

A-Engrossed
House Bill 2105

Ordered by the House April 25
Including House Amendments dated April 25

Sponsored by Representative GORSEK (at the request of Oregon AFSCME) (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.

Establishes Department of Corrections Budget Oversight Commission to advise Governor and Director of Department of Corrections, and make recommendations for legislation, regarding management and implementation of biennial budget of department, including employee overtime expenses and health care expenses.

Directs commission to report to Legislative Assembly.
Declares emergency, effective [*on passage*] **July 1, 2017.**

A BILL FOR AN ACT

1
2 Relating to the Department of Corrections Budget Oversight Commission; and declaring an emer-
3 gency.

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

5 **SECTION 1. (1) The Department of Corrections Budget Oversight Commission is estab-**
6 **lished, consisting of 15 members appointed by the Governor.**

7 **(2) The term of office of each member of the commission is four years, but a member**
8 **serves at the pleasure of the Governor. Before the expiration of the term of a member, the**
9 **Governor shall appoint a successor whose term begins on July 1 next following. A member**
10 **is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make**
11 **an appointment to become immediately effective for the unexpired term.**

12 **(3) The appointment of each member of the commission is subject to confirmation by the**
13 **Senate in the manner prescribed in ORS 171.562 and 171.565.**

14 **(4) A member of the commission is entitled to compensation and expenses as provided in**
15 **ORS 292.495.**

16 **SECTION 2. Notwithstanding the term of office specified by section 1 of this 2017 Act,**
17 **of the members first appointed to the Department of Corrections Budget Oversight Com-**
18 **mission:**

19 **(1) Five shall serve for a term ending June 30, 2019.**

20 **(2) Five shall serve for a term ending June 30, 2020.**

21 **(3) Five shall serve for a term ending June 30, 2021.**

22 **SECTION 3. (1) The members of the Department of Corrections Budget Oversight Com-**
23 **mission must be residents of this state with experience and expertise in the state and local**
24 **correction system and the criminal justice system in this state, including but not limited to:**

25 **(a) One representative from each of the two largest labor organizations whose members**
26 **are employed in the state corrections system;**

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 (b) One member of the largest labor organization whose members are employed in the
2 state corrections system whose job function is directly related to prison security;

3 (c) One member of the largest labor organization whose members are employed in the
4 state corrections system whose job function is not directly related to prison security;

5 (d) Two representatives of county community corrections officials;

6 (e) Representatives of organizations that advocate regarding issues pertaining to the
7 state and local corrections system;

8 (f) Representatives of public, semi-independent, private, profit and nonprofit agencies,
9 organizations and other entities with experience in, interest in and responsibility for the
10 provision of services to persons in the custody of the Department of Corrections;

11 (g) Members of the Oregon State Bar with expertise in the state and local correction
12 system and the criminal justice system in this state; and

13 (h) Representatives of law enforcement agencies and district attorneys.

14 (2) The members of the commission shall select one of the commission's members to
15 serve as chairperson and another to serve as vice chairperson, for terms and with duties and
16 powers necessary for the performance of the functions of the offices as the commission de-
17 termines.

18 (3) A majority of the members of the commission constitutes a quorum for the trans-
19 action of business.

20 (4) The commission shall meet at least once every three months at a time and place de-
21 termined by the chairperson of the commission. The commission also may meet at other
22 times and places specified by the call of the chairperson or of a majority of the members of
23 the commission.

24 (5) All agencies of state government, as defined in ORS 174.111, are directed to assist the
25 commission in the performance of the commission's duties, powers and obligations and, to
26 the extent permitted by laws relating to confidentiality, to furnish information that the
27 members of the commission consider necessary in order to further the work of the com-
28 mission. The assistance under this subsection may constitute the provision of staffing re-
29 sources to the commission.

30 **SECTION 4.** (1) The Department of Corrections Budget Oversight Commission shall ad-
31 vise the Governor and the Director of the Department of Corrections, and make recom-
32 mendations for legislation, regarding the management and implementation of the biennial
33 budget of the department, including employee overtime expenses and health care expenses.

34 (2) The commission may establish any advisory or technical committees the commission
35 considers necessary to aid and advise the commission in the performance of its functions.
36 The committees may be continuing or temporary committees. The commission shall deter-
37 mine the representation, membership, terms and organization of the committees and shall
38 appoint the members of the committees. Members of the committees are not entitled to
39 compensation but, at the discretion of the commission, may be reimbursed from funds
40 available to the commission for actual and necessary travel and other expenses incurred by
41 the members in the performance of official duties in the manner and amount provided in
42 ORS 292.495.

43 (3) The commission may adopt rules to carry out the provisions of this section.

44 (4) Not later than January 1 of each year, the commission shall submit a report to the
45 Governor and the Legislative Assembly in the manner provided by ORS 192.245. The report

1 shall describe the findings and recommendations of the commission regarding the imple-
2 mentation of the biennial budget of the department and any recommendations for legislation
3 the commission determines are appropriate.

4 SECTION 5. This 2017 Act being necessary for the immediate preservation of the public
5 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect
6 July 1, 2017.

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