

SB 5528 A BUDGET REPORT and MEASURE SUMMARY

Carrier: Rep. Helm

Joint Committee On Ways and Means

Action Date: 06/02/17

Action: Do Pass the A-Eng bill.

House Vote

Yeas: 7 - Gomberg, Holvey, Nathanson, Rayfield, Smith G, Smith Warner, Williamson

Nays: 4 - Huffman, McLane, Stark, Whisnant

Senate Vote

Yeas: 11 - DeBoer, Devlin, Frederick, Girod, Hansell, Johnson, Manning Jr, Monroe, Roblan, Thomsen, Winters

Exc: 1 - Steiner Hayward

Prepared By: Robert Otero, Department of Administrative Services

Reviewed By: Gregory Jolivette, Legislative Fiscal Office

Land Use Board of Appeals

2017-19

Budget Summary*

	2015-17 Legislatively Approved Budget (1)	2017-19 Current Service Level	2017-19 Committee Recommendation	Committee Change from 2015-17 Leg. Approved	
				\$ Change	% Change
General Fund	\$ 1,819,240	\$ 1,926,784	\$ 1,926,784	\$ 107,544	5.9%
Other Funds Limited	\$ 28,641	\$ 29,700	\$ 33,700	\$ 5,059	17.7%
Total	\$ 1,847,881	\$ 1,956,484	\$ 1,960,484	\$ 112,603	6.1%

Position Summary

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

(1) Includes adjustments through December 2016

* Excludes Capital Construction expenditures

Summary of Revenue Changes

The Land Use Board of Appeals (LUBA) is supported almost entirely by the General Fund. During the 2017-19 biennium, it is estimated LUBA will generate \$103,100 General Fund revenue from appeal filing fees and intervenor fees, and \$35,000 Other Funds revenue from the sale of LUBA reports.

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 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 \$1,960,484 total funds, including \$1,926,784 General Fund and \$33,700 Other Funds expenditure limitation. The approved all funds budget is a 6.1 percent increase compared to the 2015-17 Legislatively Approved Budget. It includes six positions and 6.00 FTE.

The Subcommittee approved the following recommendations:

Package 102, Required Continuing Legal Education. \$4,000 Other Funds expenditure limitation to allow Board Members and the Staff Attorney to continue to meet minimum continuing legal education requirements and remain members in good standing of the Oregon State Bar. State law requires board members to be members of the Oregon State Bar.

Summary of Performance Measure Action

See attached Legislatively Adopted 2017-19 Key Performance Measures form.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Land Use Board of Appeals
Robert Otero -- 503-983-8670

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
2015-17 Legislatively Approved Budget at Dec 2016 *	\$ 1,819,240	\$ -	\$ 28,641	\$ -	\$ -	\$ -	1,847,881	6	6.00
2017-19 Current Service Level (CSL)*	\$ 1,926,784	\$ -	\$ 29,700	\$ -	\$ -	\$ -	1,956,484	6	6.00
<u>SUBCOMMITTEE ADJUSTMENTS (from CSL)</u>									
SCR 010 - General Program									
Package 102 Required Continuing Legal Education Services and Supplies	\$ -	\$ -	\$ 4,000	\$ -	\$ -	\$ -	4,000	0	0.00
TOTAL ADJUSTMENTS	\$ -	\$ -	\$ 4,000	\$ -	\$ -	\$ -	4,000	0	0.00
SUBCOMMITTEE RECOMMENDATION *	\$ 1,926,784	\$ -	\$ 33,700	\$ -	\$ -	\$ -	1,960,484	6	6.00
% Change from 2015-17 Leg Approved Budget	5.9%	0.0%	17.7%	0.0%	0.0%	0.0%	6.1%		
% Change from 2017-19 Current Service Level	0.0%	0.0%	13.5%	0.0%	0.0%	0.0%	0.2%		

*Excludes Capital Construction Expenditures

Legislatively Approved 2017 - 2019 Key Performance Measures

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Agency: Land Use Board of Appeals

Mission Statement:

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 Approved KPMs	Metrics	Agency Request	Last Reported Result	Target 2018	Target 2019
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	95.30%	90%	90%
2. TIMELY SETTLE RECORD - Percentage of record objections that are resolved within 60 days after the record objection is received by LUBA.		Approved	100%	100%	100%
3. RESOLVE ALL ISSUES - Percentage of decisions where all issues are resolved when reversing or remanding a land use decision.		Approved	100%	100%	100%
4. SUSTAINED ON APPEAL - Percentage of final opinions that are sustained on appeal.		Approved	100%	90%	90%
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	100%	95%	95%
	Expertise		95%	95%	95%
	Accuracy		100%	100%	100%
	Overall		100%	100%	100%
	Helpfulness		100%	100%	100%
	Availability of Information		89%	90%	90%

LFO Recommendation:

Approve the 2017-19 Key Performance Measures as proposed. Change targets for #2 and #5.

SubCommittee Action:

Approved LFO recommendation.