

78<sup>th</sup> OREGON LEGISLATIVE ASSEMBLY – 2015 Session  
**PRELIMINARY** BUDGET REPORT AND MEASURE SUMMARY

MEASURE: HB 5028-A

JOINT COMMITTEE ON WAYS AND MEANS

Carrier – House: Rep.

Carrier – Senate: Sen.

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**Action:**

**Vote:**

House

Yeas:

Nays:

Exc:

Senate

Yeas:

Nays:

Exc:

**Prepared By:** Cathleen Connolly, Department of Administrative Services

**Reviewed By:** Matt Stayner, Legislative Fiscal Office

**Meeting Date:**

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Agency

Land Use Appeals Board

Biennium

2015-17

## **Budget Summary\***

	2013-15 Legislatively Approved Budget <sup>(1)</sup>	2015-17 Current Service Level	2015-17 Committee Recommendation	Committee Change from 2013-15 Leg. Approved	
				\$ Change	% Change
General Fund	\$ 1,573,758	\$ 1,730,596	\$ 1,775,496	\$ 201,738	12.8%
Other Funds Limited	\$ 87,401	\$ 28,641	\$ 28,641	\$ (58,760)	-67.2%
Total	\$ 1,661,159	\$ 1,759,237	\$ 1,804,137	\$ 142,978	8.6%

## **Position Summary**

Authorized Positions	6	6	6	0
Full-time Equivalent (FTE) positions	5.75	5.75	6.00	0.25

<sup>(1)</sup> Includes adjustments through December 2014

\* Excludes Capital Construction expenditures

## **Revenue Summary**

Over 98.4 percent of the Land Use Board of Appeals (LUBA) 2015-17 biennium budget revenue is General Fund. The remainder is Other Funds from filing fees, publications sales and other miscellaneous fees. No adjustments to Other Funds revenues are expected.

## **Summary of Natural Resources Subcommittee Action**

LUBA hears appeals of land use decisions made by state agencies, special districts, and local governments. The Board was created by legislation, in 1979, to ease the workload in the court system and provide a forum to resolve land use disputes quickly and consistently. The Natural Resources Subcommittee approved a budget of \$1,804,137 total funds, including \$1,775,496 General Fund and \$28,641 Other Funds. The approved budget is an 8.6 percent total funds increase and a 12.8 percent General Funds increase from the 2013-15 Legislatively Approved Budget. It includes six positions and 6.00 FTE. The budget maintains service levels at the 2013-15 Legislatively Approved Budget level and fully restores a staff attorney position that was partially restored in the 2013-15 budget.

The Subcommittee recommended Package 101: Position Restoration. This package provides \$44,900 General Fund to permanently restore a staff attorney position to 1.00 FTE. The position had been eliminated as part of 2011-13 biennium reductions and was restored in the 2013-15 budget for 18 months (0.75 FTE) of the biennium. The Subcommittee action directs that the position be continued at 1.00 FTE. The staff attorney position enables LUBA to maintain compliance with the 77-day statutory deadline for the issuance of final orders.

## **Summary of Performance Measure Action**

See attached Legislatively Adopted 2015-17 Key Performance Measures form.

**DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION**

**HB 5028-A**

Land Use Appeals Board  
Cathleen Connolly 503-373-0083

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
2013-15 Legislatively Approved Budget at Dec 2014 *	\$ 1,573,758	\$ -	\$ 87,401	\$ -	\$ -	\$ -	1,661,159	6	5.75
2015-17 Current Service Level (CSL)*	\$ 1,730,596	\$ -	\$ 28,641	\$ -	\$ -	\$ -	1,759,237	6	5.75
<b>SUBCOMMITTEE ADJUSTMENTS (from CSL)</b>									
<b>SCR 010 - General Program</b>									
Package 101: Position Restoration									
Personal Services	\$ 44,900	\$ -	\$ -	\$ -	\$ -	\$ -	44,900	0	0.25
<b>TOTAL ADJUSTMENTS</b>	<b>\$ 44,900</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>44,900</b>	<b>0</b>	<b>0.25</b>
<b>SUBCOMMITTEE RECOMMENDATION *</b>	<b>\$ 1,775,496</b>	<b>\$ -</b>	<b>\$ 28,641</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>1,804,137</b>	<b>6</b>	<b>6.00</b>
% Change from 2013-15 Leg Approved Budget	12.8%	0.0%	-67.2%	0.0%	0.0%	0.0%	8.6%	0.0%	4.3%
% Change from 2015-17 Current Service Level	2.6%	0.0%	0.0%	0.0%	0.0%	0.0%	2.6%	0.0%	4.3%

\*Excludes Capital Construction Expenditures

## Legislatively Approved 2015-2017 Key Performance Measures

**Agency: LAND USE BOARD of APPEALS**

Mission: To provide an accessible forum for resolving land use disputes quickly and efficiently and make LUBA decisions available as a decision making resource to state and local legislators, land use decision makers, property owners and the citizens of Oregon.

Legislatively Proposed KPMs	Customer Service Category	Agency Request	Most Current Result	Target 2016	Target 2017
1 - TIMELY RESOLVE APPEALS - Percentage of appeals of land use decisions that are resolved within statutory deadlines or, if all parties agree, with no more than a 7 day extension of the statutory deadline.		Approved KPM	83.00	90.00	90.00
2 - TIMELY SETTLE RECORD - Percentage of record objections that are resolved within 60 days after the record objection is received by LUBA.		Approved KPM	90.00	95.00	95.00
3 - RESOLVE ALL ISSUES - Percentage of decisions where all issues are resolved when reversing or remanding a land use decision.		Approved KPM	100.00	100.00	100.00
4 - SUSTAINED ON APPEAL - Percentage of final opinions that are sustained on appeal.		Approved KPM	80.00	90.00	90.00
5 - CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Accuracy	Approved KPM	100.00	90.00	90.00
5 - CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Availability of Information	Approved KPM	90.00	90.00	90.00
5 - CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Expertise	Approved KPM	100.00	90.00	90.00
5 - CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Helpfulness	Approved KPM	100.00	90.00	90.00

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<b>Legislatively Proposed KPMs</b>	<b>Customer Service Category</b>	<b>Agency Request</b>	<b>Most Current Result</b>	<b>Target 2016</b>	<b>Target 2017</b>
5 - CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Overall	Approved KPM	98.00	90.00	90.00
5 - CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Timeliness	Approved KPM	98.00	90.00	90.00

**LFO Recommendation:**

Approve the 2015-2017 Key Performance Measures and targets as proposed

**Sub-Committee Action:**

The Subcommittee approved the key performance measures as recommended by LFO