

SB 5544 STAFF MEASURE SUMMARY

Joint Committee On Ways and Means

Prepared By: Ken Rocco, Legislative Fiscal Officer

Meeting Dates: 5/19, 5/26

WHAT THE MEASURE DOES:

Provides continuing expenditure authority so that state agencies without adopted budgets for the 2017-19 biennium by July 1, 2017 can continue operations at the same level as the last quarter of the 2015-17 biennium. Provides exceptions for the Oregon Health Authority and the Department of Human Services. The continuing resolution also applies to any state agency budget that may be vetoed by the Governor. The continuing resolution expenditure authority is authorized through September 15, 2017.

ISSUES DISCUSSED:

Purpose of a continuing resolution.

EFFECT OF AMENDMENT:

Replaces the bill.

BACKGROUND:

State agencies without adopted budgets for the 2017-19 biennium as of July 1, 2017 need legislative authorization to continue activities at a stated level. The continuing resolution provides an agency without an adopted budget the authority to receive and spend money for a limited amount of time. The amount that an agency is authorized to spend under the continuing resolution counts toward the agency's total 2017-19 budget. The exact amounts authorized are set by the Department of Administrative Services through an administrative rule. The amounts can be adjusted to reflect actions in pending legislation. Pending legislation refers to a bill that has at least passed out of a budget subcommittee or budget committee. No decision in the continuing resolution binds the Legislative Assembly in determining 2017-19 budgets during the period of time the continuing resolution is in effect. Even if the Legislative Assembly adjourns sine die on (or before) June 30, 2017, it is possible (or even likely) that the Governor will not be able to sign all budget bills by July 1, 2017. Before a bill can be signed by the Governor, it must be enrolled and signed by both presiding officers. The Office of Legislative Counsel prepares enrolled measures based on what is sent to them by the House and Senate Desks, and in the order received from the Desks, unless rush enrollment is requested. It is possible for Legislative Counsel to not receive all of the measures passed on the last days of session until a couple of days after sine die. The Desks then present the enrolled bills to the presiding officers for signature. Following presiding officer signature, the bills are delivered to the Governor for signature. When signatures will be provided by the presiding officers and the Governor is impossible to predict. In addition, under section 15b, Article V of the Oregon Constitution, the Governor has 30 days (excluding Saturdays and Sundays) after sine die to sign or veto bills. This provision applies to all bills presented to the Governor within five days, excluding Saturday and Sunday, prior to adjournment.