

# A-Engrossed House Bill 4163

Ordered by the House March 2  
Including House Amendments dated March 2

Sponsored by JOINT COMMITTEE ON WAYS AND MEANS

## 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.

Provides that Higher Education Coordinating Commission, instead of Oregon Department of Administrative Services, receives appropriations to pay bond-related costs of certain Article XI-G bonds.

Provides that commission may enter into agreements with Oregon Health and Science University to receive debt service payments for certain bond obligations and administer certain tax compliance obligations.

**Validates appropriations to Oregon Criminal Justice Commission and Department of Justice in chapter 673, Oregon Laws 2017. Validates expenditures by commission and department pursuant to appropriations. Repeals and reenacts program in which commission awards supplemental grants to counties for downward departure prison diversion programs. Sunsets program on July 1, 2023.**

**Provides that civil penalties for certain violations related to cannabis are deposited in General Fund.**

**Deletes provision relating to addition of fees by Department of Revenue to liquidated and delinquent debts to recover costs of data match system.**

**Requires Secretary of State to contract for periodic actuarial review of Public Employees Retirement System. Requires secretary to submit review to Public Employees Retirement Board and Joint Legislative Audit Committee.**

**Provides that Oregon Health Authority may appoint designee to carry out certain duties related to cancer registry system.**

**Removes requirement that Legislative Branch must contribute six percent of salary for legislator members of state deferred compensation plan.**

**Makes permanent current law relating to establishment of legislator salaries.**

**Increases salaries of judges of Court of Appeals, Supreme Court, circuit courts and Oregon Tax Court.**

**Transfers Oregon Volunteers Commission for Voluntary Action and Service from Office of Governor to Higher Education Coordinating Commission. Modifies duties of volunteers commission.**

Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to state financial administration; creating new provisions; amending ORS 18.999, 171.072, 237.655, 286A.863, 292.406, 292.411, 292.416, 292.426, 292.930, 305.084, 432.510, 458.555, 458.568, 458.573 and 475B.416, section 23, chapter 121, Oregon Laws 2014, and section 14, chapter 673, Oregon Laws 2017; repealing ORS 458.563, section 4, chapter 578, Oregon Laws 2013, and section 9, chapter 673, Oregon Laws 2017; and declaring an emergency.

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

## HIGHER EDUCATION COORDINATING COMMISSION

**SECTION 1.** Section 23, chapter 121, Oregon Laws 2014, as amended by section 74, chapter 117, Oregon Laws 2016, is amended to read:

**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       **Sec. 23.** (1) For each biennium in which any part of the OHSU Cancer Challenge Article XI-G  
2 Bonds remain outstanding, the [*Oregon Department of Administrative Services*] **Higher Education**  
3 **Coordinating Commission** shall request that the Governor include in the Governor's budget to the  
4 Legislative Assembly an amount that is sufficient to pay the bond-related costs that become due in  
5 the biennium.

6       (2) The Legislative Assembly shall appropriate to the [*Oregon Department of Administrative*  
7 *Services*] **commission** any moneys made available to pay bond-related costs.

8       (3) Oregon Health and Science University is not obligated to pay the bond-related costs of the  
9 OHSU Cancer Challenge Article XI-G Bonds.

10       **SECTION 2.** ORS 286A.863 is amended to read:

11       286A.863. (1) The Oregon Department of Administrative Services may, in consultation with the  
12 Higher Education Coordinating Commission, adopt rules for the purpose of carrying out ORS  
13 286A.830 to 286A.863, including, but not limited to, establishing:

14       (a) Fees and costs to be paid by public universities or community colleges for administration of  
15 higher education bonds, including reasonable fees and expenses of the State Treasurer as provided  
16 in ORS 286A.014;

17       (b) The form, content and timing of information to be submitted by public universities and  
18 community colleges to be used by the commission and the State Treasurer to evaluate revenue suf-  
19 ficiency for Article XI-F(1) bonds and availability and sufficiency of matching amounts for Article  
20 XI-G bonds; and

21       (c) Standards, terms and conditions for maintaining federal tax benefits related to higher edu-  
22 cation bonds.

23       (2) The department or the commission, or both, may periodically bill a public university or  
24 community college, without duplicating costs billed by contract, for the public university's or com-  
25 munity college's proportional share of costs incurred by the department, or the commission, in con-  
26 nection with higher education bonds, including, but not limited to:

27       (a) Bond-related costs of higher education bonds issued or proposed to be issued to finance or  
28 refinance projects of the public university or community college; and

29       (b) Costs of legal or financial consultants or advisors, including, without limitation, bond counsel  
30 to the State of Oregon, for services that are provided at the request of a public university or com-  
31 munity college in connection with higher education bonds that are issued or proposed to be issued.

32       (3) The department and the commission may each bill at such intervals as may be established  
33 in the department's or commission's own procedures and shall deposit the moneys received in the  
34 applicable bond fund, bond administration fund or other fund relating to higher education bonds, as  
35 the department or commission determines is appropriate. A public university or community college  
36 that receives a bill for bond-related costs shall pay the amount billed by the time and in the manner  
37 designated in the billing statement.

38       (4)(a) The department **or the commission** may enter into agreements with Oregon Health and  
39 Science University to:

40       (A) Receive payments from Oregon Health and Science University of amounts used to pay debt  
41 service on bonds issued by the State Treasurer to finance joint projects of Oregon Health and Sci-  
42 ence University and one or more public universities; or

43       (B) Administer tax compliance obligations of Oregon Health and Science University.

44       (b) Solely for the purposes of receiving payments of amounts used to pay debt service and ad-  
45 ministering tax compliance obligations related to the bonds, the department **or the commission**

1 may be a successor to, or an assignee of, the Oregon University System under agreements between  
2 Oregon Health and Science University and the Oregon University System.

3 (c) The department **or the commission** may not assume any obligations or liability as the suc-  
4 cessor to, or assignee of, the Oregon University System under any agreements between Oregon  
5 Health and Science University and the Oregon University System, except for obligations or liability  
6 relating to the receipt of amounts used to pay debt service and the administration of tax compliance  
7 obligations.

8  
9 **PUBLIC SAFETY**

10  
11 **SECTION 3.** (1)(a) The appropriation set forth in section 7, chapter 673, Oregon Laws  
12 2017, of moneys to the Oregon Criminal Justice Commission, out of the General Fund, for  
13 deposit in the Justice Reinvestment Account, is validated.

14 (b) Use of any moneys from the appropriation set forth in section 7, chapter 673, Oregon  
15 Laws 2017, for the purposes specified in section 9, chapter 673, Oregon Laws 2017, by the  
16 Oregon Criminal Justice Commission prior to the effective date of this 2018 Act, is validated.

17 (c) The Oregon Criminal Justice Commission is authorized to expend moneys from the  
18 appropriation set forth in section 7, chapter 673, Oregon Laws 2017, for the purposes specified  
19 in section 5 of this 2018 Act.

20 (2)(a) The appropriation set forth in section 8, chapter 673, Oregon Laws 2017, of moneys  
21 to the Department of Justice, out of the General Fund, for the Crime Victims' Services Di-  
22 vision and services for victims of domestic and sexual violence, is validated.

23 (b) Use of any moneys from the appropriation set forth in section 8, chapter 673, Oregon  
24 Laws 2017, by the Department of Justice, prior to the effective date of this 2018 Act, is vali-  
25 dated.

26 **SECTION 4.** Section 9, chapter 673, Oregon Laws 2017, is repealed and section 5 of this  
27 2018 Act is enacted in lieu thereof.

28 **SECTION 5.** (1) The Oregon Criminal Justice Commission shall establish a program to  
29 award supplemental grant funds to counties for downward departure prison diversion pro-  
30 grams as part of the Justice Reinvestment Program described in section 53, chapter 649,  
31 Oregon Laws 2013. Notwithstanding sections 52 and 53 (1)(a), chapter 649, Oregon Laws 2013,  
32 the commission shall use any moneys appropriated to the commission for the supplemental  
33 grant program to award supplemental grant funds for downward departure prison diversion  
34 programs to counties selected by the commission to receive the funds. The commission shall  
35 give preference to counties establishing downward departure prison diversion programs on  
36 or after August 8, 2017.

37 (2) The commission shall monitor the downward departure prison diversion programs  
38 described in subsection (1) of this section and evaluate prison utilization by counties that  
39 receive the supplemental grant funds. The commission shall annually report the evaluation  
40 findings to the Joint Interim Committee on Ways and Means.

41 **SECTION 6.** Section 14, chapter 673, Oregon Laws 2017, is amended to read:

42 **Sec. 14.** [(1) Section 9 of this 2017 Act is repealed on July 1, 2023.]

43 [(2)] Section 10, [of this 2017 Act] **chapter 673, Oregon Laws 2017**, is repealed on January 2,  
44 2028.

45 **SECTION 7.** Section 5 of this 2018 Act is repealed on July 1, 2023.

ADMINISTRATION

**SECTION 8.** ORS 475B.416 is amended to read:

475B.416. In addition to any other liability or penalty provided by law, the Oregon Liquor Control Commission may impose for each violation of a provision of ORS 475B.010 to 475B.545 or a rule adopted under ORS 475B.010 to 475B.545 a civil penalty that does not exceed \$5,000 for each violation. The commission shall impose civil penalties under this section in the manner provided by ORS 183.745. Moneys collected under this section shall be deposited in the [*Marijuana Control and Regulation Fund established under ORS 475B.296*] **General Fund.**

**SECTION 9.** ORS 305.084 is amended to read:

305.084. (1) Financial institutions shall participate in a data match system established by the Department of Revenue, utilizing automated data exchanges to the maximum extent possible.

(2) Using the data match system, not more than once per calendar quarter, each financial institution shall conduct a data match with the department that compares a list of delinquent debtors, identified by name and Social Security number or other taxpayer identification number, against a list of persons who hold accounts at the financial institution to enable the department to identify which, if any, delinquent debtors hold accounts at the financial institution. A financial institution is not required to seek or obtain any information about delinquent debtors beyond any information that is provided to the financial institution by the department.

(3) Each calendar quarter, the department shall pay a fee to each financial institution for conducting the data match provided for in this section. In the first quarter that the department pays a fee under this subsection to a financial institution, the fee may not exceed the lesser of \$2,500 or the actual costs incurred by the financial institution in that calendar quarter for conducting the data match. In subsequent calendar quarters, the fee may not exceed the lesser of \$150 or the actual costs incurred by the financial institution in that calendar quarter for conducting the data match.

*[(4)(a) The department may add a fee to the amount of the liquidated and delinquent debt of any delinquent debtor.]*

*[(b) The department may not add a fee under this subsection unless the department has provided notice to the delinquent debtor of the existence of the debt and of the maximum amount of the fee that may be added under this subsection to the debt.]*

*[(c) A fee added under this subsection may not exceed the total data match costs incurred by the department in the calendar quarter in which the fee is assessed, divided by the average number of delinquent debtors as calculated over the preceding four calendar quarters.]*

*[(d) As used in this subsection, "data match costs" means the sum of:]*

*[(A) Amounts payable to financial institutions under subsection (3) of this section; and]*

*[(B) Amounts payable to vendors or contractors pursuant to agreements that are reasonably necessary for the functioning of the data match system.]*

**[(5)] (4)** The department may temporarily exempt a financial institution from participation in the data match system under this section if:

(a) The department determines that the participation of the financial institution in the data match system would not be cost-effective for the department;

(b) The department determines that the financial institution's participation in the data match system would be unduly burdensome for the financial institution; or

(c) The financial institution provides the department with written notice from its supervisory banking authority that it has been determined to be undercapitalized, significantly undercapitalized,

1 or critically undercapitalized, as those terms are defined under 12 C.F.R. 325.103(b) or 12 C.F.R.  
2 702.102(a).

3 [(6)] (5) Financial institutions, institution-affiliated parties as defined in the Federal Deposit In-  
4 surance Act (12 U.S.C. 1813(u)) and institution-affiliated parties as defined in the Federal Credit  
5 Union Act (12 U.S.C. 1786(r)) are not liable under state law to any person:

6 (a) For any disclosure of information to the department under this section;

7 (b) For encumbering or surrendering any assets held by the financial institution in response to  
8 a notice of lien or levy issued by the department; or

9 (c) For any other action taken in good faith to comply with the requirements of this section.

10 **SECTION 10.** ORS 18.999 is amended to read:

11 18.999. This section establishes the right of a plaintiff to recover certain moneys the plaintiff  
12 has expended to recover a debt under ORS 18.854 or to enforce a judgment and establishes proce-  
13 dures for that recovery. The following apply to this section:

14 (1) When a plaintiff receives moneys under a garnishment, attachment or payment, the plaintiff  
15 may proceed as follows:

16 (a) Before crediting the total amount of moneys received against the judgment or debt, the  
17 plaintiff may recover and keep from the total amount received under the garnishment, attachment  
18 or payment any moneys allowed to be recovered under this section.

19 (b) After recovering moneys as allowed under paragraph (a) of this subsection, the plaintiff shall  
20 credit the remainder of the moneys received against the judgment or debt as provided by law.

21 (2) Moneys recovered under subsection (1)(a) of this section shall not be considered moneys paid  
22 on and to be credited against the original judgment or debt sought to be enforced. No additional  
23 judgment is necessary to recover moneys in the manner provided in subsection (1)(a) of this section.

24 (3) The only moneys a plaintiff may recover under subsection (1)(a) of this section are those  
25 described in subsection (4) of this section that the plaintiff has paid to enforce the existing specific  
26 judgment or debt that the specific garnishment or attachment was issued to enforce or upon which  
27 the payment was received. Moneys recoverable under subsection (1)(a) of this section remain re-  
28 coverable and, except as provided under subsection (8) of this section, may be recovered from mon-  
29 eys received by the plaintiff under subsequent garnishments, attachments or payments on the same  
30 specific judgment or debt.

31 (4) This section allows the recovery only of the following:

32 (a) Statutorily established moneys that meet the requirements under subsection (3) of this sec-  
33 tion, as follows:

34 (A) Garnishee's search fees under ORS 18.790.

35 (B) Fees for delivery of writs of garnishment under ORS 18.652.

36 (C) Circuit court fees as provided under ORS 21.235 and 21.258.

37 (D) County court fees as provided under ORS 5.125.

38 (E) County clerk recording fees as provided in ORS 205.320.

39 (F) Actual fees or disbursements made under ORS 21.300.

40 (G) Costs of execution as provided in ORS 105.112.

41 (H) Fees paid to an attorney for issuing a garnishment in an amount not to exceed \$45 for each  
42 garnishment.

43 (I) Costs of an execution sale as described in ORS 18.950 (2).

44 (J) Fees paid under ORS 21.200 for motions and responses to motions filed after entry of a  
45 judgment.

1 (K) Amounts paid to a sheriff for the fees and expenses of executing a warrant under ORS  
2 105.510.

3 *[(L) Fees added to liquidated and delinquent debts under ORS 305.084 (4).]*

4 (b) Interest on the amounts specified in paragraph (a) of this subsection at the rate provided for  
5 judgments in ORS 82.010 for the period of time beginning with the expenditure of the amount and  
6 ending upon recovery of the amount under this section.

7 (5) The plaintiff shall be responsible for doing all of the following:

8 (a) Maintaining a precise accounting of moneys recovered under subsection (1)(a) of this section  
9 and making the accounting available for any proceeding relating to that judgment or debt.

10 (b) Providing reasonable notice to the defendant of moneys the plaintiff recovers under sub-  
11 section (1)(a) of this section.

12 (6) Moneys recovered under subsection (1)(a) of this section remain subject to all other pro-  
13 visions of law relating to payments, or garnished or attached moneys including, but not limited to,  
14 those relating to exemption, claim of exemption, overpayment and holding periods.

15 (7) Nothing in this section limits the right of a plaintiff to recover moneys described in this  
16 section or other moneys in any manner otherwise allowed by law.

17 (8) A writ of garnishment or attachment is not valid if issued solely to recover moneys recov-  
18 erable under subsection (1)(a) of this section unless the right to collect the moneys is first reduced  
19 to a judgment or to a debt enforceable under ORS 18.854.

20  
21 **PUBLIC EMPLOYEES RETIREMENT SYSTEM**

22  
23 **SECTION 11.** (1)(a) **At least once every four years, the Secretary of State shall contract**  
24 **with a firm qualified to perform an independent actuarial review of the report on the Public**  
25 **Employees Retirement System prepared under ORS 238.605. The firm shall review the report**  
26 **that was most recently used to calculate employer contribution rates under ORS 238.225.**

27 (b) **The firm conducting the review required by this section shall use all appropriate**  
28 **actuarial standards of practice.**

29 (c) **The Secretary of State shall determine the scope of the review required by this sec-**  
30 **tion. The review must include, but is not limited to, an examination of the reasonableness**  
31 **and consistency of the following aspects of the report described in paragraph (a) of this**  
32 **subsection:**

33 (A) **Actuarial methods used;**

34 (B) **Demographic and economic assumptions used;**

35 (C) **Census and asset data used;**

36 (D) **Valuation of the system, including projected future benefit payments, system liabil-**  
37 **ities, system normal cost and funded status;**

38 (E) **Employer contribution rates calculated;**

39 (F) **Rate collaring policy and calculation;**

40 (G) **Assumed rate of return and discount rate used;**

41 (H) **Comparison of legislative impact to actual impact; and**

42 (I) **Instructions provided by the Public Employees Retirement Board to the actuary.**

43 (d) **A review under this section must include a quantitative and qualitative analysis of**  
44 **any changes to actuarial methods and demographic and economic assumptions that were**  
45 **recommended by the actuary, adopted by the board, and used to prepare the report under**

1 **ORS 238.605.**

2 (e) **The Public Employees Retirement System, the State Treasurer, and the Oregon In-**  
3 **vestment Council shall cooperate with the firm conducting the review required by this sec-**  
4 **tion in all respects and shall permit the firm full access to all information the firm deems**  
5 **necessary to complete the review.**

6 (f) **An actuary that prepared a report under ORS 238.605 may not conduct a review under**  
7 **this section for a period of six years after the actuary has provided any services for the**  
8 **board.**

9 (g) **The Public Employees Retirement Board shall pay the cost of the review performed**  
10 **under this section.**

11 (2) **A review performed under this section shall be available for public inspection, in ac-**  
12 **cordance with the Secretary of State's established rules and procedures governing public**  
13 **disclosure of public reports.**

14 (3) **The Secretary of State shall submit the review performed under this section to the**  
15 **Public Employees Retirement Board and the Joint Legislative Audit Committee no later than**  
16 **February 15 of the year after the review is initiated.**

17 **SECTION 12. The Secretary of State shall cause the first independent actuarial review**  
18 **under section 11 of this 2018 Act to be completed no later than December 31, 2019.**

19  
20 **OREGON HEALTH AUTHORITY**

21  
22 **SECTION 13. ORS 432.510 is amended to read:**

23 432.510. (1) The Oregon Health Authority, **or designee**, shall establish a uniform, statewide,  
24 population-based registry system for the collection of information determining the incidence of can-  
25 cer and benign or borderline tumors of the brain and central nervous system and related data. The  
26 purpose of the registry shall be to provide information to design, target, monitor, facilitate and  
27 evaluate efforts to determine the causes or sources of cancer and benign or borderline tumors  
28 among the residents of this state and to reduce the burden of cancer and benign or borderline tu-  
29 mors in this state. Such efforts may include but are not limited to:

30 (a) Targeting populations in need of cancer screening services or evaluating screening or other  
31 cancer control services;

32 (b) Supporting the operation of hospital registries in monitoring and upgrading the care and the  
33 end results of treatment for cancer and benign or borderline tumors;

34 (c) Investigating suspected clusters or excesses of cancer and benign or borderline tumors both  
35 in occupational settings and in the state's environment generally;

36 (d) Conducting studies to identify cancer hazards to the public health and cancer hazard reme-  
37 dies; and

38 (e) Projecting the benefits or costs of alternative policies regarding the prevention or treatment  
39 of cancer and benign or borderline tumors.

40 (2) The authority shall adopt rules necessary to carry out the purposes of ORS 432.510 to 432.550  
41 and 432.900, including but not limited to designating which types of cancer and benign or borderline  
42 tumors of the brain and central nervous system are reportable to the statewide registry, the data  
43 to be reported, the data reporting standards and format and the effective date after which reporting  
44 by health care facilities, clinical laboratories and practitioners shall be required. When adopting  
45 rules under this subsection, the authority shall, to the greatest extent practicable, conform the rules

1 to the standards and procedures established by the American College of Surgeons Commission on  
2 Cancer, with the goal of achieving uniformity in the collection and reporting of data.

3 (3) The authority **or designee** shall:

4 (a) Conduct a program of epidemiologic analyses of registry data collected under subsection (1)  
5 of this section to assess control, prevention, treatment and causation of cancer and benign or  
6 borderline tumors in this state; and

7 (b) Utilize the data to promote, facilitate and evaluate programs designed to reduce the burden  
8 of cancer and benign or borderline tumors among the residents of Oregon.

9 (4) The authority **or designee** shall:

10 (a) Collaborate in studies of cancer and benign or borderline tumors with clinicians and  
11 epidemiologists and publish reports on the results of such studies; and

12 (b) Cooperate with the National Institutes of Health and the Centers for Disease Control and  
13 Prevention in providing incidence data for cancer and benign or borderline tumors.

14 (5) The authority **or designee** shall establish a training program for the personnel of partic-  
15 ipating health care facilities and a quality control program for data for cancer and benign or  
16 borderline tumors reported to the state registry.

17  
18 **LEGISLATIVE BRANCH**

19  
20 **SECTION 14.** ORS 237.655 is amended to read:

21 237.655. (1)(a) If a person appointed or elected as a member of the Legislative Assembly elects  
22 under ORS 237.645 or 237.650 to become a legislator member of the state deferred compensation plan  
23 for the purpose of service in the Legislative Assembly, the Legislative Assembly shall make em-  
24 ployer contributions to the plan in an amount that is equal to [*six percent of the member's salary*  
25 *plus*] the percentage of the member's salary that would have been contributed to the Public Em-  
26 ployees Retirement Board for the member's normal cost under ORS 238A.220, as determined by the  
27 actuary under ORS 238.605.

28 (b) Notwithstanding paragraph (a) of this subsection, contributions made to the plan by the  
29 Legislative Assembly under this subsection may not exceed the maximum allowed by federal law.

30 (2) If a person appointed or elected as a member of the Legislative Assembly elects under ORS  
31 237.645 or 237.650 to become a legislator member of the state deferred compensation plan for the  
32 purpose of service in the Legislative Assembly, and the person also participates in the state deferred  
33 compensation plan in the manner provided by ORS 243.401 to 243.507 as other than a legislator  
34 member, the total contributions made to the plan by the person and by the employer under sub-  
35 section (1) of this section may not exceed the maximum allowed by federal law governing the plan's  
36 tax qualification.

37 (3) Except for the contributions required by subsection (1) of this section, the Legislative As-  
38 sembly may not "pick-up," assume or pay any contributions on behalf of a legislator member of the  
39 state deferred compensation plan.

40 **SECTION 15.** The amendments to ORS 237.655 by section 14 of this 2018 Act become op-  
41 erative on February 1, 2019.

42 **SECTION 16.** Section 4, chapter 578, Oregon Laws 2013, as amended by section 5, chapter  
43 840, Oregon Laws 2015, and section 15, chapter 725, Oregon Laws 2017, is repealed.

44 **SECTION 17.** ORS 171.072, as amended by section 1, chapter 578, Oregon Laws 2013, is  
45 amended to read:



1 171.072. (1) A member of the Legislative Assembly shall receive for services an annual salary  
2 [determined as provided under ORS 292.930.] **that equals the greater of:**

3 **(a) One step below the maximum step of Salary Range 1 in the Management Service**  
4 **Compensation Plan in the executive department as defined in ORS 174.112; or**

5 **(b) Seventeen percent of the salary of a circuit court judge.**

6 (2) The President of the Senate and the Speaker of the House of Representatives each shall re-  
7 ceive for services, as additional salary, an amount equal to the salary allowed each of them as a  
8 member under subsection (1) of this section.

9 (3) A member of the Legislative Assembly shall receive, as an allowance for expenses not oth-  
10 erwise provided for, a per diem determined as provided in subsection (9) of this section for each day  
11 within the period that the Legislative Assembly is in session, to be paid with the salary provided for  
12 in subsection (1) of this section. Pursuant to procedures determined by the Legislative Adminis-  
13 tration Committee, a member may draw from an accrued allowance.

14 (4) A member of the Legislative Assembly shall receive, as an allowance for expenses incurred  
15 in the performance of official duties during periods when the legislature is not in session, \$400 for  
16 each calendar month or part of a calendar month during those periods, to be paid monthly, and  
17 subject to approval of the President of the Senate or Speaker of the House of Representatives,  
18 mileage expenses and a per diem determined as provided in subsection (9) of this section for each  
19 day a member is engaged in the business of legislative interim and statutory committees, including  
20 advisory committees and subcommittees of advisory committees, and task forces and for each day  
21 a member serves on interstate bodies, advisory committees and other entities on which the member  
22 serves ex officio, whether or not the entity is a legislative one.

23 (5) In addition to the mileage and per diem expense payments provided by this section, a member  
24 of the Legislative Assembly may receive reimbursement for actual and necessary expenses, subject  
25 to approval by the President of the Senate or Speaker of the House of Representatives, for legisla-  
26 tive business outside of the state.

27 (6) The President of the Senate and the Speaker of the House of Representatives may delegate  
28 to the chairpersons of interim and statutory committees and task forces the approval authority  
29 granted to the President and the Speaker by subsection (4) of this section, with respect to expenses  
30 incurred in attending any meeting of a particular committee or task force.

31 (7) Amounts received under subsections (3) to (5) of this section are excluded from gross income  
32 and expenditures of the amounts are excluded in computing deductions for purposes of ORS chapter  
33 316. If there is attached to the personal income return a schedule of all ordinary and necessary  
34 business expenses paid during the tax year as a member of the Legislative Assembly, a deduction  
35 may be claimed on the return for legislative expenses paid in excess of the amounts received under  
36 subsections (3) to (5) of this section. Expenses of members of the Legislative Assembly who are re-  
37 imburged by the state for actual expenses for meals and lodging associated with state travel for the  
38 same period during which a legislator receives per diem are subject to state income tax.

39 (8) For periods when the Legislative Assembly is not in session, the Legislative Administration  
40 Committee shall provide for a telephone and an expense allowance for members of the Legislative  
41 Assembly that is in addition to the amount allowed under subsection (4) of this section. In deter-  
42 mining the amount of allowance for members, the committee shall consider the geographic area of  
43 the member's district. The additional allowance shall reflect travel expenses necessary to communi-  
44 cate in districts of varying sizes.

45 (9) The per diem allowance referred to in subsections (3) and (4) of this section shall be the

1 amount fixed for per diem allowance that is authorized by the United States Internal Revenue Ser-  
2 vice to be excluded from gross income without itemization.

3 **SECTION 18.** ORS 292.930 is amended to read:

4 292.930. Each of the following elective officers shall be paid an annual salary on a monthly basis  
5 as determined by the Legislative Assembly each biennium:

- 6 (1) Governor.
- 7 (2) Secretary of State.
- 8 (3) State Treasurer.
- 9 (4) Attorney General.
- 10 (5) Commissioner of the Bureau of Labor and Industries.
- 11 (6) Chief Judge of the Court of Appeals.
- 12 (7) Court of Appeals Judge.
- 13 (8) Chief Justice of the Supreme Court.
- 14 (9) Supreme Court Judge.
- 15 (10) Circuit Court Judge.
- 16 (11) Tax Court Judge.
- 17 [(12) *State Senator.*]
- 18 [(13) *State Representative.*]

19  
20 **JUDICIAL BRANCH**

21  
22 **SECTION 19.** ORS 292.406 is amended to read:

23 292.406. (1)(a) The annual salary of the Chief Judge of the Court of Appeals shall be [*\$135,688*  
24 *for the year beginning January 1, 2015, and for each year thereafter*] **\$147,560 for the period begin-**  
25 **ning on January 1, 2017, and ending on June 30, 2018.**

26 (b) On [*January 1, 2017*] **July 1, 2018**, the annual salary of the Chief Judge of the Court of Ap-  
27 peals, as adjusted under ORS 292.428, shall be increased by \$5,000.

28 (2)(a) The annual salary of each other judge of the Court of Appeals shall be [*\$132,820 for the*  
29 *year beginning January 1, 2015, and for each year thereafter*] **\$144,536 for the period beginning on**  
30 **January 1, 2017, and ending on June 30, 2018.**

31 (b) On [*January 1, 2017*] **July 1, 2018**, the annual salary of each other judge of the Court of  
32 Appeals, as adjusted under ORS 292.428, shall be increased by \$5,000.

33 **SECTION 20.** ORS 292.411 is amended to read:

34 292.411. (1)(a) The annual salary of the Chief Justice of the Supreme Court shall be [*\$138,556 for*  
35 *the year beginning January 1, 2015, and for each year thereafter*] **\$150,572 for the period beginning**  
36 **on January 1, 2017, and ending on June 30, 2018.**

37 (b) On [*January 1, 2017*] **July 1, 2018**, the annual salary of the Chief Justice of the Supreme  
38 Court, as adjusted under ORS 292.428, shall be increased by \$5,000.

39 (2)(a) The annual salary of each other judge of the Supreme Court shall be [*\$135,688 for the year*  
40 *beginning January 1, 2015, and for each year thereafter*] **\$147,560 for the period beginning on**  
41 **January 1, 2017, and ending on June 30, 2018.**

42 (b) On [*January 1, 2017*] **July 1, 2018**, the annual salary of each other judge of the Supreme  
43 Court, as adjusted under ORS 292.428, shall be increased by \$5,000.

44 **SECTION 21.** ORS 292.416 is amended to read:

45 292.416. (1) The annual salary of each judge of a circuit court shall be [*\$124,468 for the year*

1 *beginning January 1, 2015, and for each year thereafter*] **\$135,776 for the period beginning on**  
2 **January 1, 2017, and ending on June 30, 2018.**

3 (2) On *[January 1, 2017]* **July 1, 2018**, the annual salary of each judge of a circuit court, as ad-  
4 justed under ORS 292.428, shall be increased by \$5,000.

5 **SECTION 22.** ORS 292.426 is amended to read:

6 292.426. (1) The annual salary of the judge of the Oregon Tax Court shall be *[\$128,164 for the*  
7 *year beginning January 1, 2015, and for each year thereafter]* **\$139,652 for the period beginning on**  
8 **January 1, 2017, and ending on June 30, 2018.**

9 (2) On *[January 1, 2017]* **July 1, 2018**, the annual salary of the judge of the Oregon Tax Court,  
10 as adjusted under ORS 292.428, shall be increased by \$5,000.

11  
12 **OREGON VOLUNTEERS COMMISSION FOR**  
13 **VOLUNTARY ACTION AND SERVICE**  
14

15 **SECTION 23.** ORS 458.555 is amended to read:

16 458.555. (1) There is established the Oregon Volunteers Commission for Voluntary Action and  
17 Service within the *[Office of the Governor]* **Higher Education Coordinating Commission.**

18 (2) The **Oregon Volunteers Commission for Voluntary Action and Service** shall consist of  
19 at least 15 members appointed by the Governor and may consist of not more than 25 members ap-  
20 pointed by the Governor.

21 (3) The term of office of each member is three years, but a member serves at the pleasure of the  
22 Governor. Before the expiration of the term of a member, the Governor shall appoint a successor  
23 whose term begins on the first day of the next following month. A member is eligible for reap-  
24 pointment. If there is a vacancy for any cause, the Governor shall make an appointment to become  
25 immediately effective for the unexpired term.

26 (4) The appointment of the members of the **Oregon Volunteers Commission for Voluntary**  
27 **Action and Service** is subject to confirmation by the Senate in the manner prescribed in ORS  
28 171.562 and 171.565.

29 (5) A member of the **Oregon Volunteers Commission for Voluntary Action and Service** is  
30 entitled to receive, from moneys available to the commission, actual and necessary travel and other  
31 expenses incurred in the performance of official duties as provided in ORS 292.495.

32 **SECTION 24.** ORS 458.568 is amended to read:

33 458.568. The Oregon Volunteers Commission for Voluntary Action and Service shall:

34 (1) Develop programs and provide oversight and administration of programs granted to this state  
35 by the Corporation for National and Community Service under the National and Community Service  
36 Trust Act of 1993, as amended, (P.L. 103-82).

37 (2) Prepare state applications to the Corporation for National and Community Service for fi-  
38 nancial assistance for state-based service programs.

39 *[(3) Develop a statewide plan that is designed to meet or exceed the Oregon benchmark on*  
40 *volunteerism.]*

41 *[(4)]* (3) Develop projects, training methods, curriculum materials and other materials and ac-  
42 tivities related to state service programs that receive assistance directly from the Corporation for  
43 National and Community Service.

44 *[(5)]* (4) To engage citizens in service and to strengthen communities, create statewide access  
45 for all Oregon citizens to a variety of volunteer opportunities by:

1 (a) Evaluating the status of volunteerism in the public, private and nonprofit sectors of this  
2 state;

3 (b) Examining methods to strengthen the capacity of volunteer organizations to support citizen  
4 involvement; and

5 (c) Educating all citizens about the importance of citizen involvement and voluntary action.

6 [(6)] (5) Encourage youth and young adults to engage in their communities through voluntary  
7 action by:

8 (a) Assisting efforts to inform young Oregonians about opportunities for involvement in the  
9 public, private and nonprofit sectors;

10 (b) Promoting the value of service learning as an educational strategy in the kindergarten  
11 through higher educational systems; and

12 (c) Collaborating with groups to advocate for youth voice in the public, private and nonprofit  
13 governing structures.

14 [(7)] (6) Promote recognition of volunteerism and service into the daily operation of public, pri-  
15 vate and nonprofit sectors throughout the state by:

16 (a) Promoting a statewide volunteer recognition plan open to all sectors; and

17 (b) Assisting efforts by Oregon communities to encourage citizen involvement in volunteerism.

18 [(8)] (7) Biennially submit a report to the Governor and the Legislative Assembly as provided  
19 under ORS 192.230 to 192.245:

20 (a) Detailing commission activities during the preceding two-year period;

21 (b) Reviewing and summarizing, to the extent the commission deems relevant, the content of  
22 reports accepted by the commission on behalf of the Governor;

23 (c) Assessing the state of [*volunteerism*] **national service** in Oregon; and

24 (d) Containing specific recommendations for any additional legislation the commission deems  
25 necessary to carry out the purpose of the Oregon Volunteer and Community Service Act or to im-  
26 prove the effectiveness or efficiency of the commission.

27 **SECTION 25.** ORS 458.573 is amended to read:

28 458.573. In accordance with applicable provisions in ORS chapter 183, **the Higher Education**  
29 **Coordinating Commission, in consultation with** the Oregon Volunteers Commission for Voluntary  
30 Action and Service, may adopt rules:

31 (1) Establishing standards and guidelines for applications for grants; and

32 (2) Establishing standards and requirements for administration of programs funded by grants.

33 **SECTION 26.** ORS 458.563 is repealed.

34 **SECTION 27.** The amendments to ORS 458.555, 458.568 and 458.573 by sections 23 to 25  
35 of this 2018 Act and the repeal of ORS 458.563 by section 26 of this 2018 Act become operative  
36 on July 1, 2018.

37  
38 **CAPTIONS**

39  
40 **SECTION 28.** The unit captions used in this 2018 Act are provided only for the conven-  
41 ience of the reader and do not become part of the statutory law of this state or express any  
42 legislative intent in the enactment of this 2018 Act.

43  
44 **EMERGENCY CLAUSE**

1        **SECTION 29. This 2018 Act being necessary for the immediate preservation of the public**  
2        **peace, health and safety, an emergency is declared to exist, and this 2018 Act takes effect**  
3        **on its passage.**

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