

Requested by HOUSE COMMITTEE ON RULES

**PROPOSED AMENDMENTS TO
HOUSE BILL 2332**

1 On page 1 of the printed bill, line 2, delete “amending sections” and insert
2 “creating new provisions; amending ORS 291.204; and repealing ORS 291.229
3 and 291.231 and section 2, chapter 622, Oregon Laws 2015.”.

4 Delete line 3.

5 Delete lines 5 through 29 and delete page 2 and insert:

6 **“SECTION 1. (1)(a) As part of the development of the legislatively**
7 **adopted budget, each state agency that employs more than 100 em-**
8 **ployees shall report to the Joint Committee on Ways and Means the**
9 **state agency’s maximum supervisory ratio for the biennium.**

10 **“(b) Before submitting the report to the committee, a state agency**
11 **shall provide a copy of the report to all labor organizations that rep-**
12 **resent employees of the state agency.**

13 **“(2) A state agency must determine its maximum supervisory ratio**
14 **by starting from a baseline ratio of one to 11 and adjusting the ratio**
15 **based on some or all of the following factors:**

16 **“(a) Safety of the public or of state agency employees;**

17 **“(b) Geographic location of the agency’s employees;**

18 **“(c) Complexity of the agency’s duties;**

19 **“(d) Industry best practices and standards;**

20 **“(e) Size and hours of operation of the agency;**

21 **“(f) Unique personnel needs of the agency, including the agency’s**

1 use of volunteers or seasonal or temporary employees, or the exercise
2 of supervisory authority by agency supervisory employees over per-
3 sonnel who are not agency employees; and

4 “(g) Financial scope and responsibility of the agency.

5 “(3) The Joint Committee on Ways and Means shall review the
6 maximum supervisory ratios reported by state agencies. The commit-
7 tee shall include the maximum supervisory ratio in a budget report
8 or budget note for each state agency that reported a maximum su-
9 pervisory ratio.

10 “(4) Subject to subsection (5) of this section, a state agency whose
11 actual supervisory ratio is greater than its maximum supervisory ratio
12 may not fill a supervisory position.

13 “(5)(a) The Oregon Department of Administrative Services may ex-
14 empt a state agency from the limitations of subsection (4) of this sec-
15 tion if the department determines that an additional supervisory
16 position is reasonably necessary to the state agency. The department
17 must make the determination with reference to some or all of the
18 factors set forth in subsection (2) of this section.

19 “(b) At least five business days before granting an exemption under
20 this subsection, the department shall notify all labor organizations
21 that represent employees of the state agency of its intent to grant the
22 exemption.

23 “(6)(a) The department shall, once per quarter, produce reports on
24 the actual supervisory ratio of each state agency. The reports must
25 include data on job families within each state agency to the extent
26 such data is reasonably available.

27 “(b) The department shall make the reports publicly available on
28 the Internet and shall notify all labor organizations that represent
29 state employees when the reports are available.

30 “(7) The department may adopt rules for the administration of this

1 section, including rules governing how temporary, seasonal or part-
2 time employees are accounted for in the calculation of a supervisory
3 ratio.

4 “(8) As used in this section:

5 “(a) ‘Job families’ means groups of occupations based upon work
6 performed, skills, education, training and credentials.

7 “(b) ‘Legislatively adopted budget’ has the meaning given that term
8 in ORS 291.002.

9 “(c)(A) ‘State agency’ means all state officers, boards, commissions,
10 departments, institutions, branches, agencies, divisions and other en-
11 tities, without regard to the designation given to those entities, that
12 are within the executive branch of government as described in Article
13 III, section 1, of the Oregon Constitution.

14 “(B) ‘State agency’ does not include:

15 “(i) The legislative department as defined in ORS 174.114;

16 “(ii) The judicial department as defined in ORS 174.113;

17 “(iii) The Public Defense Services Commission;

18 “(iv) The Secretary of State and the State Treasurer in the per-
19 formance of the duties of their constitutional offices;

20 “(v) Semi-independent state agencies listed in ORS 182.454;

21 “(vi) The Oregon Tourism Commission;

22 “(vii) The Oregon Film and Video Office;

23 “(viii) Public universities listed in ORS 352.002;

24 “(ix) The Oregon Health and Science University;

25 “(x) The Travel Information Council;

26 “(xi) Oregon Corrections Enterprises;

27 “(xii) The Oregon State Lottery Commission;

28 “(xiii) The State Accident Insurance Fund Corporation;

29 “(xiv) The Oregon Utility Notification Center;

30 “(xv) Oregon Community Power;

1 “(xvi) The Citizens’ Utility Board;
2 “(xvii) A special government body as defined in ORS 174.117;
3 “(xviii) Any other public corporation created under a statute of this
4 state and specifically designated as a public corporation; and
5 “(xix) Any other semi-independent state agency denominated by
6 statute as a semi-independent state agency.

7 “(d) ‘Supervisory employee’ has the meaning given that term in
8 ORS 243.650.

9 “(e) ‘Supervisory ratio’ means the ratio of employees who are su-
10 pervisory employees to employees who are not supervisory employees.

11 “SECTION 2. ORS 291.204, as amended by section 14, chapter 117, Oregon
12 Laws 2016, is amended to read:

13 “291.204. (1) The Oregon Department of Administrative Services, by July
14 1 of each even-numbered year, shall furnish every state agency with:

15 “(a) Instructions for preparing for submission to the Governor the infor-
16 mation required by the Governor in the preparation of the Governor’s
17 budget[.]; and

18 “(b) Instructions for preparing the proposed maximum supervisory
19 ratio report required by section 1 (1) of this 2017 Act.

20 “(2) The Governor shall prescribe the instructions to be used by the
21 agencies in submitting their agency request budgets as required by ORS
22 291.208.

23 “SECTION 3. ORS 291.229 and 291.231 and section 2, chapter 622,
24 Oregon Laws 2015, are repealed.

25 “SECTION 4. Section 1 of this 2017 Act and the amendments to ORS
26 291.204 by section 2 of this 2017 Act apply to budgets for biennia be-
27 ginning on or after July 1, 2019.”.

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