

House Bill 4051

Sponsored by Representative KOMP, Senator STEINER HAYWARD; Representatives BUCKLEY, HUFFMAN, MCLANE, RAYFIELD, WHISNANT, Senators BOQUIST, MONROE, ROBLAN (Presession filed.)

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 **as introduced**.

Creates 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. 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 2016 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) **The people of Oregon will benefit from the Legislative Assembly undertaking a more**
11 **strategically focused, long-term approach to systematically developing, reviewing and refin-**
12 **ing major public policy initiatives; and**

13 (3) **Sections 1 to 4 of this 2016 Act establish a process by which the Legislative Assembly**
14 **will undertake review of targeted public policy areas over a long-term period in order to fa-**
15 **cilitate legislatively driven policy development and outcome accountability in major public**
16 **policy areas.**

17 **SECTION 3. (1) There is created a Joint Committee on Strategic Public Policy Review,**
18 **consisting of the President of the Senate and Speaker of the House of Representatives as**
19 **co-chairs, members of the Senate appointed by the President and members of the House of**
20 **Representatives appointed by the Speaker.**

21 (2) **The joint committee has a continuing existence but may convene to conduct its**
22 **business only during interim periods between sessions of the Legislative Assembly.**

23 (3)(a) **Each chair of an interim policy committee, including a chair of the Senate or House**
24 **revenue committee, shall temporarily be a member of the joint committee during hearings**
25 **described in paragraph (b) of this subsection.**

26 (b) **Each chair described in paragraph (a) of this subsection shall be a member of the**
27 **joint committee when the joint committee is holding meetings or deliberating on an eligible**
28 **policy, as defined in section 4 of this 2016 Act, that is also within the jurisdiction of the**
29 **committee presided over by the chair.**

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 (c) A chair described in paragraph (a) of this subsection may waive temporary member-
 2 ship in the joint committee and may not be counted for purposes of determining a quorum.

3 (d) A legislative measure being considered by the joint committee must also be consid-
 4 ered by the appropriate policy committees having jurisdiction over the subject of the legis-
 5 lative measure.

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

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

20 (6) The joint 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 (7) Action by the joint committee requires the affirmative vote of a majority of commit-
 24 tee members from the House of Representatives and a majority of committee members from
 25 the Senate.

26 (8) The Legislative Administrator shall furnish to the joint committee such services of
 27 personnel and such other facilities as are necessary to enable the joint committee to carry
 28 out its functions as directed by law. All other public bodies, as defined in ORS 174.109, shall
 29 assist the joint 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) Within 90 days after adjournment sine die of an odd-numbered year regular session,
 43 the Joint Committee on Strategic Public Policy Review shall select between two and four
 44 eligible policies for review. The joint committee may select more than four eligible policies
 45 for review.

1 **(3) For each eligible policy selected under subsection (2) of this section, the joint com-**
 2 **mittee shall prepare written recommendations that call for any combination of the following**
 3 **different types of review:**

4 **(a) Establishing a task force, and identifying the types, number and qualifications of in-**
 5 **dividuals to serve on the task force, to comprehensively study the policy under review and**
 6 **report back to the joint committee by a fixed time established in the recommendations on**
 7 **the policy.**

8 **(b) Requesting that an audit be performed on the policy under review, including but not**
 9 **limited to determining the type of audit to be performed, the criteria to be employed and the**
 10 **time frame involved in the audit. The joint committee may assign specific tasks for the**
 11 **performance of the audit to the Legislative Fiscal Office, the Division of Audits or other**
 12 **state agencies and shall fix a date by which the audit report prepared pursuant to this par-**
 13 **agraph should be presented to the joint committee.**

14 **(c) Requesting that a state agency study the policy under review and report back to the**
 15 **joint committee by a fixed time established in the recommendations on the policy.**

16 **(d) Directing the Legislative Counsel to review all administrative rules related to the**
 17 **policy under review and report back to the joint committee on the degree to which the rules**
 18 **reflect the legislative objectives, legislative history and legislative intent of the policy in**
 19 **question. The recommendations must fix a date by which the Legislative Counsel is to report**
 20 **back to the joint committee.**

21 **(e) Requesting one or more state agencies to follow through on a budget note related to**
 22 **the policy under review, including but not limited to specifying actions to be undertaken by**
 23 **the agency. The recommendations must fix a date by which an agency should report back**
 24 **to the joint committee on actions undertaken by the agency.**

25 **(4) The joint committee shall submit the recommendations described in subsection (3) of**
 26 **this section to the Senate and House majority and minority leaders of the Senate and the**
 27 **House of Representatives, and to any appropriate entity that is to conduct the review or that**
 28 **is the subject of the review.**

29 **(5) Each policy review undertaken pursuant to subsections (3) and (4) of this section,**
 30 **unless the context requires otherwise, should consider:**

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

33 **(b) The degree to which the implementation of the policy is achieving improvement in the**
 34 **provision of services to the public;**

35 **(c) The degree to which the implementation of the policy improves efficiencies in the**
 36 **provision of services to the public;**

37 **(d) The degree to which public funds that are being expended as a result of the policy are**
 38 **used effectively and appropriately; and**

39 **(e) Any other factors the joint committee considers helpful in assessing the overall ef-**
 40 **fectiveness of the policy or the implementation of the policy, as specified in the recommen-**
 41 **dations providing for the review.**

42 **(6) The joint committee, or any entity acting at the behest of the Legislative Assembly**
 43 **pursuant to a review undertaken as described in subsection (3) of this section, may require**
 44 **reports, testimony, analysis or any other assistance from any public body, as defined in ORS**
 45 **174.109, in conducting the review.**

1 **(7) The joint committee may make recommendations for additional legislative changes**
2 **at any time that is in compliance with deadlines established by the Legislative Assembly for**
3 **making nonpriority requests for legislation that is to be pre-session filed.**

4 **(8) ORS 173.240 and 173.740 (3) do not apply to the Legislative Counsel, the Legislative**
5 **Administrator or their designees in the performance of any work undertaken pursuant to**
6 **this section.**

7 **SECTION 5.** **This 2016 Act being necessary for the immediate preservation of the public**
8 **peace, health and safety, an emergency is declared to exist, and this 2016 Act takes effect**
9 **on its passage.**

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