

HB 5018

Department of Justice

House Bill 5018 is the budget bill for the Department of Justice. The Department is responsible for general legal counsel and supervision of all legal actions in which the state is a party or has an interest. DOJ is also responsible for child support enforcement, crime victims' compensation, consumer protection, District Attorney assistance, investigative support for public safety agencies, and regulation of charitable organizations.

The Public Safety Subcommittee recommends a budget of \$61.7 million General Fund, \$441 million all funds, and 1,282 positions. This budget is 5.2 percent above the 2011-13 legislatively approved budget, and provides resources for the following:

- Support for Crime Victims' Services by restoring a domestic violence resource prosecutor and providing an additional \$1.25 million each for Child Abuse Multidisciplinary Intervention and DA Victims' Assistance;
- \$3.6 million Other Funds supported by fees for mortgage mediation services as outlined in SB 558A; and
- \$300,000 General Fund for "Project Clean Slate".

Funding for the Child Support System Modernization project is not included in this bill but is recommended for approval as part of the capital construction/bond financing process.

The Public Safety Subcommittee recommends House Bill 5018 be amended and reported out do pass, as amended.

**77th OREGON LEGISLATIVE ASSEMBLY – 2013 Session
BUDGET REPORT AND MEASURE SUMMARY**

JOINT COMMITTEE ON WAYS AND MEANS

MEASURE: HB 5018-A

Carrier – House: Rep. Williamson

Carrier – Senate: Sen. Winters

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

Vote:

House

Yeas:

Nays:

Exc:

Senate

Yeas:

Nays:

Exc:

Prepared By: Art Ayre, Department of Administrative Services

Reviewed By: Monica Brown, Legislative Fiscal Office

Meeting Date: June 6, 2013

Agency

Department of Justice

Biennium

2013-15

Budget Summary*

	2011-13 Legislatively Approved Budget ⁽¹⁾	2013-15 Current Service Level	2013-15 Committee Recommendation	Committee Change from 2011-13 Leg. Approved	
				\$\$ Change	% Change
General Fund	\$ 59,016,098	\$ 61,103,471	\$ 61,669,505	\$ 2,653,407	4.5%
Other Funds	\$ 227,269,372	\$ 238,339,853	\$ 245,690,185	\$ 18,420,813	8.1%
Other Funds Nonlimited	\$ 10,622,670	\$ 8,790,380	\$ 4,282,350	\$ (6,340,320)	-59.7%
Federal Funds	\$ 107,173,021	\$ 112,967,948	\$ 114,061,949	\$ 6,888,928	6.4%
Federal Funds Nonlimited	\$ 15,285,103	\$ 15,281,798	\$ 15,281,798	\$ (3,305)	0.0%
Total	\$ 419,366,264	\$ 436,483,450	\$ 440,985,787	\$ 21,619,523	5.2%

Position Summary

Authorized Positions	1,293	1,268	1,282	-11
Full-time Equivalent (FTE) positions	1,269.68	1,260.71	1,265.25	-4.43

⁽¹⁾ Includes adjustments through December 2012

* Excludes Capital Construction expenditures

Summary of Revenue Changes

The Department receives General Fund for criminal appeals, district attorney assistance, organized crime and criminal intelligence, Oregon Domestic and Sexual Assault Violence fund, Address Confidentiality program, Child Abuse Multidisciplinary Intervention (CAMI) program, Master Settlement Agreement litigation, protecting civil rights and state match for federal child support enforcement funds. In this recommended budget General Fund is 14 percent of the total spending.

The Department generates the majority of its Other Fund revenues from charges to state agencies for legal services. Child Support payments for families in the Temporary Assistance for Needy Families (TANF) program and federal performance incentives partially fund the Child Support program. Criminal Fine Account (CFA) funds support the Crime Victims' Compensation program, the CAMI program, the Child Abuse Medical Assessment program, and regional assessment centers. Registration and filing fees are charged to charitable organizations. Other Fund revenues, including Nonlimited Other Funds, make up approximately 57 percent of this budget.

Federal Funds support child support enforcement and Medicaid fraud activities. Federal grant funds support crime victim programs, drug enforcement activities, and law enforcement agencies in narcotics intelligence sharing. Federal Funds, including Nonlimited Federal Funds, are 29 percent of the total budget.

Summary of Public Safety Subcommittee Action

The Department of Justice is responsible for providing general legal counsel and supervision of all civil actions and legal proceedings in which the state is a party or has an interest. The Department is in charge of all the state's legal business that requires an attorney or legal counsel, and is further responsible for a number of programs including child support enforcement, district attorney assistance, crime victims' compensation and assistance, charitable activity enforcement, and consumer protection services.

The Subcommittee approved a budget for the Department of \$441.0 million total funds, which is 5.2 percent above the 2011-13 Legislatively Approved Budget (LAB). Of the total amount, \$61.7 million is General Fund, a 4.5 percent or \$2.7 million increase over the 2011-13 LAB. The Subcommittee also approved 1,282 positions (1,265.25 FTE).

Administration Division

The Administration Division provides administrative oversight and support to the operating divisions in the Department. The Subcommittee approved a budget of \$27.3 million total funds and 111.59 FTE.

The recommended budget includes Package 091: Statewide Administrative Savings. This package is a placeholder for administrative efficiencies in finance, information technology, human resources, accounting, payroll, and procurement expenditures. The Executive Branch had intended for these reductions to be specified in the Governor's 2013-15 recommended budget. The Department of Administrative Services will continue to work on details of these reductions with agencies and report back during the 2014 session. This package reduces Other Funds expenditure limitation by \$644,224.

The recommended budget includes Package 092: PERS Tax Policy. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent. This package reduces Other Funds expenditure limitation by \$56,880.

The recommended budget includes Package 093: Other PERS Adjustments. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate. This package reduces Other Funds expenditure limitation by \$454,496.

The Subcommittee recommended Package 101: Mortgage Mediation – Administrative Services. This package increases Other Funds expenditure limitation by \$48,072 and establishes one limited duration half-time Accountant 1 position (0.40 FTE) to record and reconcile the revenue and expenses of the foreclosure mediation work.

The Subcommittee approved Package 810: LFO Analyst Adjustments. This package provides \$300,000 General Fund for “Project Clean Slate.” It increases Other Funds expenditure limitation by \$218,326 as part of a redistribution of State Government Service Charges across agency programs.

Appellate Division

The Appellate Division represents the state’s interests in all cases in federal and state appellate courts. It also prepares and defends ballot titles. The Subcommittee approved a budget of \$17.6 million total funds and 57.37 FTE.

The recommended budget includes Package 092: PERS Tax Policy. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent. This package reduces Other Funds expenditure limitation by \$39,626.

The recommended budget includes Package 093: Other PERS Adjustments. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate. This package reduces Other Funds expenditure limitation by \$316,630.

The Subcommittee approved Package 810: LFO Analyst Adjustments. This package reduces mandated caseload associated with the Defense of Criminal Convictions (\$247,940 OF) and abolishes one position (1.03 FTE) and increases Other Funds expenditure limitation by \$32,947 as part of a redistribution of State Government Service Charges across agency programs.

Civil Enforcement Division

The Civil Enforcement Division represents the state in civil cases and also enforces certain criminal laws. General responsibilities of this Division include: (1) child advocacy representing the Department of Human Services in juvenile dependency and termination of parental rights cases and mental health commitments, (2) prosecuting Medicaid fraud and related crimes as well as providing related education/outreach, (3) prosecuting plaintiff's civil litigation on behalf of any agency with a tort, contract, statutory, or other claim to recover money or property, representing agencies in bankruptcy proceedings and collections, and representing the Division of Child Support in collecting Child Support where appropriate, establishing paternity and support obligations, (4) educating consumers to better protect themselves against marketplace fraud and abuse, (5) protecting Oregon citizens by investigating civil rights violations, (6) protection of Master Settlement Agreement (MSA) funds; and (7) supervising and regulating the activities of charitable, professional fundraising and other nonprofit organizations and enforcing laws related to charitable trusts, solicitations and gaming. The Subcommittee approved a budget of \$70.6 million total funds and 200.11 FTE.

The Subcommittee recommended package 070: Revenue Shortfalls. This package reduces Other Funds expenditure limitation by \$214,391 to match available funding. While the number of charitable registrants filing annual reports is increasing, much of the increase is among registrants who are at the lower end of the sliding scale fee structure, which generates relatively little revenue.

The recommended budget includes Package 092: PERS Tax Policy. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent. This package reduces General Fund by \$1,940, Other Funds expenditure limitation by \$105,501, and Federal Funds expenditure limitation by \$6,588.

The recommended budget includes Package 093: Other PERS Adjustments. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate. This package reduces General Fund by \$15,502, Other Funds expenditure limitation by \$843,002, and Federal Funds expenditure limitation by \$52,638.

The Subcommittee recommended Package 301: Defend MSA Tobacco Revenues. This package increases General Fund by \$3.3 million and establishes one limited duration position (1.00 FTE) for the defense of the Tobacco Master Settlement Agreement (MSA) signed between states and the major tobacco companies.

The Subcommittee recommended Package 303: Civil Recovery Representation of Division of Child Support. This package increases Other Funds expenditure limitation by \$676,823 and establishes four permanent positions (3.68 FTE) to provide both litigation and general counsel support to DOJ's Division of Child Support. The four positions are two Legal Secretary positions (1.84 FTE), one Paralegal position (0.92 FTE), and one Assistant Attorney General position (0.92 FTE).

The Subcommittee recommended Package 305: Medicaid Fraud. This package reduces General Fund by \$302,268, increases Other Funds expenditure limitation by \$302,274, and decreases Federal Funds expenditure limitation by \$6 in the Medicaid Fraud Unit. The shift in position funding is supported by penalty revenue.

The Subcommittee approved Package 498: Mortgage Mediation – Civil Enforcement. This package provides resources to complete the implementation of the foreclosure avoidance mediation program. The package increases Other Funds expenditure limitation by \$3.6 million and establishes one permanent position (0.40 FTE).

The Subcommittee approved Package 810: LFO Analyst Adjustments. This package increases Other Funds expenditure limitation by \$1,083,089 and adds three positions (3.00 FTE) to transfer the Environmental Crimes unit from Criminal Justice and Trial to Civil Enforcement. It also increases General Fund by \$657, Other Funds expenditure limitation by \$109,919, and Federal Funds expenditure limitation by \$3,205 as part of a redistribution of State Government Service Charges across agency programs. Further, the package shifts expenditures from the Protection and Education account to Other Funds limited from the Non-limited account.

Criminal Justice Division

The Criminal Justice Division provides prosecution and investigation assistance to District Attorneys statewide and provides investigation, intelligence and prosecution services relating to public corruption, environmental crimes, terrorism, drug and organized crime. The Subcommittee approved a budget of \$27.7 million total funds and 49.53 FTE.

The Subcommittee approved Package 081: May 2012 Emergency Board. This package reduces Other Funds expenditure limitation by \$433,782 and abolishes three positions (3.00 FTE) due to middle management actions taken by the Emergency Board.

The recommended budget includes Package 091: Statewide Administrative Savings. This package is a placeholder for administrative efficiencies in finance, information technology, human resources, accounting, payroll, and procurement expenditures. The Executive Branch had intended for these reductions to be specified in the Governor's 2013-15 recommended budget. The Department of Administrative Services will continue to work on details of these reductions with agencies and report back during the 2014 session. The package reduces Other Funds expenditure limitation by \$298,679.

The recommended budget includes Package 092: PERS Tax Policy. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent. The package reduces General Fund by \$5,374, Other Funds expenditure limitation by \$18,803, and Federal Funds expenditure limitation by \$6,486.

The recommended budget includes Package 093: Other PERS Adjustments. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate. The package reduces General Fund by \$42,940, Other Funds expenditure limitation by \$150,241, and Federal Funds expenditure limitation by \$51,827.

The Subcommittee approved Package 409: Continuing Grants – CJ. This package continues one limited duration Senior Assistant Attorney General position (0.83 FTE) for the DUII Resource Prosecutor Program and two limited duration Criminal Investigator positions (1.00 FTE) for the Internet Crimes Against Children (ICAC) Task Force. The package increases Other Funds expenditure limitation by \$357,176 and Federal Funds expenditure limitation by \$353,035.

The Subcommittee approved Package 810: LFO Analyst Adjustments. This package reduces Other Funds expenditure limitation by \$668,556 and eliminates two positions (2.00 FTE) to transfer the Environmental Crimes unit in Criminal Justice to Civil Enforcement. It also increases General Fund by \$17,789, Other Funds expenditure limitation by \$39,522, and Federal Funds expenditure limitation by \$513 as part of a redistribution of State Government Service Charges across agency programs. Further, the package shifts expenditures from the Criminal Justice Revolving account to Other Funds limited from the Non-limited account.

Crime Victims Services

The Crime Victims Services Division runs several programs and administers hundreds of grants. The Crime Victims' Services Division compensates victims' of violent crime for losses they sustain as a result of the criminal actions of another. The Division administers and monitors grants from eight major funds that provide some funding to nearly every non-profit and system based victims program in the state. The division also provides direct advocacy programs and collects restitution and criminal fines and fees on behalf of victims and the state. Programs run by the division include: Victims' Compensation Program, Sexual Assault Victims' Emergency Medical Response Fund, Address Confidentiality Program and the Post-Conviction Advocacy Program. The Subcommittee approved a budget of \$54.6 million total funds and 36.9 FTE.

The recommended budget includes Package 091: Statewide Administrative Savings. This package is a placeholder for administrative efficiencies in finance, information technology, human resources, accounting, payroll, and procurement expenditures. The Executive Branch had intended for these reductions to be specified in the Governor's 2013-15 recommended budget. The Department of Administrative Services will continue to work on details of these reductions with agencies and report back during the 2014 session. The package decreases Other Funds expenditure limitation by \$127,751.

The recommended budget includes Package 092: PERS Tax Policy. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income

tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent. The package reduces General Fund by \$694, Other Funds expenditure limitation by \$11,094, and Federal Funds expenditure limitation by \$2,238.

The recommended budget includes Package 093: Other PERS Adjustments. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate. The package reduces General Fund by \$5,546, Other Funds expenditure limitation by \$88,648, and Federal Funds expenditure limitation by \$17,882.

The Subcommittee recommended Package 453: Domestic Violence Prosecutor. This package increases Other Funds expenditure limitation by \$412,095 and establishes one permanent Senior Assistant Attorney General position (1.00 FTE) to continue the Domestic Violence Resource Prosecutor (DVRP) initially funded through a Violence Against Women Act (VAWA) Services-Training-Officers-Prosecutors (STOP) grant.

The Subcommittee recommended Package 459: Continuing Grants – CVSD. This package increases Federal Funds expenditure limitation by \$188,000 to continue the Intimate Partner Violence and Pregnancy Grant Program to help pregnant and parenting teens and women who are victims of intimate partner violence and who have entered the Child Welfare, Self-Sufficiency, and/or county public health systems.

The Subcommittee approved Package 810: LFO Analyst Adjustments. This package includes the following:

- Increases Other Funds (Criminal Fines Account) expenditure limitation by \$2.5 million to support increased allocations to the District Attorneys' Victims Assistance Program and Child Abuse Multidisciplinary Intervention.
- Increases General Fund by \$1,034, Other Funds expenditure limitation by \$16,045, and Federal Funds expenditure limitation by \$1,464 as part of a redistribution of State Government Service Charges across agency programs.
- Increases Federal Funds expenditure limitation by \$2,400,890 and establishes two limited-duration positions (1.15 FTE) for an Intimate Partner Violence and Pregnancy Grant.
- Increases Other Funds expenditure limitation by \$300,000 and establishes six limited-duration positions (0.75 FTE) for a continuation of the Restitution Pilot Program.
- Shifts expenditures from the Criminal Injuries Compensation account to Other Funds limited from the Non-limited account.

General Counsel

The General Counsel Division provides a broad range of legal services to over 100 state agencies, boards, and commissions. The Subcommittee approved a budget of \$45.0 million total funds and 141.5 FTE.

The recommended budget includes Package 092: PERS Tax Policy. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent. The package reduces Other Funds expenditure limitation by \$99,495.

The recommended budget includes Package 093: Other PERS Adjustments. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate. The package reduces Other Funds expenditure limitation by \$795,009.

The Subcommittee approved Package 810: LFO Analyst Adjustments. This package increases Other Funds expenditure limitation by \$64,633 as part of a redistribution of State Government Service Charges across agency programs.

Trial

The Trial Division represents the State of Oregon and its agencies, departments, boards, commissions, officers, employees, and agents in all state and federal trial courts. The Subcommittee approved a budget of \$25.7 million total funds and 93.08 FTE.

The recommended budget includes Package 092: PERS Tax Policy. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent. The package reduces Other Funds expenditure limitation by \$52,160.

The recommended budget includes Package 093: Other PERS Adjustments. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate. The package reduces Other Funds expenditure limitation by \$416,782.

The Subcommittee approved Package 810: LFO Analyst Adjustments. This package reduces mandated caseload associated with the Defense of Criminal Convictions (\$417,416 OF) and abolishes one position (1.64 FTE). It also reduces Other Funds expenditure limitation by \$414,533 and eliminates one position (1.00 FTE) to transfer the Environmental Crimes unit in Trial to Civil Enforcement. It also increases Other Funds expenditure limitation by \$271,871 as part of a redistribution of State Government Service Charges across agency programs.

Defense of Criminal Convictions (DCC)

Defense of Criminal Convictions is a budgetary unit to track the cost to the Department of defending the state in cases in which sentenced offenders challenge their convictions or sentences. Work on ballot measure titles is also billed to this fund. This fund is used to finance staff in both the Trial and Appellate divisions that defend the state in DCC cases. The Subcommittee approved a budget of \$20.0 million General Fund.

The Subcommittee approved Package 110: Reset Funding for State Hospital Review Panel. This package reduces General Fund by \$651,565 to adjust for reduced need for staff to prepare for and represent the state at release hearings, statutorily required review hearings, revocation proceedings, and appearances before the Psychiatric Security Review Board.

The Subcommittee approved Package 810: LFO Analyst Adjustments. This package reduces General Fund by \$1,456,711 to reflect a smaller increase in mandated caseload in the Defense of Criminal Convictions.

Division of Child Support

The Division of Child Support works to enhance the security and interests of children and promote positive parental involvement as outlined in federal and state laws. The Division locates absent parents, establishes paternity, establishes, enforces and modifies child support obligations, and receives and distributes child support payments. The Subcommittee approved a budget of \$152.5 million total funds and 575.17 FTE.

The recommended budget includes Package 091 Statewide Administrative Savings. This package is a placeholder for administrative efficiencies in finance, information technology, human resources, accounting, payroll, and procurement expenditures. The Executive Branch had intended for these reductions to be specified in the Governor's 2013-15 recommended budget. The Department of Administrative Services will continue to work on details of these reductions with agencies and report back during the 2014 session. The package reduces General Fund by \$174,293.

The recommended budget includes Package 092 PERS Tax Policy. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent. The

package reduces General Fund by \$36,926, Other Funds expenditure limitation by \$31,062, and Federal Funds expenditure limitation by \$132,632.

The recommended budget includes Package 093 Other PERS Adjustments. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate. The package reduces General Fund by \$295,059, Other Funds expenditure limitation by \$248,202, and Federal Funds expenditure limitation by \$1,059,791.

The Subcommittee recommended a modified Package 161: Child Support System Modernization. As proposed in the Governor's budget, this package begins the multi-biennium modernization of the Child Support System's information system. The package increased General Fund by \$1.6 million to pay debt service on bonds issued to provide the initial investment in the new information system, increased Other Funds expenditure limitation by \$14.4 million for expenditure of bond proceeds, and increased Federal Funds expenditure limitation by \$27.4 million to accommodate federal funding that matches state investments. The Subcommittee approved \$270,272 Other Funds for the cost of bond issuance. The Capital Construction Subcommittee will address project approval, debt financing, and six-year expenditure limitation in separate legislation.

The Subcommittee approved Package 810: LFO Analyst Adjustments. This package reduces General Fund by \$19,480, Other Funds expenditure limitation by \$235,427, and Federal Funds expenditure limitation by \$523,018 as part of a redistribution of State Government Service Charges across agency programs.

Summary of Performance Measure Action

See attached Legislatively Adopted 2013-15 Key Performance Measures form.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

HB 5018-A

**Oregon Department of Justice
Art Ayre - 503-378-3108**

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE	
			LIMITED	NONLIMITED	LIMITED	NONLIMITED				
2011-13 Legislatively Approved Budget at Dec 2012 *	\$ 59,016,098	\$ 0	\$ 227,269,372	\$ 10,622,670	\$ 107,173,021	\$ 15,285,103	\$ 419,366,264	1,293	1,269.68	
2013-15 ORBITS printed Current Service Level (CSL)*	\$ 61,103,471	\$ 0	\$ 238,339,853	\$ 8,790,380	\$ 112,967,948	\$ 15,281,798	\$ 436,483,450	1,268	1,260.71	
SUBCOMMITTEE ADJUSTMENTS (from CSL)										
SCR 010 - Administration										
Package 091: Statewide Administrative Savings										
Personal Services	\$ 0	\$ 0	\$ (635,619)	\$ 0	\$ 0	\$ 0	\$ (635,619)	0	0.00	
Services and Supplies	\$ 0	\$ 0	\$ (8,605)	\$ 0	\$ 0	\$ 0	\$ (8,605)			
Package 092: PERS Taxation Policy										
Personal Services	\$ 0	\$ 0	\$ (56,880)	\$ 0	\$ 0	\$ 0	\$ (56,880)	0	0.00	
Package 093: Other PERS Adjustments										
Personal Services	\$ 0	\$ 0	\$ (454,496)	\$ 0	\$ 0	\$ 0	\$ (454,496)	0	0.00	
Package 101: Mortgage Mediation - Admin Serv.										
Personal Services	\$ 0	\$ 0	\$ 36,704	\$ 0	\$ 0	\$ 0	\$ 36,704	1	0.40	
Services and Supplies	\$ 0	\$ 0	\$ 11,368	\$ 0	\$ 0	\$ 0	\$ 11,368			
Package 810: LFO Analyst Adjustments										
Services and Supplies	\$ 0	\$ 0	\$ 218,326	\$ 0	\$ 0	\$ 0	\$ 218,326			
Special Payment (6030 Dist to Non-Gov Units)	\$ 300,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 300,000			
SCR 020 - Appellate										
Package 092: PERS Taxation Policy										
Personal Services	\$ 0	\$ 0	\$ (39,626)	\$ 0	\$ 0	\$ 0	\$ (39,626)	0	0.00	
Package 093: Other PERS Adjustments										
Personal Services	\$ 0	\$ 0	\$ (316,630)	\$ 0	\$ 0	\$ 0	\$ (316,630)	0	0.00	
Package 810: LFO Analyst Adjustments										
Personal Services	\$ 0	\$ 0	\$ (209,751)	\$ 0	\$ 0	\$ 0	\$ (209,751)	-1	-1.03	
Services and Supplies	\$ 0	\$ 0	\$ (5,242)	\$ 0	\$ 0	\$ 0	\$ (5,242)			

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
SCR 030 - Civil Enforcement									
Package 070: Revenue Shortfalls									
Services and Supplies	\$ 0	\$ 0	\$ (214,391)	\$ 0	\$ 0	\$ 0	\$ (214,391)		
Package 092: PERS Taxation Policy									
Personal Services	\$ (1,940)	\$ 0	\$ (105,501)	\$ 0	\$ (6,588)	\$ 0	\$ (114,029)	0	0.00
Package 093: Other PERS Adjustments									
Personal Services	\$ (15,502)	\$ 0	\$ (843,002)	\$ 0	\$ (52,638)	\$ 0	\$ (911,142)	0	0.00
Package 301: Defend MSA Tobacco Revenues									
Personal Services	\$ 205,748	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 205,748	1	1.00
Services and Supplies	\$ 3,049,104	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 3,049,104		
Package 303: Civil Recovery Repres. Of Div. Child Supp.									
Personal Services	\$ 0	\$ 0	\$ 508,783	\$ 0	\$ 0	\$ 0	\$ 508,783	4	3.68
Services and Supplies	\$ 0	\$ 0	\$ 168,040	\$ 0	\$ 0	\$ 0	\$ 168,040		
Package 305: Medicaid Fraud									
Personal Services	\$ (302,268)	\$ 0	\$ 302,274	\$ 0	\$ (6)	\$ 0	\$ 0	0	0.00
Package 498: Mortgage Mediation									
Personal Services	\$ 0	\$ 0	\$ 28,479	\$ 0	\$ 0	\$ 0	\$ 28,479	1	0.40
Services and Supplies	\$ 0	\$ 0	\$ 3,541,089	\$ 0	\$ 0	\$ 0	\$ 3,541,089		
Package 810: LFO Analyst Adjustments									
Personal Services	\$ 0	\$ 0	\$ 820,887	\$ 0	\$ 0	\$ 0	\$ 820,887	3	3.00
Services and Supplies	\$ 657	\$ 0	\$ 372,121	\$ 0	\$ 3,205	\$ 0	\$ 375,983		
Special Payments (6035 Dist to Individuals)	\$ 0	\$ 0	\$ 471,040	\$ (471,040)	\$ 0	\$ 0	\$ 0		
SCR 040 - Criminal Justice									
Package 081: May 2012 Emergency Board									
Personal Services	\$ 0	\$ 0	\$ (433,782)	\$ 0	\$ 0	\$ 0	\$ (433,782)	-3	-3.00
Package 091: Statewide Administrative Savings									
Services and Supplies	\$ 0	\$ 0	\$ (298,679)	\$ 0	\$ 0	\$ 0	\$ (298,679)		

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
Package 092: PERS Taxation Policy									
Personal Services	\$ (5,374)	\$ 0	\$ (18,803)	\$ 0	\$ (6,486)	\$ 0	\$ (30,663)	0	0.00
Package 093: Other PERS Adjustments									
Personal Services	\$ (42,940)	\$ 0	\$ (150,241)	\$ 0	\$ (51,827)	\$ 0	\$ (245,008)	0	0.00
Package 409: Continuing Grants - CJ									
Personal Services	\$ 0	\$ 0	\$ 261,650	\$ 0	\$ 244,123	\$ 0	\$ 505,773	3	1.83
Services and Supplies	\$ 0	\$ 0	\$ 95,526	\$ 0	\$ 108,912	\$ 0	\$ 204,438		
Package 810: LFO Analyst Adjustments									
Personal Services	\$ 0	\$ 0	\$ (461,579)	\$ 0	\$ 0	\$ 0	\$ (461,579)	-2	-2.00
Services and Supplies	\$ 17,789	\$ 0	\$ 561,014	\$ (728,469)	\$ 513	\$ 0	\$ (149,153)		
SCR 045 - Crime Victims Program									
Package 091: Statewide Administrative Savings									
Personal Services	\$ 0	\$ 0	\$ (127,751)	\$ 0	\$ 0	\$ 0	\$ (127,751)	0	0.00
Package 092: PERS Taxation Policy									
Personal Services	\$ (694)	\$ 0	\$ (11,094)	\$ 0	\$ (2,238)	\$ 0	\$ (14,026)	0	0.00
Package 093: Other PERS Adjustments									
Personal Services	\$ (5,546)	\$ 0	\$ (88,648)	\$ 0	\$ (17,882)	\$ 0	\$ (112,076)	0	0.00
Package 453: Domestic Violence Prosecutor									
Personal Services	\$ 0	\$ 0	\$ 313,979	\$ 0	\$ 0	\$ 0	\$ 313,979	1	1.00
Services and Supplies	\$ 0	\$ 0	\$ 98,116	\$ 0	\$ 0	\$ 0	\$ 98,116		
Package 459: Continuing Grants - CVSD									
Services and Supplies	\$ 0	\$ 0	\$ 0	\$ 0	\$ 33,840	\$ 0	\$ 33,840		
Special Payments (6030 Dist to Non-Gov Units)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 154,160	\$ 0	\$ 154,160		
Package 810: LFO Analyst Adjustments									
Personal Services	\$ 0	\$ 0	\$ 106,004	\$ 0	\$ 209,046	\$ 0	\$ 315,050	8	1.90
Services and Supplies	\$ 1,034	\$ 0	\$ 75,523	\$ 0	\$ 86,721	\$ 0	\$ 163,278		
Special Payments (6090 Undistributed)	\$ 0	\$ 0	\$ 5,943,039	\$ (3,308,521)	\$ 2,106,587	\$ 0	\$ 4,741,105		

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
SCR 050 - General Counsel									
Package 092: PERS Taxation Policy									
Personal Services	\$ 0	\$ 0	\$ (99,495)	\$ 0	\$ 0	\$ 0	\$ (99,495)	0	0.00
Package 093: Other PERS Adjustments									
Personal Services	\$ 0	\$ 0	\$ (795,009)	\$ 0	\$ 0	\$ 0	\$ (795,009)	0	0.00
Package 810: LFO Analyst Adjustments									
Personal Services	\$ 0	\$ 0	\$ 64,633	\$ 0	\$ 0	\$ 0	\$ 64,633	0	0.00
SCR 060 - Trial									
Package 092: PERS Taxation Policy									
Personal Services	\$ 0	\$ 0	\$ (52,160)	\$ 0	\$ 0	\$ 0	\$ (52,160)	0	0.00
Package 093: Other PERS Adjustments									
Personal Services	\$ 0	\$ 0	\$ (416,782)	\$ 0	\$ 0	\$ 0	\$ (416,782)	0	0.00
Package 810: LFO Analyst Adjustments									
Personal Services	\$ 0	\$ 0	\$ (719,113)	\$ 0	\$ 0	\$ 0	\$ (719,113)	-2	-2.64
Services and Supplies	\$ 0	\$ 0	\$ 159,035	\$ 0	\$ 0	\$ 0	\$ 159,035		
SCR 100 - Defense of Criminal Convictions									
Package 110: Reset Funding for State Hospital Review Panel									
Services and Supplies	\$ (651,565)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (651,565)		
Package 810: LFO Analyst Adjustments									
Services and Supplies	\$ (1,456,711)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (1,456,711)		
SCR 160 - Division of Child Support									
Package 091: Statewide Administrative Savings									
Services and Supplies	\$ (174,293)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (174,293)		
Package 092: PERS Taxation Policy									
Personal Services	\$ (36,926)	\$ 0	\$ (31,062)	\$ 0	\$ (132,632)	\$ 0	\$ (200,620)	0	0.00
Package 093: Other PERS Adjustments									
Personal Services	\$ (295,059)	\$ 0	\$ (248,202)	\$ 0	\$ (1,059,791)	\$ 0	\$ (1,603,052)	0	0.00

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
Package 161: Child Support System Modernization Services and Supplies	\$ 0	\$ 0	\$ 270,272	\$ 0	\$ 0	\$ 0	\$ 270,272		
Package 810: LFO Analyst Adjustments Services and Supplies	\$ (19,480)	\$ 0	\$ (235,427)	\$ 0	\$ (523,018)	\$ 0	\$ (777,925)		
TOTAL ADJUSTMENTS	\$ 566,034	\$ 0	\$ 7,350,332	\$ (4,508,030)	\$ 1,094,001	\$ 0	\$ 4,502,337	14	4.54
SUBCOMMITTEE RECOMMENDATION *	\$ 61,669,505	\$ 0	\$ 245,690,185	\$ 4,282,350	\$ 114,061,949	\$ 15,281,798	\$ 440,985,787	1,282	1,265.25
% Change from 2011-13 Leg Approved Budget	4.5%	0.0%	8.1%	-59.7%	6.4%	0.0%	5.2%	-0.9%	-0.3%
% Change from 2013-15 Current Service Level	0.9%	0.0%	3.1%	-51.3%	1.0%	0.0%	1.0%	1.1%	0.4%

Legislatively Approved 2013-2015 Key Performance Measures

Agency: JUSTICE, DEPARTMENT of

Mission: The mission of the Oregon Department of Justice is to provide outstanding legal and child support services to Oregonians and their government. We are dedicated to: Fighting crime and protecting crime victims; improving child welfare; protecting the environment; fighting for Oregon consumers, workers, investors, and taxpayers; promoting a positive business climate; providing great legal services to Oregon's state government; and defending the rights of all Oregonians.

Legislatively Proposed KPMs	Customer Service Category	Agency Request	Most Current Result	Target 2014	Target 2015
16 - Percentage of Defense of Criminal Convictions (DCC) cases briefed within 210 days.		Proposed New KPM		90.00	90.00
1 - Percentage of legal cases in which the state's position is upheld		Approved KPM	94.00	92.00	92.00
2 - Percentage of appropriate litigation resolved through settlement		Approved KPM	49.00	55.00	55.00
3 - Amount of monies recovered for the state divided by the cost of recovery		Approved KPM	111.55	25.00	25.00
4 - Average time from receipt of contracting document to first substantive response to agency		Approved KPM	5.25	5.00	5.00
5 - Percentage of legal billings receivables collected within 30 days		Approved KPM	87.00	88.00	88.00
6 - Percentage of timely and complete charities' reports submitted relative to total charities registered		Approved KPM	68.00	70.00	70.00
7 - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent" on overall, timeliness, accuracy, helpfulness, expertise, availability of information	Accuracy	Approved KPM	98.00	95.00	95.00
7 - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent" on overall, timeliness, accuracy, helpfulness, expertise, availability of information	Availability of Information	Approved KPM	96.00	95.00	95.00
7 - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent" on overall, timeliness, accuracy, helpfulness, expertise, availability of information	Expertise	Approved KPM	99.00	95.00	95.00
7 - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent" on overall, timeliness, accuracy, helpfulness, expertise, availability of information	Helpfulness	Approved KPM	99.00	95.00	95.00
7 - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent" on overall, timeliness, accuracy, helpfulness, expertise, availability of information	Overall	Approved KPM	98.00	95.00	95.00

Agency: JUSTICE, DEPARTMENT of

Mission: The mission of the Oregon Department of Justice is to provide outstanding legal and child support services to Oregonians and their government. We are dedicated to: Fighting crime and protecting crime victims; improving child welfare; protecting the environment; fighting for Oregon consumers, workers, investors, and taxpayers; promoting a positive business climate; providing great legal services to Oregon's state government; and defending the rights of all Oregonians.

Legislatively Proposed KPMs	Customer Service Category	Agency Request	Most Current Result	Target 2014	Target 2015
7 - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent" on overall, timeliness, accuracy, helpfulness, expertise, availability of information	Timeliness	Approved KPM	98.00	95.00	95.00
8 - Percentage of Criminal Justice Division cases resolved successfully		Approved KPM	98.00	98.00	98.00
9 - Percentage of crime victims' compensation orders issued within 90 days of claim receipt		Approved KPM	75.00	90.00	90.00
10 - Percentage of support collected by the Child Support Program (CSP), which is distributed to families (Federal Fiscal Year)		Approved KPM	91.00	93.00	93.00
11 - Percentage of current child support collected relative to total child support owed		Approved KPM	60.00	62.00	62.00
12 - Percentage of Child Support Program (CSP) cases paying towards arrears relative to total CSP cases with arrears due		Approved KPM	58.00	65.00	65.00
13 - Percentage of CSP cases with support orders relative to total CSP cases		Approved KPM	77.00	75.00	75.00
14 - Percentage of adult victims leaving domestic violence shelters with a safety plan after a stay of five days or more		Approved KPM	97.00	100.00	100.00
15 - Percentage of sexual assault exams conducted by specially trained Sexual Assault Nurse Examiners (SANE)		Approved KPM	65.00	85.00	85.00

LFO Recommendation:

Approve new KPM, and the targets for 2014 and 2015.

Sub-Committee Action:

Approved a new KPM related to Defense of Criminal Conviction, and targets for 2014 and 2015.

**PROPOSED AMENDMENTS TO
HOUSE BILL 5018**

1 On page 1 of the printed bill, delete lines 5 through 27 and delete page
2 2 and insert:

3 **“SECTION 1. There is appropriated to the Department of Justice,**
4 **for the biennium beginning July 1, 2013, out of the General Fund, the**
5 **following amounts for the following purposes:**

- 6 (1) Office of the Attorney
7 General and administration \$ 300,000
8 (2) Civil Enforcement Division..... \$ 3,892,716
9 (3) Criminal Justice Division..... \$ 8,446,620
10 (4) Crime Victims’ Services
11 Division \$ 5,745,098
12 (5) Defense of Criminal
13 Conviction \$ 20,006,886
14 (6) Child Support Division \$ 23,278,185

15 **“SECTION 2. Notwithstanding any other law limiting expenditures,**
16 **the following amounts are established for the biennium beginning July**
17 **1, 2013, as the maximum limit for payment of expenses from fees,**
18 **moneys or other revenues, including Miscellaneous Receipts, but ex-**
19 **cluding lottery funds and federal funds, collected or received by the**
20 **Department of Justice, for the following purposes:**

- 21 (1) Office of the Attorney
22 General and administration \$ 27,029,413

- 1 (2) Appellate Division \$ 17,647,715
- 2 (3) Civil Enforcement Division \$ 63,466,524
- 3 (4) Criminal Justice Division..... \$ 9,605,066
- 4 (5) Crime Victims' Services
- 5 Division \$ 29,736,924
- 6 (6) General Counsel Division..... \$ 45,021,378
- 7 (7) Trial Division \$ 25,682,734
- 8 (8) Child Support Division \$ 27,500,431

9 **“SECTION 3. Notwithstanding any other law limiting expenditures,**
 10 **the following amounts are established for the biennium beginning July**
 11 **1, 2013, as the maximum limit for payment of expenses from federal**
 12 **funds collected or received by the Department of Justice for the fol-**
 13 **lowing purposes:**

- 14 (1) Civil Enforcement Division \$ 3,246,887
- 15 (2) Criminal Justice Division..... \$ 9,603,735
- 16 (3) Crime Victims' Services
- 17 Division \$ 19,081,618
- 18 (4) Child Support Division \$ 82,129,709

19 **“SECTION 4. For the biennium beginning July 1, 2013, expenditures**
 20 **passed through as special payments for other recipients, primarily**
 21 **district attorneys, for child support federal funds and incentive federal**
 22 **funds and fees, are not limited.**

23 **“SECTION 5. This 2013 Act being necessary for the immediate**
 24 **preservation of the public peace, health and safety, an emergency is**
 25 **declared to exist, and this 2013 Act takes effect July 1, 2013.”**

26 _____