

**Legislative
Fiscal Office**

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**Joint Committee on
Ways and Means**

Sen. Richard Devlin, Senate Co-Chair
Rep. Nancy Nathanson, House Co-Chair

Sen. Betsy Johnson, Senate Co-Vice Chair
Sen. Jackie Winters, Senate Co-Vice Chair
Rep. Dan Rayfield, House Co-Vice Chair
Rep. Greg Smith, House Co-Vice Chair

To: General Government Subcommittee
From: Amanda Beitel, Legislative Fiscal Office
Date: March 30, 2017
Subject: SB 5520 – Government Ethics Commission
Work Session Recommendations

Government Ethics Commission – Agency Totals

	2013-15 Actual	2015-17 Legislatively Approved	2017-19 Current Service Level	2017-19 LFO Recommended
Other Funds	1,989,415	2,791,303	2,704,274	2,733,861
Total Funds	1,989,415	2,791,303	2,704,274	2,733,861
Positions	8	9	9	9
FTE	7.88	8.88	9.00	9.00

Attached are the recommendations from the Legislative Fiscal Office for Government Ethics Commission. The recommendations contain the following:

- Package 90 - Increase Other Funds expenditure limitation by \$25,308 to reclassify the agency Executive Director position.
- Package 101 - Increase Other Funds expenditure limitation by \$9,566 to reclassify the staff position that supports the Electronic Filing System.
- Package 801 - Technical adjustment decreasing Other Funds expenditure limitation by \$5,287 to adjust the amount included in the budget for the Electronic Case Management System subscription fees.

The 2017-19 LFO Recommended Budget is 2.1% less than the 2015-17 Legislatively Approved Budget and results in an estimated Other Funds ending balance of \$517,093, which provides a four-and-a-half-month operating reserve.

Adjustments to Current Service Level

See attached “Work Session Presentation Report” dated 3/30/17.

Note: Statewide adjustments are not included in these recommendations. Any needed adjustments will be made in an omnibus bill at the end of session.

Accept LFO Recommendation:

MOTION: I move the LFO recommendation to SB 5520.

OR

Change LFO Recommendation:

MOTION: I move the LFO recommendation to SB 5520, with modifications.

Performance Measures

See attached “Legislatively Proposed 2017-19 Key Performance Measures.”

Accept LFO Recommendation:

MOTION: I move the LFO recommendation on Key Performance Measures.

OR

Change LFO Recommendation:

MOTION: I move the LFO recommendation on Key Performance Measures, with modifications.

Recommended Changes

LFO recommends a budget of \$2,733,861 Other Funds, and 9 positions (9.00 FTE), which is reflected in the -1 amendment.

MOTION: I move adoption of the -1 amendment to SB 5520.

Final Subcommittee Action

LFO recommends that SB 5520, as amended by the -1 amendment, to be moved to the Ways and Means Full Committee.

MOTION: I move SB 5520, as amended, to the Full Committee with a do pass recommendation.

Carriers

Full Committee: _____

House Floor: _____

Senate Floor: _____

LFO102 - Work Session Presentation Report
2017-19 BienniumVersion: L - 01 - LFO Analyst Recommended
Cross Reference: 19900-000-00-00-00000
Oregon Government Ethics Commission

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2015-17 Agy. Leg. Adopted	-	-	2,720,429	-	-	-	2,720,429	9	8.88
2015-17 Ebds, SS & Admin Act	-	-	70,874	-	-	-	70,874	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2015-17 Leg Approved Budget	-	-	2,791,303	-	-	-	2,791,303	9	8.88
2015-17 Leg Approved Budget (Base)	-	-	2,789,379	-	-	-	2,789,379	9	8.88
Summary of Base Adjustments	-	-	103,388	-	-	-	103,388	-	0.12
2017-19 Base Budget	-	-	2,892,767	-	-	-	2,892,767	9	9.00
010: Non-PICS Pers Svc/Vacancy Factor	-	-	4,927	-	-	-	4,927	-	-
020: Phase In / Out Pgm & One-time Cost	-	-	(275,763)	-	-	-	(275,763)	-	-
030: Inflation & Price List Adjustments	-	-	82,343	-	-	-	82,343	-	-
2017-19 Current Service Level	-	-	2,704,274	-	-	-	2,704,274	9	9.00
Adjusted 2017-19 Current Service Level	-	-	2,704,274	-	-	-	2,704,274	9	9.00
Total LFO Recommended Packages	-	-	29,587	-	-	-	29,587	-	-
2017-19 Legislative Actions	-	-	2,733,861	-	-	-	2,733,861	9	9.00
Net change from 2015-17 Leg Approved Budget	-	-	(57,442)	-	-	-	(57,442)	-	0.12
Percent change from 2015-17 Leg Approved Budget	0.0%	0.0%	(2.1%)	0.0%	0.0%	0.0%	(2.1%)	0.0%	1.4%
Net change from 2017-19 Current Service Level	-	-	29,587	-	-	-	29,587	-	-
Percent change from 2017-19 Current Service Level	0.0%	0.0%	1.1%	0.0%	0.0%	0.0%	1.1%	0.0%	0.0%

LFO102 - Work Session Presentation Report
2017-19 Biennium

Version: L - 01 - LFO Analyst Recommended

Cross Reference: 19900-010-00-00-00000

General Program

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2015-17 Agy. Leg. Adopted	-	-	2,720,429	-	-	-	2,720,429	9	8.88
2015-17 Ebds, SS & Admin Act	-	-	70,874	-	-	-	70,874	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2015-17 Leg Approved Budget	-	-	2,791,303	-	-	-	2,791,303	9	8.88
2015-17 Leg Approved Budget (Base)	-	-	2,789,379	-	-	-	2,789,379	9	8.88
Summary of Base Adjustments	-	-	103,388	-	-	-	103,388	-	0.12
2017-19 Base Budget	-	-	2,892,767	-	-	-	2,892,767	9	9.00
010: Non-PICS Pers Svc/Vacancy Factor	-	-	4,927	-	-	-	4,927	-	-
020: Phase In / Out Pgm & One-time Cost	-	-	(275,763)	-	-	-	(275,763)	-	-
030: Inflation & Price List Adjustments	-	-	82,343	-	-	-	82,343	-	-
2017-19 Current Service Level	-	-	2,704,274	-	-	-	2,704,274	9	9.00
Adjusted 2017-19 Current Service Level	-	-	2,704,274	-	-	-	2,704,274	9	9.00
Total LFO Recommended Packages	-	-	29,587	-	-	-	29,587	-	-
2017-19 Legislative Actions	-	-	2,733,861	-	-	-	2,733,861	9	9.00
Net change from 2015-17 Leg Approved Budget	-	-	(57,442)	-	-	-	(57,442)	-	0.12
Percent change from 2015-17 Leg Approved Budget	0.0%	0.0%	(2.1%)	0.0%	0.0%	0.0%	(2.1%)	0.0%	1.4%
Net change from 2017-19 Current Service Level	-	-	29,587	-	-	-	29,587	-	-
Percent change from 2017-19 Current Service Level	0.0%	0.0%	1.1%	0.0%	0.0%	0.0%	1.1%	0.0%	0.0%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 090 Analyst Adjustments

Package Description Package 090 increases Other Funds expenditure limitation by \$25,308 to reclassify the agency Executive Director position from a Principal Executive/Manager D (Z7006) to a Principal Executive/Manager E (Z7008). The agency has continued to grow over the last several biennia due to changes in government ethics law and an increased focus on government transparency. As the single management position for the agency, this growth, including additional full-time equivalency (FTE) positions and board members, has resulted in increased responsibilities and visibility for the Executive Director. The position was determined to be below market compensation as part of the Oregon Management Project manager classification and compensation review. Department of Administrative Services Chief Human Resource Office (DAS CHRO) subsequently re-evaluated the position and determined the position meets the Principal Executive/Manager E classification.

LFO Recommendation Approve the package as requested.

LFO Recommended	-	-	25,308	-	-	-	25,308	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 101 Reclassification of Program Analyst 1 to Operations and Policy Analyst 2

Package Description Package 101, as modified, increases Other Funds expenditure limitation by \$9,566 to reclassify position #0021001 from a Program Analyst 1 (X0860) to an Operations and Policy Analyst 2 (C0871). This position is the primary support for the Electronic Filing System (EFS), launched in December 2015, which is used to collect and make available to the public: Statements of Economic Interest (SEIs), lobbyist registrations, lobbying expenditure reports, and legal expense trust fund reports. In response to changes in the duties of the position and at the request of the agency, DAS CHRO reviewed the position and determined the expanded job duties meet the Operations and Policy Analyst 2 classification.

LFO Recommendation Approve the package as modified.

Budget Instructions Position representation code (REPR) in PICS should be corrected to Unrepresented (UA).

LFO Analyst Notes Package 101 was requested based on the calculation of a reclassification to a Management Service Nonsupervisory (MMN) Operations and Policy Analyst 2 (X0871). DAS CHRO's review of the position determined that the correct classification was an Unrepresented (UA) Operations and Policy Analyst 2 (C0871). LFO increased Other Funds expenditure limitation by \$1,466 to adjust the calculation to the correct classification. The position has been funded at step 7 to accommodate the incumbent employee's salary.

LFO Recommended	-	-	9,566	-	-	-	9,566	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 801 LFO Analyst Adjustments

Package Description Package 801 is a technical adjustment that decreases Other Funds expenditure limitation by \$5,287 to adjust the amount included in the agency's budget for the Electronic Case Management System subscription fees. The 2015-17 LAB included \$47,450 for subscription fees estimated to be incurred in the final six months of the biennium, which combined with the \$134,237 phase-in package included in the 2017-19 CSL, totals \$181,687. The agency will incur an annual subscription fee of \$88,200 per the vendor contract, for a total biennial cost of \$176,400.

This package also revises the 2017-19 Other Funds beginning balance to \$724,000, based on updated projections for the remainder of the 2015-17 biennium. Assessment revenue is reduced by \$200,000 for a total 2017-19 assessment of \$2,524,954. The combined impact of the adjustments results in an estimated Other Funds ending balance of \$517,093, providing a four-and-a-half-month operating reserve.

LFO Recommendation Approve the technical adjustment.

LFO Recommended	-	-	(5,287)	-	-	-	(5,287)	-	-
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Legislatively Proposed 2017 - 2019 Key Performance Measures

Published: 3/30/2017 1:40:48 PM

Agency: Government Ethics Commission

Mission Statement:

The Oregon Government Ethics Commission will impartially and effectively administer and enforce Oregon's government ethics laws for the benefit of Oregon's citizens. The Commission will emphasize education in achieving its mission. The regulatory jurisdiction of the Oregon Government Ethics Commission covers provisions of ORS Chapter 244, Oregon Government Ethics law, ORS 171.725 to 171.785 and 171.992, Lobby Regulation law, and executive session provisions of Oregon Public Meetings law, ORS 192.660

Legislatively Proposed KPMs	Metrics	Agency Request	Last Reported Result	Target 2018	Target 2019
1. Percentage of statutory time limit used for preliminary reviews, investigations, staff opinions and Commission advisory opinions.		Approved	98.20%	85%	85%
2. Quality of investigations completed		Approved	5	5	5
3. Training Program's Effectiveness		Approved	69.84%	70%	70%
4. Minimize Case Disposition Costs - Percentage of contested cases settled before hearing.		Approved	100	100	100
5. Customer Service - Percentage of customers rating their satisfaction with agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Overall	Approved	77	95	95
	Accuracy		78	85	85
	Timeliness		85	90	90
	Helpfulness		76	95	95
	Expertise		76	90	90
	Availability of Information		73	75	75
6. Governance Best Practices - Percent of total best practices met by the commission.		Approved	99	100	100

LFO Recommendation:

The Legislative Fiscal Office recommends approval of the proposed Key Performance Measures and targets.

SubCommittee Action: