

A-Engrossed
House Bill 3314

Ordered by the House May 15
Including House Amendments dated May 15

Sponsored by Representative KOMP; Representative RAYFIELD

SUMMARY

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

[Establishes Joint Legislative Committee on Beacon Provisions Review to monitor, investigate and evaluate effectiveness of major laws. Sets forth selection process for identifying laws to be studied and subject-matter schedule for review. Directs committee to introduce bills to impose beacon provisions that establish review period, utilizing repeal mechanism to facilitate review being completed within fixed time. Requires committee to monitor, investigate and evaluate implementation of selected laws for at least four-year period, but no more than 10-year period. Authorizes committee to introduce legislation to address findings from committee's investigation.]

Establishes Joint Committee on Strategic Public Policy Review, to undertake review of major public policies in specified subject areas. Sets forth selection process for identifying policies for review and for selecting type of review to be performed. Requires committee to submit proposed reviews to Legislative Assembly for approval or rejection. Authorizes committee to introduce legislation to address findings from review.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to legislative review of the implementation of legislative policies; and declaring an emer-
3 gency.

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

5 **SECTION 1. Sections 1 to 4 of this 2015 Act shall be known and may be cited as the**
6 **Strategic Public Policy Review Act.**

7 **SECTION 2. The Legislative Assembly finds and declares that:**

8 **(1) The Legislative Assembly has historically served as the forum through which strate-**
9 **gic public policy transformation is developed;**

10 **(2) Over more recent decades in this state's history, much long-term public policy de-**
11 **velopment has shifted over to state agencies and the executive branch, as the Legislative**
12 **Assembly has increasingly become focused on short-term outcomes and reactive decision-**
13 **making;**

14 **(3) The people of Oregon will benefit from the Legislative Assembly undertaking a more**
15 **strategically focused, long-term approach to systematically developing, reviewing and refin-**
16 **ing major public policy initiatives; and**

17 **(4) Sections 1 to 4 of this 2015 Act establish a process by which the Legislative Assembly**
18 **will undertake review of targeted public policy areas over a long-term period in order to fa-**
19 **facilitate legislatively driven policy development and outcome accountability in major public**
20 **policy areas.**

21 **SECTION 3. (1) There is created a Joint Committee on Strategic Public Policy Review,**
22 **consisting of the President of the Senate and Speaker of the House of Representatives as**

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

1 co-chairs and members of the Senate appointed by the President and members of the House
2 of Representatives appointed by the Speaker.

3 (2) The committee has a continuing existence and may meet, act and conduct its business
4 during sessions of the Legislative Assembly or any recess thereof, and in the interim be-
5 tween sessions.

6 (3) The term of a member shall expire upon the date of the convening of a new Legisla-
7 tive Assembly next following the commencement of the member's term. When a vacancy
8 occurs in the membership of the committee after the appointment of the member and before
9 the convening of the next Legislative Assembly, until the vacancy is filled, the membership
10 of the committee shall be considered not to include the vacant position for the purpose of
11 determining whether a quorum is present, and a quorum is a majority of the remaining
12 members as determined under subsection (5) of this section.

13 (4) Members of the committee shall receive an amount equal to that authorized under
14 ORS 171.072 from funds appropriated to the Legislative Assembly for each day spent in the
15 performance of their duties as members of the committee or any subcommittee thereof in
16 lieu of reimbursement for in-state travel expenses. However, when engaged in out-of-state
17 travel, members shall be entitled to receive their actual and necessary expenses therefor in
18 lieu of the amount authorized by this subsection. Payment shall be made from funds appro-
19 priated to the Legislative Assembly.

20 (5) The committee may not transact business unless a quorum is present. A quorum
21 consists of a majority of committee members from the House of Representatives and a ma-
22 jority of committee members from the Senate.

23 (6) Action by the committee requires the affirmative vote of a majority of committee
24 members from the House of Representatives and a majority of committee members from the
25 Senate.

26 (7) The Legislative Administrator shall furnish to the committee such services of per-
27 sonnel and such other facilities as are necessary to enable the committee to carry out its
28 functions as directed by law. All other public bodies, as defined in ORS 174.109, shall assist
29 the committee in the performance of its work and duties.

30 **SECTION 4. (1) As used in this section:**

31 (a) "Eligible policy" means a policy that has been in effect and operable for at least two
32 years prior to being identified for review by the Joint Committee on Strategic Public Policy
33 Review, but does not include a review of any budget bill or bill authorizing the issuance of
34 bonded indebtedness.

35 (b) "Policy" means any of the following:

36 (A) A program undertaken by a state agency to achieve an outcome or a set of outcomes;

37 (B) A single provision of law or group of interrelated laws that are interrelated due to
38 subject matter or programmatic relation, the interrelatedness determined without regard to
39 the date of enactment of the laws in question; or

40 (C) A series of coordinated actions undertaken by one or more public bodies, as defined
41 in ORS 174.109, to implement or administer a law, program or other identified result.

42 (2)(a) Within 90 days after the adjournment sine die of an odd-numbered year regular
43 session, the Joint Committee on Strategic Public Policy Review shall select between two and
44 four eligible policies for review under this section that are related to any of the following
45 topics:

1 (A) Transportation.

2 (B) Education.

3 (C) Health care.

4 (D) Law enforcement, corrections and the judicial process.

5 (E) Natural resources and the environment.

6 (F) Economic development.

7 (b) Notwithstanding paragraph (a) of this subsection, the committee may select eligible
8 policies from different topic areas than those set forth in paragraph (a) of this subsection.

9 (3) For each eligible policy selected under subsection (2) of this section, the committee
10 shall prepare a bill for introduction during the next even-numbered year regular session that
11 provides any of the following types of review of the policy, including any combination of the
12 following different types of review:

13 (a) Establishing a task force, and identifying the types, numbers and qualifications of
14 individuals to serve on the task force, to comprehensively study the policy in question and
15 report back to the committee by a fixed time established in the bill on recommendations with
16 respect to the policy in question.

17 (b) Directing that an audit be performed on the policy under review, including but not
18 limited to determining the type of audit to be performed, the criteria to be employed and the
19 time frame involved in the audit. The committee may assign specific tasks for the perform-
20 ance of the audit to the Legislative Fiscal Office, the Division of Audits or other state
21 agencies, and shall fix a date by which the audit report prepared pursuant to this paragraph
22 is to be presented to the committee.

23 (c) Directing that a state agency study the policy under review and report back to the
24 committee by a fixed time established in the bill on recommendations with respect to the
25 policy.

26 (d) Directing the Legislative Counsel to review all administrative rules related to the
27 policy under review and report back to the committee on the degree to which the rules re-
28 flect the legislative objectives, legislative history and legislative intent of the policy in ques-
29 tion. The bill shall fix a date by which the Legislative Counsel is to report back to the
30 committee.

31 (e) Directing one or more state agencies to follow through on a budget note related to
32 the policy in question, including but not limited to specific actions to be undertaken by the
33 agency. The bill shall fix a date by which the agency shall report back to the committee on
34 actions undertaken by the agency.

35 (4) Each policy review undertaken under subsection (3) of this section, unless the context
36 requires otherwise, shall consider:

37 (a) The degree to which the implementation of the policy is achieving the intent and ob-
38 jectives of the Legislative Assembly;

39 (b) The degree to which the implementation of the policy is achieving improvement in the
40 provision of services to the public;

41 (c) The degree to which the implementation of the policy improves efficiencies in the
42 provision of services to the public;

43 (d) The degree to which there is an effective and appropriate use of those public funds
44 that are being expended as a result of the policy; and

45 (e) Any other factors the committee considers helpful in assessing the overall effective-

1 **ness of the policy or the implementation of the policy, as specified in the bill providing for**
2 **the review.**

3 **(5) The committee, or any entity acting at the behest of the Legislative Assembly pur-**
4 **suant to a review undertaken as described in subsection (3) of this section, may require re-**
5 **ports, testimony, analysis or any other assistance from any public body, as defined in ORS**
6 **174.109, in conducting the review.**

7 **(6) The committee may make recommendations for additional legislative changes at any**
8 **time that is in compliance with deadlines established by the Legislative Assembly for making**
9 **nonpriority requests for legislation.**

10 **(7) ORS 173.240 and 173.740 (3) do not apply to the Legislative Counsel, the Legislative**
11 **Administrator or their designees in the performance of any work undertaken pursuant to**
12 **this section.**

13 **SECTION 5. This 2015 Act being necessary for the immediate preservation of the public**
14 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
15 **on its passage.**

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