

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

MEASURE: SB 5517-A

JOINT COMMITTEE ON WAYS AND MEANS

**Carrier – House: Rep. Barker
Carrier – Senate: Sen. Whitsett**

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

Vote: 25 – 0 – 1

House

Yeas: Barker, Buckley, Frederick, Freeman, Hanna, Huffman, Komp, McLane, Nathanson, Read, Richardson, Smith, Tomei, Williamson

Nays:

Exc: Jenson

Senate

Yeas: Bates, Devlin, Edwards, Girod, Hansell, Johnson, Monroe, Steiner Hayward, Thomsen, Whitsett, Winters

Nays:

Exc:

Prepared By: Blake Johnson, Department of Administrative Services

Reviewed By: Monica Brown, Legislative Fiscal Office

Meeting Date: June 6, 2013

Agency

District Attorneys and their Deputies

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 | \$ 10,339,261 | \$ 10,694,849 | \$ 10,459,473 | \$ 120,212 | 1.2% |
| Total | \$ 10,339,261 | \$ 10,694,849 | \$ 10,459,473 | \$ 120,212 | 1.2% |

Position Summary

| | | | | |
|--------------------------------------|-------|-------|-------|------|
| Authorized Positions | 36 | 36 | 36 | 0 |
| Full-time Equivalent (FTE) positions | 36.00 | 36.00 | 36.00 | 0.00 |

⁽¹⁾ Includes adjustments through December 2012

* Excludes Capital Construction expenditures

Summary of Public Safety Subcommittee Action

District attorneys are designated by the Oregon Constitution as the law officers of the state. As such, a district attorney is charged with the duty to see that laws are faithfully executed and enforced in order to maintain the rule of law. District attorneys are elected locally (county-wide) and are state employees.

District attorneys and their deputies prosecute state criminal offenses committed by juveniles and adults. In addition to criminal prosecution, district attorney legal duties include enforcement of child support obligations in non-welfare cases, prosecuting civil forfeitures, presenting evidence at mental health hearings, ruling on public records requests, assisting juvenile courts, and advising and representing county officers. District attorneys and their deputies are also active in local public safety coordinating councils, child abuse prevention teams, and community outreach activities.

The Subcommittee approved a total budget of \$10,459,473 General Fund and 36.00 FTE. This is an increase of \$120,212 or 1.2 percent from the 2011-13 Legislatively Approved Budget and a decrease of \$235,376 or 2.2 percent from the Current Service Level. This budget funds only the District Attorneys’ salaries, benefits and other payroll expenses, and the State Government Service Charges which are primarily related to risk management assessments.

The Subcommittee recommended package 092: PERS Taxation 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 the 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 Subcommittee recommended 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.

The Subcommittee recommended package 810: LFO Analyst Adjustments. As of July 1, 2013, Yamhill County exceeded the 100,000 population threshold which places the district attorney within a higher pay scale. The increase was not included in the Governor's recommended budget. Further, health benefits for this group of employees typically exceed the statewide average included in the position management system. However, Mass Transit taxes were estimated too high in the Current Service Level. This package increases compensation by \$43,960 and increases health benefits by \$6,125, with an offset in Mass Transit taxes for a net increase of \$20,000.

Summary of Performance Measure Action

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

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

SB 5517-A

District Attorneys and their Deputies
Blake Johnson -- (503)378-3195

| 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 * | \$ 10,339,261 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 10,339,261 | 36 | 36.00 |
| 2013-15 ORBITS printed Current Service Level (CSL)* | \$ 10,694,849 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 10,694,849 | 36 | 36.00 |
| <u>SUBCOMMITTEE ADJUSTMENTS (from CSL)</u> | | | | | | | | | |
| SCR 010 - General Program | | | | | | | | | |
| Package 092: PERS Taxation Policy | | | | | | | | | |
| Personal Services | \$ (28,405) | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ (28,405) | 0 | 0.00 |
| Package 093: Other PERS Adjustments | | | | | | | | | |
| Personal Services | \$ (226,971) | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ (226,971) | 0 | 0.00 |
| Package 810: LFO Analyst Adjustments | | | | | | | | | |
| Personal Services | \$ 20,000 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 20,000 | 0 | 0.00 |
| TOTAL ADJUSTMENTS | \$ (235,376) | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ (235,376) | 0 | 0.00 |
| SUBCOMMITTEE RECOMMENDATION * | \$ 10,459,473 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 10,459,473 | 36 | 36.00 |
| | | | | | | | | | |
| % Change from 2011-13 Leg Approved Budget | 1.2% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 1.2% | 0.0% | 0.0% |

Legislatively Approved 2013-2015 Key Performance Measures

Agency: DISTRICT ATTORNEYS AND THEIR DEPUTIES

Mission: The Mission of the Oregon District Attorney is to uphold the United States Constitution and the Constitution and laws of the State of Oregon, to preserve the safety of the public, to protect the rights of crime victims and to pursue justice for all citizens with skill, honor and integrity.

| Legislatively Proposed KPMs | Customer Service Category | Agency Request | Most Current Result | Target 2014 | Target 2015 |
|--|-----------------------------|----------------|---------------------|-------------|-------------|
| 1 - Child Support Collections - Percentage of current child support collected relative to total child support owed. | | Approved KPM | 76.20 | 80.00 | 80.00 |
| 2 - Services to Victims - Percentage of adult criminal cases where the named victim(s) are provided "prompt notice" of their rights as crime victims. | | Approved KPM | 95.00 | 90.00 | 90.00 |
| 3 - Customer Service – Percent of customers rating their satisfaction with the agency’s customer service as “good” or “excellent”: overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information. | Accuracy | Approved KPM | | 85.00 | 85.00 |
| 3 - Customer Service – Percent of customers rating their satisfaction with the agency’s customer service as “good” or “excellent”: overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information. | Availability of Information | Approved KPM | | 85.00 | 85.00 |
| 3 - Customer Service – Percent of customers rating their satisfaction with the agency’s customer service as “good” or “excellent”: overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information. | Expertise | Approved KPM | | 85.00 | 85.00 |
| 3 - Customer Service – Percent of customers rating their satisfaction with the agency’s customer service as “good” or “excellent”: overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information. | Helpfulness | Approved KPM | | 85.00 | 85.00 |
| 3 - Customer Service – Percent of customers rating their satisfaction with the agency’s customer service as “good” or “excellent”: overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information. | Overall | Approved KPM | 0.00 | 85.00 | 85.00 |

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| Legislatively Proposed KPMs | Customer Service Category | Agency Request | Most Current Result | Target 2014 | Target 2015 |
|--|----------------------------------|-----------------------|----------------------------|--------------------|--------------------|
| 3 - Customer Service – Percent of customers rating their satisfaction with the agency’s customer service as “good” or “excellent”: overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information. | Timeliness | Approved KPM | | 85.00 | 85.00 |
| 4 - Early and Special Resolution Programs - Percentage of District Attorney offices resolving cases through early and special resolution, number of cases resolved. | | Approved KPM | 83.00 | 100.00 | 100.00 |

LFO Recommendation:

Approve KPMs and targets.

Sub-Committee Action:

Approved the KPMs and the targets.