery Funds debt service expenditures by \$2,830,159 and Other Funds debt service expenditures by \$321,885, to restore reductions and fully finance debt service costs on lottery revenue bonds. The budget adjustments will generally allow the agency to implement its budget as it identified it would with the 3.5% holdback that was approved to generate a supplemental statewide ending balance, but with certain modifications. These modifications include limiting the Lottery Funds reduction for the Strategic Reserve Fund to \$700,000; increasing the Lottery Funds reduction for Oregon InC by \$357,000; increasing Lottery Funds for the Government Contract Assistance Program with the understanding that the Department will provide a total of \$290,000 Lottery Funds to that program; and increasing the Lottery Funds reduction to the Oregon Film and Video Office by \$81,125.

The Committee also approved budget adjustments to eliminate any additional grant or loan commitments in the Building Opportunities for Oregon Small Business Today (BOOST) program. The Business, Innovation and Trade Division's Other Funds expenditure limitation was reduced by \$377,500 for the reduction in BOOST program grant expenditures, and Other Funds Nonlimited were reduced by \$3,315,000 for the reduction in BOOST program loan expenditures. Senate Bill 1579 transfers the combined reduction of \$3,692,500 in uncommitted BOOST program account Other Funds to the General Fund.

Lottery Funds were reduced by \$3,547 for the e-government funding model change. Expenditures were reduced by \$9,006 General Fund and \$432,802 Lottery Funds for the agency's share of the statewide effort to restructure state government business operations and management of agency programs and services. Finally, a \$100,000 Other Funds increase in the Business, Innovation and Trade Division, and one position (0.50 FTE), were approved to implement Senate Bill 817 (2011), which established the Oregon Low Income Community Jobs Initiative.

### **Employment Department**

The General Fund appropriation to Employment Department's Child Care Division was reduced by \$336,868. Of this amount, \$250,000 reflects delayed implementation of a health consultation program model being developed by the Oregon Health Authority that was assumed in the Child Care plan and legislatively adopted budget, and a reduction in administrative costs related to the provision of customized reports for child care providers; the remaining \$86,868 is attributable to the statewide effort to restructure state government business operations and management of agency programs and services.

Senate Bill 5701 amends the agency's Federal Funds expenditure limitations to distinguish expenditures from Federal Funds received for benefits administration and operation of public employment offices from expenditures from federal Child Care and Development Funds.

The Committee increased Federal Funds expenditure limitation for benefits administration and public employment offices by \$12,345,199 and established three limited duration positions (6.50 FTE) to accommodate changes in caseload across several programs, as follows:

- \$1.3 million and 5.00 FTE for timely benefit administration of federal unemployment insurance benefit extensions for two additional months that had been approved by the U.S. Congress as of February 14, 2012;
- \$427,704 for Office of Administrative Hearings adjudication of those benefits;
- \$1.2 million and 3 positions (1.50 FTE) for casework and benefit administration of an anticipated 300 dislocated workers per quarter under a federally approved extension of the expanded Trade Act;
- \$447,958 for information technology expenditures necessary to enable participation in the Treasury Offset Grant Program, which enables the Department to recover employer taxes or benefit overpayments from Federal tax returns; and
- \$9 million for utilization of Federal Funds for administration in place of Other Funds (Reed Act) dollars.

The Employment Department identified \$16.6 million in Child Care and Development Funds carried over from previous biennia. The Committee increased Child Care and Development Federal Funds by \$6.2 million for the Employment Department for allowable child care expenditures, per federal guidelines. The statewide budget plan anticipates this \$6.2 million will be transferred to the Department of Human Services for child care subsidies and related expenditures. Decisions regarding how to utilize the remaining Child Care and Development Funds will be made at a later date.

Other Funds expenditure limitation adjustments resulted in a net reduction of \$5,385,131, consisting of the following:

- An additional \$2.5 million and eight limited duration positions (5.00 FTE) to allow for timely administrative hearings and decisions due to the 2-month extension of federal unemployment insurance benefits, and higher than anticipated caseloads originating in the Department of Education and the Portland Police and Fire Disability Fund;
- An additional \$1.4 million and three limited duration positions (1.88 FTE) associated with the Department's successful grant application for development of a national model workforce registration system;

- A reduction of \$9 million Other Funds due to the receipt and utilization of a like amount of Federal Funds for the administration of Unemployment Insurance activities; and
- A reduction of \$250,000 that is attributable to the statewide effort to restructure state government business operations and management of agency programs and services.

### **Housing and Community Services Department**

The General Fund appropriation for the Department was increased by \$75,956 to restore funding to the General Fund Food Program, and by \$76,910 to restore the 3.5% supplemental ending balance reduction to the Court Appointed Special Advocate (CASA) program transferred and funded in House Bill 4082 (2012). General Fund for the Low Income Rental Housing Fund was reduced by 3.5% (\$16,450). The bill increases Lottery Fund expenditures by \$80,919 for debt service costs on lottery revenue bonds. Other Funds expenditure limitation was increased by a total of \$9,081,162, consisting of \$5 million for the Oregon Energy Assistance Program pursuant to Senate Bill 863 (2011), \$2,697,087 and 20 positions (15.35 FTE) for administration of the Home Ownership Stabilization Initiative, and \$1,384,075 for administration of the CASA program. Federal Funds expenditure limitation was increased by \$5 million to reflect a federal grant award for phase three of the Neighborhood Stabilization Program.

### **Department of Veterans' Affairs**

The Committee increased the General Fund appropriation to the Oregon Department of Veterans' Affairs by a net \$92,536, based on the following adjustments:

- Restoration of \$115,656 of the 3.5% supplemental ending balance adjustment, with the intention that the General Fund appropriation made for Veterans' Disabled Transportation be reduced by \$90,000 in lieu of reductions to other services provided by the Department of Veterans' Affairs; and
- A reduction of \$23,120 that is attributable to the statewide effort to restructure state government business operations and management of agency programs and services.

A technical adjustment was approved to transfer a state agency assessment adjustment from the General Fund appropriation for National Services Organizations to the General Fund appropriation for services provided to the Oregon Department of Veterans' Affairs; this transfer has no net General Fund impact.

## **Natural Resources Program Area**

### **Department of Environmental Quality**

Senate Bill 7501 adds \$193,612 General Fund to restore funding for debt service payments. A one-time \$86,615 General Fund reduction to the Land Quality program captures savings from putting a position on special assignment in the Water Quality program. The agency's share of the



statewide effort to restructure state government business operations and management of agency programs and services is \$169,003 General Fund, which was taken in the Water Quality program.

### **Department of Geology and Mineral Industries**

To accommodate increased demand for contract services such as Lidar data collection and FEMA flood hazard mapping, the Committee increased Other Funds expenditure limitation by \$1,788,385, increased Federal Funds expenditure limitation by \$1,709,304, and established 10 limited duration positions (6.37 FTE). General Fund was also reduced \$1,204 in the Geologic Survey program to reflect savings in State Government Service Charges from a change in the state's e-government funding model.

### **Department of State Lands**

For payment of expenses related to the Portland Harbor Superfund, the Committee added \$681,266 General Fund (with a corresponding disappropriation of \$681,266 General Fund from the Emergency Fund) and an increase of \$333,333 Other Funds expenditure limitation.

Other Funds expenditure limitation was increased by \$468,125 for fire suppression and land rehabilitation costs as a result of fire damage during the 2011 fire season on Common School Fund rangeland, and by \$256,139 for completion of the Territorial Seafloor Mapping Project. Federal Funds expenditure limitation was increased by \$428,127 for the Department to finalize administration of existing contract balances for eight federal grants in the Natural Heritage program (\$250,127) and to accept a grant from the Environmental Protection Agency for a Wetland Program Development grant (\$178,000).

### **State Department of Agriculture**

Senate Bill 5701 reflects a number of one-time fund shifts with the agency's budget, using Ballot Measure 66 (M66) ending balance carried over from the 2009-11 biennium and Other Funds in the Animal Health program, to rebalance the 3.5% General Fund supplemental ending balance reductions taken across agency programs as part of the 2011-13 legislatively adopted budget. These rebalance adjustments increase Administration and Support Services by \$29,703 General Fund; increase Food Safety Policy Area by \$150,882 General Fund and \$31,311 Other Funds; decrease Natural Resources Policy Area by \$73,647 General Fund, but increase dedicated Lottery Funds by \$416,768 (which includes about \$290,000 carry forward expenditure limitation for improvements at the Plant Division's Hawthorne facility); and decrease Agriculture Development Policy Area by \$113,203 General Fund, but increase non-dedicated Lottery Funds by \$763.

Additional adjustments were approved to make General Fund available as part of the state-wide budget rebalance plan. These include two fund shifts to use M66 Lottery Funds carry forward to replace General Fund: \$354,631 in the Invasive Weeds program and \$160,724 in the Insect Pest Prevention and Management program. In the Plant Health program, \$10,000 Other Funds was used to replace General Fund. The Agriculture Development and Marketing program was reduced by \$70,000 General Fund to reflect vacancy savings. Finally, General Fund was reduced \$4,328 in the Administrative and Support Services Division to reflect savings in State Government Service Charges from a change in the state's e-government funding model. The Department's share of the statewide effort to restructure state government business operations and management of agency programs and services is \$197,170 General Fund, which was taken from the Food Safety program.

A 3.5% reduction, \$5,250 General Fund, was approved for individual farm credit mediations (House Bill 5056) that had not been subject to the supplemental ending balance adjustment made during the 2011 legislative session.

### **State Department of Energy**

Senate Bill 5701 adds \$4,249,010 Other Funds expenditure limitation, \$109,164 Federal Funds expenditure limitation, one position and 5.50 FTE for administration of energy incentive programs created or modified by the passage of House Bill 3672 (2011). Lottery Fund expenditures are increased by \$75,746 for debt service costs on lottery revenue bonds.

### **State Department of Fish and Wildlife**

The Committee approved a one-time \$41,000 fund shift, replacing General Fund for services and supplies with Other Funds at the Hatchery Research Center. Funding was adjusted for a fish ladder capital improvement package on Steamboat Creek by decreasing Other Funds capital improvement expenditure limitation by \$70,000 and increasing Federal Funds capital improvement expenditure limitation by \$140,000. When the Natural Resources Subcommittee considered budget requests from the Department, it also recommended the expenditure of \$20,000 from the Commercial Fish Fund to support the Port Orford Ocean Resource Team facility and \$100,000 from the Recreational Shellfish Fund for a subtidal survey of brood stock clams in Tillamook Bay with the understanding that if the Department requires an increase in Other Funds expenditure limitation to accommodate these expenditures they are to return later in the biennium to request such an increase.

In addition, \$12,168 General Fund was restored for debt service payments on outstanding certificates of participation. Finally, General Fund was reduced \$5,368 in the Administration Division to reflect savings in State Government Service Charges from a change in the state's e-government funding model. The Department's share of the statewide effort to restructure state government business operations and management of agency programs and services is \$253,504 General Fund, which was taken from the Fish Division.

A technical correction to the Department's adopted budget eliminates position authority for two positions (2.00 FTE) in the Conservation Strategy program that were added in error. The funding was intended to be used instead for services and supplies

### **State Forestry Department**

The Committee, per the Co-Chair budget plan, restored the 3.5% supplemental ending balance reduction for some agency programs, adding \$1,189,182 General Fund to the Fire Protection program, along with \$102,087 General Fund and \$81,990 Lottery Funds for debt service.

An additional one-time payment of \$200,000 General Fund was approved in the Agency Administration program to fund a position in the Governor's Office to support forest policy issues, in particular finding a solution to the county government financial predicament related to the Oregon & California (O&C) Act reduction in federal forest payments.

The budget for the Private Forests program was reduced by \$932,036 General Fund, affecting 50 positions and 9.92 FTE, for the Department of Forestry's share of reductions to address the statewide General Fund shortfall and budget rebalance. The budget was reduced by \$312,995 General Fund in the Fire Protection program and \$53,178 General Fund for the Department of Forestry's share of the statewide effort to restructure state government business operations and management of agency programs and services.

To cover 2011 fire suppression severity costs, Senate Bill 5701 appropriates \$2,120,017 General Fund for the Fire Protection program. The bill makes a corresponding disappropriation of \$2,120,017 General Fund from the special purpose appropriation made to the Emergency Board for costs associated with contracting for large air tankers and helicopters to supplement fire suppression resources for the 2011 fire season.

General Fund is reduced by \$2,484 in the Protection from Fire program and \$509 in the Private Forests program to reflect savings in State Government Service Charges from a change in the state's e-government funding model.

### **Department of Land Conservation and Development**

To support an anticipated Governor's directive to pilot a regional land use planning project, \$200,000 General Fund was added to the agency's budget to support rulemaking and related activities. In addition, \$350,000 General Fund was appropriated to the Department for distribution to Jackson, Josephine, and Douglas counties through intergovernmental agreements. The counties will use these funds to complete technical studies, mapping, and preparation of materials required for preparing a petition to the Land Conservation and Development Commission for rulemaking to consider regional definitions of agricultural and forest lands.

As part of the statewide rebalance plan, the agency's budget is reduced by \$265,752 General Fund to capture one-time budget savings achieved by holding positions vacant and through the agency director taking a job rotation to the Governor's office. Personal services expenditures are reduced by \$33,801 General Fund to capture the agency's share of the statewide effort to restructure state government business operations and management of agency programs. The budget also reflects a \$3,239 General Fund reduction in State Government Service Charges from a change in the state's e-government funding model.

The following budget note was adopted:

#### **BUDGET NOTE**

The Department of Land Conservation and Development shall prepare a report that identifies which counties and cities with a population over 10,000 people have completed or not completed the following:

1. The requirement of urban service agreements contained in ORS 195.
2. Approved facilities plans.

The report shall include the date the county and city's comprehensive plan was approved by the Land Conservation and Development Commission. The report shall include options to bring counties and cities into compliance with the ORS and shall be presented to the Joint Committee on Ways and Means prior to the 2013 legislative session.

### **State Marine Board**

The Oregon State Marine Board (OSMB) Law Enforcement program's funding is increased by a total of \$1.1 million, of which \$757,200 is Other Funds and \$292,800 is Federal Funds that would be transferred from the Facilities program. Of the total amount, \$945,000 would be used to

increase funding for fiscal year 2013 law enforcement contracts to a level commensurate with fiscal years 2011 and 2012. Those fiscal year contracts totaled \$5.9 million each.

The Committee also approved a \$105,000 Other Funds expenditure limitation increase for the replacement of marine law enforcement boats. This is in addition to the \$300,000 Other Funds expenditure limitation in the Board's 2011-13 legislatively adopted budget.

Federal Funds expenditure limitation for the Administration and Education program is increased by \$243,200. The limitation would be transferred from the Facilities program for the replacement of the agency's legacy mainframe boat registration system. The project is currently estimated to cost \$310,000. OSMB has identified \$66,800 of Federal Funds in its 2011-13 legislatively adopted budget to partially fund the purchase with the remaining \$243,200 in Federal Funds coming from the Facilities program. Annual operation and maintenance costs are estimated at \$38,250 per year. Federal Funds from the U.S. Coast Guard's Recreational Boating Safety grant would be used to pay for both the registration system's development and ongoing operation and maintenance costs.

The Facilities program's funding is increased by \$509,800 in Other Funds expenditure limitation and is decreased by the transfer of \$536,000 in Federal Funds expenditure limitation to the Law Enforcement and the Administration and Education programs. According to OSMB, the Federal Funds expenditure limitation is available for transfer because there are insufficient local matching funds for U.S. Fish and Wildlife Service Boating and Infrastructure grants. The \$509,800 in Other Funds expenditure limitation will be used to fund a second round of local grants for facility maintenance and improvements or to match Federal Funds provided through the Clean Vessel Act, which funds vessel waste pump out facilities and dump stations.

These adjustments in Other Funds and Federal Funds expenditure limitation are approved as one-time increases for the 2011-13 biennium and are not to carry forward into the 2013-15 biennium.

### **State Parks and Recreation Department**

Senate Bill 5701 includes an increase of \$1,731,242 in Lottery Funds dedicated to the Parks and Recreation Department, due to a higher than anticipated carryover of Lottery Fund savings from the 2009-11 biennium. This action offsets the 3.5% supplemental ending balance reductions for the Director's Office (\$45,638), Central Services (\$280,114), Park Development (\$592,240), Direct Services (\$673,108), and Community Support/Grants (\$140,142).

The budget is increased by \$861,950 Federal Funds to support disbursement of grant funds received from the U.S. Fish and Wildlife Service for the Natural Heritage Program, and by \$2,190,000 Federal Funds for grant funds from the National Oceanic and Atmospheric Administration and the U.S. Fish and Wildlife Service. The latter funding supports the Park Development program's purchase of property adjacent to the Carl B. Washburn State Park and Ona Beach State Park.

### **Water Resources Department**

Senate Bill 5701 includes an increase of \$25,633 Lottery Funds Debt Service to restore the 3.5% supplemental ending balance reduction. The agency's budget is reduced by \$7,516 General Fund due to savings in State Government Service Charges from a change in the state's funding

model for e-government, and by \$247,871 General Fund for the agency's share of the statewide effort to restructure state government business operations and management of agency programs and services.

### **Oregon Watershed Enhancement Board**

The Committee reduced carry forward Lottery Funds expenditure limitation, provided to complete payments during 2011-13 on grants made in the 2009-11 biennium, by \$784,354 because the agency did not need all \$3.3 million in expenditure limitation provided in the 2011-13 legislatively adopted budget to close out these grants.

## **Transportation Program Area**

### **Department of Transportation**

In the Department of Transportation budget, a \$9,211,366 increase in Other Funds expenditure limitation was approved for the Highway Maintenance program for repair of damage sustained during winter storms in 2009 and 2011. The Committee also approved an increase of \$500,000 Other Funds in the Driver and Motor Vehicles (DMV) program to contract with third-party expertise and resources to assist in evaluating DMV's information systems against current and future business needs. The agency expects to develop a prioritized blueprint for moving forward with critical systems modernization initiatives. Deliverables will include prioritized business and technical requirements, environmental/peer analysis, identification of applicable best practices, a comprehensive technology inventory, assessment of the identified technical components to meet current and future needs, and a strategic vision for moving ahead. Subsequent work will include a tactical plan with an interrelated set of viable, prioritized, and phased initiatives.

Debt service on the Oregon Wireless Interoperability Network in the Department of Transportation was decreased by \$15,416,043 General Fund and increased by \$15,970,871 Other Funds. The source of Other Funds is State Highway Funds for the Department of Transportation's share to date of the State Radio Project. Future debt service is expected to be partially paid by the General Fund and State Highway Fund on an assumed benefit ratio of approximately 40% General Fund and 60% State Highway Fund for the 2013-15 biennium and on a calculated benefit ratio in 2015-17 based on the final bond sale amount, and actual usage data; adjusted by actual amounts paid by each fund. To date, General Fund has paid \$14,878,509, 100% of the bond debt.

Department of Transportation Debt Service was increased by \$2,914,388 Lottery Funds to restore the 3.5% supplemental ending balance reduction.

The following budget note was approved:

### **BUDGET NOTE**

The Department of Transportation shall provide a report to the Joint Committee on Ways and Means and the appropriate legislative policy committees by February 2013 on the criteria used for selecting ConnectOregon projects, and the public benefits derived from investments made by ConnectOregon.

### **Consumer and Business Services Program Area**

#### **Department of Consumer and Business Services**

The Committee approved a \$2,434,040 Federal Funds expenditure limitation increase and established four limited-duration positions (2.22 FTE) relating to expenditures financed from a U.S. Department of Health and Human Services Health Insurance Rate Review-Cycle II grant. The agency was awarded a \$4,040,777 grant, but only a portion of these funds will be spent this biennium. It is anticipated that the agency will request that the positions be continued, again on a limited-duration basis for the remainder of the Cycle II grant, and request Federal Funds expenditure limitation for the remaining \$1.6 million of grant funds, in its 2013-15 biennium budget request.

#### **Oregon Health Licensing Agency**

The Committee approved a decrease of \$20,751 in Other Funds expenditure limitation reflecting the net effect of the fee changes approved in Senate Bill 1579 (2012). The boards affected by these changes include those related to Body Art Practitioners, Respiratory Therapists and Polysomnographic Technologists, Nursing Home Administrators, and Licensed Dietitians. The original license and renewal fees for the Board of Direct Entry Midwifery were approved at \$1,200 per year, with the understanding that the fee increase is necessary by unique circumstances and is not intended to be permanent.

#### **BUDGET NOTE**

There was concern with the fee changes for the Board of Direct Entry Midwifery. The agency is directed to report during the 2013 Legislative Assembly on the status of the revenues, expenditures, and current ending balance forecast for the board, including proposals for fee decreases or other regulatory options for the board.

#### **Bureau of Labor and Industries**

The Bureau's General Fund personal services expenditures were reduced by a total of \$210,205, for the agency's share of the statewide effort to restructure state government business operations and management of agency programs and services. The budget was also reduced by \$3,610 General Fund for the e-government funding model change.

### **Administration Program Area**

## **Department of Administrative Services**

The 2009-11 budget for the Department of Administrative Services (DAS) contained \$11,271,656 Other Funds expenditure limitation to spend lottery bond proceeds on county court facilities infrastructure projects. Not all of the projects were completed in that biennium, so the agency requested an adjustment to its 2011-13 budget to finish the projects. Accordingly, the Committee approved the establishment of a new Other Funds expenditure limitation of \$3,932,550 specifically for Court Facilities projects. The Committee also decreased the agency's operations Other Funds expenditure limitation by \$1,930,400 to remove spending authority that was initially expected to be used to cover the project costs.

The Committee approved a reduction of \$2,232,000 Other Funds expenditure limitation associated with a change in the state's e-government funding model. Also approved was a technical adjustment to eliminate a position (1.00 FTE) and \$145,094 Other Funds expenditure limitation from the State Controller's Division. The position was added to the budget in the 2011-13 biennium due to a federal requirement that on January 1, 2012, state governments begin to withhold 3% on vendor payments; however, that federal law was repealed in November 2011.

The Committee restored debt service of \$238,488 General Fund and \$332,732 Lottery Funds to cover obligations that were reduced as part of the supplemental ending balance in the 2011 legislative session. To capture the agency's share of the statewide effort to restructure state government business operations and management of agency programs, personal services were reduced by \$2 million Other Funds.

## **Employment Relations Board**

Senate Bill 5701 appropriates \$1 million General Fund to support local government services in the second year of the biennium. The following budget note was adopted:

### **BUDGET NOTE**

The Employment Relations Board is directed to undertake the following items and then report to the appropriate policy committee and the Joint Committee on Ways and Means during the 2013 legislative session:

- Review its administrative processes and procedures and make any necessary changes to improve the timely disposition of hearing and mediation cases;
- Propose to the 2013 Legislature an expedited hearings process as well as any statutory changes that will improve the timely disposition of its hearing and mediation cases;
- Conduct a review of recent opinions issued by the Board and its administrative law judges to evaluate the quality of opinions issued and how they can be improved upon; and
- Report on the number of frivolous claims received and recommendations for reducing the number of any such claims.

## **Office of the Governor**

The Governor's Office budget was increased by a net \$267,362 General Fund, which includes \$375,334 added to restore the 3.5% supplemental ending balance reduction from the 2011 legislative session, and reductions of \$105,000 to the Oregon Education Investment Board and \$2,972 in State Government Service Charges to reflect a change in the state's e-government funding model.

A \$1 Other Funds expenditure limitation was established as a placeholder for future increases to support spending any donations that the Office may receive.

### **Oregon State Library**

As part of the statewide effort to restructure state government business operations and management of agency programs and services, the General Fund personal services budget for the agency was reduced by \$19,886. The following budget note was adopted:

#### **BUDGET NOTE**

The State Library is to report to the May 2012 Joint Interim Committee on Joint Ways and Means or the Emergency Board with an analysis of the requests and response received by the Government Research and Electronic Services program. The report shall include the total number of requests received, the nature of requests, and from what entity the request was made, the number of requests that were responded to, and the cost associated with providing responses.

### **Oregon Liquor Control Commission**

The Commission's budget was increased by a net \$507,973 Other Funds, for the following:

- The legislatively adopted budget mistakenly applied a services and supplies reduction to personal services in the Administration and Support Services program of the Oregon Liquor Control Commission, so the technical correction adds \$707,973 Other Funds expenditure limitation.
- A reduction of \$200,000 Other Funds is the agency's share of the statewide effort to restructure state government business operations and management of agency programs and services.

### **Public Employees Retirement System**

The agency's personal services budget was reduced by \$750,000 Other Funds to capture the agency's share of the statewide effort to restructure state government business operations and management of agency programs.

### **Department of Revenue**

The Committee approved a decrease of \$48,504 General Fund to reflect savings in State Government Service Charges from a change in the state's e-government funding model. To capture the agency's share of the statewide effort to restructure state government business operations and management of agency programs, personal services were reduced by \$1,126,687 General Fund.

### **Secretary of State**

Senate Bill 5701 reflects two adjustments to the Secretary of State's budget. The first reduced General Fund appropriations for personal services expenditures by a total of \$128,650, for the agency's share of the statewide effort to restructure state government business operations and management of agency programs and services. The second made a \$4,670 General Fund reduction for the e-government funding model change.

### **State Treasurer**

Other Funds expenditure limitation was increased by \$250,000, for expenditures of grant funds received from the Rockefeller Foundation for the purpose of designing and launching a West Coast Infrastructure Exchange. This increase is approved on a one-time basis and the increase will be phased-out in the development of the 2013-15 biennium budget. The Treasurer will request grant expenditure authority in his 2013-15 biennium budget request, if additional funding for this initiative is obtained from the Rockefeller Foundation or from other private sources.



## **Judicial Branch**

### **Judicial Department**

Senate Bill 5701 appropriates an additional \$7.4 million General Fund to the Oregon Judicial Department (OJD), partially offsetting the reduction made in the 2011-13 legislatively adopted budget for the supplemental ending balance. The bill also adds \$30.9 million in Other Funds expenditure limitation.

Funding was restored for constitutionally and legally mandated programs, including \$1.9 million for judicial compensation, \$472,922 for jury services, and \$345,207 for Oregon eCourt Program Debt Service. Court Operations, which includes the circuit and appellate courts and administration, are being held to their 2011-13 legislatively adopted budget, which includes \$2 million for Trial and Appellate Courts that was added at the end of the 2011 session. The Chief Justice has total flexibility to move funds and positions within the Operating Programs budget in order to keep the state's unified court system operating. A \$1.1 million General Fund special purpose appropriation to the Emergency Board is included in the bill in the event that the Department requires additional funding for court operations.

The bill includes \$2.4 million General Fund to fund revenue collection activities through the Department of Revenue and the private collection agencies.

### **BUDGET NOTE**

The Oregon Judicial Department is requested to report to the Legislative Fiscal Office on a quarterly basis on the Department's overall revenue activities, including the cost of collection, amounts collected, and collection rates.

The Department's Special Payments were reduced as these payments were not previously subject to the reduction for the supplemental ending balance. County Law Libraries were reduced by \$259,000 General Fund and Conciliation and Mediation Services were reduced by \$259,000 General Fund.

An additional \$2.9 million in General Fund Debt Service was approved for the Oregon eCourt Program to support \$13.7 million in new bonding authority provided for in House Bill 5201. The operations and maintenance appropriation for the Oregon eCourt Program was reduced by \$93,643 General Fund. This action was submitted as part of the Department's reduction plan and is not expected to impact the current roll-out of the program.

The Other Funds expenditure limitation for the Oregon eCourt Program was increased by a total of \$23.4 million, for the following items:

- \$13.7 million in new bonding authority in House Bill 5201;
- \$6 million for previously authorized bonding authority (Senate Bill 5505, 2011);
- \$3.5 million for an available cash balance from previously issued debt; and
- \$134,116 for a fingerprint grant from the Oregon State Police.

The following budget notes were adopted relating to the Oregon eCourt Program.

**BUDGET NOTE**

The Judicial Department is requested to work with the Legislative Fiscal Office to prepare a revised schedule for completing the deliverables that were defined in the Agreement between the Chief Justice and the Co-Chairs of the Joint Committee on Ways and Means in the SB 5516 (2011) budget report. The Judicial Department and the Legislative Fiscal Office are also requested to establish a regular meeting schedule to review the deliverables and the status of Oregon eCourt. The parties will report to the Chief Justice and the Co-Chairs of the Joint Committee on Ways and Means periodically on the status of the deliverables and the Oregon eCourt program. The Judicial Department will also report as requested to the Joint Committee on Legislative Audits and Technology on the deliverables and the status of the Oregon eCourt program.

**BUDGET NOTE**

The Oregon Judicial Department (OJD) is requested to develop, by no later than April 1, 2012, a detailed implementation and evaluation plan to manage the pilot court and early adopter court Oregon eCourt implementations. For each trial court, the plan must include a clear definition of the implementation goals & objectives, processes, timelines, and costs; success evaluation criteria and measures for proving successful execution of each plan; and a plan to incorporate the lessons learned after each trial court implementation into subsequent implementations. If OJD determines that the implementation goals & objectives, schedule, or costs should be revised or rebaselined, OJD must immediately provide documentation of any adjustment to the Legislative Fiscal Office (LFO) so that the impact can be calibrated to the affected trial court implementation plan.

LFO will work with OJD to evaluate the success of each pilot and early adopter implementation against the plan. Factors that will be considered will be agreed upon by LFO and OJD and will be documented in each trial court implementation plan. The plan for the initial trial court will specifically include an initial evaluation of the usability of the Odyssey product. Each of the subsequent four early adopter implementations will further test the scalability of the product, and additional components of Oregon eCourt that may have been added; the configurations that have been established; the business functions that have been integrated with the Odyssey product; the system interfaces; and the data conversion plan and implementation.

LFO will request that OJD report after the pilot court and each early adopter implementation on its implementation including a post implementation review of outcomes, success measures and costs, and the lessons learned analysis. OJD should provide recommendations based on these reviews for the next early adopter court. Once all four of the first early adopters are completed, OJD should conduct a major review to verify that the product(s) and all the methods involved in the implementation for the first five pilot and early adopter courts are sufficient for a successful implementation in Multnomah County. Because Multnomah County is being implemented via a 'by case-type' methodology, rather than all case types at

once, like the first five trial courts, OJD should provide a Multnomah County-specific implementation and evaluation plan to guide the Oregon eCourt product(s) implementation. Upon completion of this implementation, LFO and OJD will review the Multnomah County implementation against the detailed implementation plan and the OJD assessment to evaluate the success of this implementation. This review will provide the basis for determining readiness of OJD and the contractor for implementing Oregon eCourt in the remaining trial courts.

Other Funds expenditure limitation of \$1.7 million was established for the new and existing Specialty Court grants, which the Department reports will offset the impact of recent General Fund reductions. The Committee also approved a one-time 13.46 FTE increase for the Specialty Courts. The \$1.7 million Other Funds expenditure limitation and 13.46 FTE increase are one-time only, and do not carry forward for the 2013-15 budget.

The Department's Other Funds expenditure limitation was increased by a total of \$5.5 million for the following purposes:

- \$4.7 million for the State Court Facilities and Security Account for Special Payment transfers to local court security accounts.
- \$670,203 in for new and existing grants for pre-trial release programs and the Citizen Review Board.
- \$226,592 for Debt Service Other Funds expenditure limitation to support the issuance costs of an additional \$13.7 million in bonding.
- \$97,460 Other Funds Capital Improvement for emergency repairs to the Supreme Court Building.
- \$77,860 for a Special Payment to Tri-County Metropolitan Transportation District of Oregon (TRIMET).

This \$5.5 million increase in Other Funds expenditure limitation is a one-time increase and does not carry forward for the 2013-15 budget.

### **Commission on Judicial Fitness and Disability**

The Commission's Administration program budget was increased by \$6,228 General Fund. The Extraordinary program's budget was reduced by \$12,647 General Fund, leaving a balance of \$6,200 for any potential prosecutions. The Commission has not prosecuted a case of judicial misconduct in the last two biennia and its total extraordinary budget has been disappropriated each of the last two biennia.

### **Public Defense Services Commission**

Senate Bill 5701 reduces the Commission's Appellate Division budget by \$112,000 General Fund and increases the Contract and Business Services budget by \$112,000 General Fund. This rebalance action utilizes vacancy savings in the Appellate Division to fund a portion of the Contract and Business Services 3.5% supplemental ending balance holdback which was taken as part of the 2011-13 legislatively adopted budget. A \$3.5 million General Fund special purpose appropriation is included in the bill in the event that the Commission requires additional funding for the trial-level public defense services.

The Public Defense Services Account's Other Funds expenditure limitation is increased by \$1.4 million for trial-level public defense and by \$1.3 million for the Application and Contribution Program to establish a special payment to the Oregon Judicial Department. In future, the Application and Contribution program is to be budgeted as a special payment rather than as a revenue transfer. The legislative expectation is that the Application and Contribution Program will be funded by the Commission at a level not to exceed \$2.5 million.

### **Legislative Branch**

Budgets for the legislative branch agencies were adjusted for a number of issues, including a change in the way that General Fund reversions are handled for the Legislative and Judicial Branch (see Senate Bill 1579), a reduction in legislative members' budgets, restoration of some supplemental ending balance budget reductions including debt service, and changes in the state's e-government funding model. The net adjustments in Senate Bill 5701 are as follows:

- Legislative Assembly reduced by \$128,160 General Fund.
- Legislative Administration reduced by \$134,851 General Fund.
- Legislative Counsel increased by \$400,043 General Fund.
- Legislative Fiscal increased by \$29,973 General Fund.
- Legislative Revenue reduced by \$14,531 General Fund.
- Commission on Indian Services reduced by \$26,451 General Fund.