

**Legislative
Fiscal Office**

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**Joint Committee on
Ways and Means**

Sen. Betsy Johnson, Senate Co-Chair
Sen. Elizabeth Steiner Hayward, Senate Co-Chair
Rep. Dan Rayfield, House Co-Chair

Sen. Jackie Winters, Senate Co-Vice Chair
Rep. David Gomberg, House Co-Vice Chair
Rep. Greg Smith, House Co-Vice Chair

To: Natural Resources Subcommittee
From: Tim Walker, Legislative Fiscal Office
Date: April 29, 2019
Subject: SB 5521 – Oregon State Marine Board
Work Session Recommendations

Agency Name – Agency Totals

	2015-17 Actual	2017-19 Legislatively Approved	2019-21 Current Service Level	2019-21 LFO Recommended
Other Funds	25,175,987	27,142,592	27,428,626	28,328,771
Federal Funds	5,420,164	6,633,131	6,260,265	6,320,265
Total Funds	30,596,151	33,775,723	33,688,891	34,649,036
Positions	41	39	38	39
FTE	39.37	39.00	38.00	38.75

Attached are the recommendations from the Legislative Fiscal Office for Oregon State Marine Board the recommendations include:

- Approve Policy Option Package 101 - Fee changes to Maintain Current Operations and increase Other Funds Limitation by \$338,827 Other Funds.
- Approve Policy Option Package 102 - Increase Other Funds limitation in the Waterway Access Account by \$80,000 Other Funds.
- Approve Policy Option Package 201 - Increase Other Funds Limitation in the Law Enforcement Program by \$983,000 Other Funds.
- Approve Policy Option Package 301 - Increase Other Funds Limitation \$789,587 and increase Federal Funds Limitation by \$49,000 in the Facility Program.
- Approve Policy Option Package 302 - Increase Other Funds Limitation in the Facility Program Waterway Access Account by \$820,145 Other Funds.

- Approve Policy Option Package 402 - Increase in Other Funds revenue of \$8,516 Other Funds in the Waterway Access Account from the sale of Aquatic Invasive Species permits.
- Approve Policy Option Package 801 - Establish a one-time \$60,000 Federal Funds limitation in the Aquatic Invasive Species program for additional boat inspections in Brookings, Ashland, Ontario, and Umatilla.

Adjustments to Current Service Level

See attached “Work Session Presentation Report.”

Note: Statewide adjustments and six-year capital construction expenditures are not included in these recommendations. Any needed adjustments will be made in end of session bills.

Accept LFO Recommendation:

MOTION: I move the LFO recommendation to SB 5521. (VOTE)

OR

Change LFO Recommendation:

MOTION: I move the LFO recommendation to SB 5521, with modifications. (VOTE)

Performance Measures

See attached “Legislatively Proposed 2019-21 Key Performance Measures.”

Accept LFO Recommendation:

MOTION: I move the LFO recommendation on Key Performance Measures. (VOTE)

OR

Change LFO Recommendation:

MOTION: I move the LFO recommendation on Key Performance Measures, with modifications. (VOTE)

Recommended Changes

LFO recommends a budget of \$28,328,771 Other Fund, \$6,320,265 Federal Funds, and 39 positions (38.75 FTE), which is reflected in the -1 amendment.

MOTION: I move adoption of the -1 amendment to SB 5521. (VOTE)

Final Subcommittee Action

LFO recommends that BILL #, as amended by the -1 amendment, be moved to the Ways and Means Full Committee.

MOTION: I move SB 5521, as amended, to the Full Committee with a do pass recommendation. (VOTE)

Carriers

Full Committee: _____

House Floor: _____

Senate Floor: _____

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	-	-	26,923,945	6,631,041	-	-	33,554,986	39	39.00
2017-19 Ebds, SS & Admin Act	-	-	218,647	2,272	-	-	220,919	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2017-19 Leg Approved Budget	-	-	27,142,592	6,633,313	-	-	33,775,905	39	39.00
2017-19 Leg Approved Budget (Base)	-	-	27,142,592	6,633,313	-	-	33,775,905	39	39.00
Summary of Base Adjustments	-	-	289,009	7,580	-	-	296,589	-	-
2019-21 Base Budget	-	-	27,431,601	6,640,893	-	-	34,072,494	39	39.00
010: Non-PICS Pers Svc/Vacancy Factor	-	-	190,323	2,002	-	-	192,325	-	-
020: Phase In / Out Pgm & One-time Cost	-	-	(1,007,714)	(600,000)	-	-	(1,607,714)	(1)	(1.00)
030: Inflation & Price List Adjustments	-	-	814,416	217,370	-	-	1,031,786	-	-
2019-21 Current Service Level	-	-	27,428,626	6,260,265	-	-	33,688,891	38	38.00
070: Revenue Reductions/Shortfall	-	-	(2,111,414)	(49,000)	-	-	(2,160,414)	(3)	(3.00)
Adjusted 2019-21 Current Service Level	-	-	25,317,212	6,211,265	-	-	31,528,477	35	35.00
Total LFO Recommended Packages	-	-	3,011,559	109,000	-	-	3,120,559	4	3.75
2019-21 Legislative Actions	-	-	28,328,771	6,320,265	-	-	34,649,036	39	38.75
Net change from 2017-19 Leg Approved Budget	-	-	1,186,179	(313,048)	-	-	873,131	-	(0.25)
Percent change from 2017-19 Leg Approved Budget	0.0%	0.0%	4.4%	(4.7%)	0.0%	0.0%	2.6%	0.0%	(0.6%)
Net change from 2019-21 Adj Current Service Level	-	-	3,011,559	109,000	-	-	3,120,559	4	3.75
Percent change from 2019-21 Adj Current Service Level	0.0%	0.0%	11.9%	1.8%	0.0%	0.0%	9.9%	11.4%	10.7%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	-	-	7,047,870	224,602	-	-	7,272,472	25	25.10
2017-19 Ebds, SS & Admin Act	-	-	145,490	-	-	-	145,490	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2017-19 Leg Approved Budget	-	-	7,193,360	224,602	-	-	7,417,962	25	25.10
2017-19 Leg Approved Budget (Base)	-	-	7,193,360	224,602	-	-	7,417,962	25	25.10
Summary of Base Adjustments	-	-	239,311	-	-	-	239,311	-	-
2019-21 Base Budget	-	-	7,432,671	224,602	-	-	7,657,273	25	25.10
010: Non-PICS Pers Svc/Vacancy Factor	-	-	124,097	-	-	-	124,097	-	-
020: Phase In / Out Pgm & One-time Cost	-	-	(280,714)	-	-	-	(280,714)	(1)	(1.00)
030: Inflation & Price List Adjustments	-	-	206,437	9,158	-	-	215,595	-	-
060: Technical Adjustments	-	-	(284,859)	-	-	-	(284,859)	-	(0.50)
2019-21 Current Service Level	-	-	7,197,632	233,760	-	-	7,431,392	24	23.60
070: Revenue Reductions/Shortfall	-	-	(338,827)	-	-	-	(338,827)	(2)	(2.00)
Adjusted 2019-21 Current Service Level	-	-	6,858,805	233,760	-	-	7,092,565	22	21.60
Total LFO Recommended Packages	-	-	418,827	-	-	-	418,827	2	2.00
2019-21 Legislative Actions	-	-	7,277,632	233,760	-	-	7,511,392	24	23.60
Net change from 2017-19 Leg Approved Budget	-	-	84,272	9,158	-	-	93,430	(1)	(1.50)
Percent change from 2017-19 Leg Approved Budget	0.0%	0.0%	1.2%	4.1%	0.0%	0.0%	1.3%	(4.0%)	(6.0%)
Net change from 2019-21 Adj Current Service Level	-	-	418,827	-	-	-	418,827	2	2.00
Percent change from 2019-21 Adj Current Service Level	0.0%	0.0%	6.1%	0.0%	0.0%	0.0%	5.9%	9.1%	9.3%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 101 Fee Changes to Maintain Current Operations

Package Description This Policy Option Package increases revenue by raising existing fees and reinstates reductions made in POP 070. Revenues are projected to increase by \$3,147,956 in 2019-21 and the fee increase will fund the agency for two biennia.

Registered vessel fees will increase from \$4.50 per foot to \$5.95 per foot. Boat Certificate of Title fees will go from \$50 to \$75. Mandatory Boater Education Card fees will go from \$10 to \$20 and duplicate cards from \$8 to \$16. This program is self-supporting but these fees were last raised in 2003 and the program's cash balance is dwindling.

LFO Recommendation Approve the package contingent upon passage of HB 2080.

LFO Recommended	-	-	338,827	-	-	-	338,827	2	2.00
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 102 Waterway Access Account

Package Description This POP implements a new program and a fee that focuses on the needs of non-motorized boaters. Non-motorized boaters make use of Marine Board resources such as law enforcement and facilities but do not pay any fees to support operations. The Waterway Access Account (WAA) would mimic the current Aquatic Invasive Species (AIS) permit program by unifying the AIS tag with the new non-motorized access tag and the new fee into one tag for both purposes.

Revenues due to the new fee will go to the Facilities program for specialized non-motorized boating access projects. This will include smaller access projects such as bathrooms and parking near launches designated for non-motorized users that will open up access to new bodies of water.

Public bodies, Tribal Governments and non-profit entities will also be able to obtain grants for boater safety education courses and purchasing boat equipment to use for projects that reduce barriers for under-served communities. This will promote recreational use in Oregon’s waterways for all. Grants are estimated at \$80,000 of the total, and will be used to buy boats and provides scholarships and education for underprivileged groups. Administration of the grants will be absorbed by current staff.

The fee types parallel the existing Aquatic Invasive Species Program (Annual, Two-Year, Liveries, Out-of-State) with a new Weekly permit. A non-motorized boat of more than 10 feet would get a yearly permit for \$17, a two-year permit for \$30, and a one week permit for \$5. Permits are transferrable to other boats in case owners have more than one non-motorized vessel.

Revenues are expected to be around \$991,000 in 2019-21 with the new fee taking effect January 2020; the fee would provide \$1.37 million in new revenue in the full 2021-23 biennium.

LFO Recommendation Approve package contingent upon passage of SB 47.

LFO Recommended	-	-	80,000	-	-	-	80,000	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	-	-	10,488,329	4,087,837	-	-	14,576,166	5	4.55
2017-19 Ebds, SS & Admin Act	-	-	22,713	-	-	-	22,713	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2017-19 Leg Approved Budget	-	-	10,511,042	4,087,837	-	-	14,598,879	5	4.55
2017-19 Leg Approved Budget (Base)	-	-	10,511,042	4,087,837	-	-	14,598,879	5	4.55
Summary of Base Adjustments	-	-	(31,014)	-	-	-	(31,014)	-	-
2019-21 Base Budget	-	-	10,480,028	4,087,837	-	-	14,567,865	5	4.55
010: Non-PICS Pers Svc/Vacancy Factor	-	-	18,244	1,549	-	-	19,793	-	-
020: Phase In / Out Pgm & One-time Cost	-	-	(328,000)	(200,000)	-	-	(528,000)	-	-
030: Inflation & Price List Adjustments	-	-	353,022	146,189	-	-	499,211	-	-
060: Technical Adjustments	-	-	315,819	-	-	-	315,819	-	0.65
2019-21 Current Service Level	-	-	10,839,113	4,035,575	-	-	14,874,688	5	5.20
070: Revenue Reductions/Shortfall	-	-	(983,000)	-	-	-	(983,000)	-	-
Adjusted 2019-21 Current Service Level	-	-	9,856,113	4,035,575	-	-	13,891,688	5	5.20
Total LFO Recommended Packages	-	-	983,000	-	-	-	983,000	-	-
2019-21 Legislative Actions	-	-	10,839,113	4,035,575	-	-	14,874,688	5	5.20
Net change from 2017-19 Leg Approved Budget	-	-	328,071	(52,262)	-	-	275,809	-	0.65
Percent change from 2017-19 Leg Approved Budget	0.0%	0.0%	3.1%	(1.3%)	0.0%	0.0%	1.9%	0.0%	14.3%
Net change from 2019-21 Adj Current Service Level	-	-	983,000	-	-	-	983,000	-	-
Percent change from 2019-21 Adj Current Service Level	0.0%	0.0%	10.0%	0.0%	0.0%	0.0%	7.1%	0.0%	0.0%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 201 Fee Changes to Maintain Current Operations

Package Description This policy option package uses increased revenues from Policy Option Package 101 to reinstate \$983,000 in reductions made in POP 070. This restores funding to county sheriff departments and Oregon State Police, increases enforcement hours on the water and at access points and provides additional limitation for equipment purchases, maintenance and repairs.

LFO Recommendation Approve contingent upon passage of HB 2080.

LFO Recommended	-	-	983,000	-	-	-	983,000	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	-	-	7,794,974	2,318,602	-	-	10,113,576	8	8.00
2017-19 Ebds, SS & Admin Act	-	-	32,610	2,272	-	-	34,882	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2017-19 Leg Approved Budget	-	-	7,827,584	2,320,874	-	-	10,148,458	8	8.00
2017-19 Leg Approved Budget (Base)	-	-	7,827,584	2,320,874	-	-	10,148,458	8	8.00
Summary of Base Adjustments	-	-	69,754	7,580	-	-	77,334	-	-
2019-21 Base Budget	-	-	7,897,338	2,328,454	-	-	10,225,792	8	8.00
010: Non-PICS Pers Svc/Vacancy Factor	-	-	40,328	453	-	-	40,781	-	-
020: Phase In / Out Pgm & One-time Cost	-	-	(399,000)	(400,000)	-	-	(799,000)	-	-
030: Inflation & Price List Adjustments	-	-	204,647	62,023	-	-	266,670	-	-
2019-21 Current Service Level	-	-	7,743,313	1,990,930	-	-	9,734,243	8	8.00
070: Revenue Reductions/Shortfall	-	-	(789,587)	(49,000)	-	-	(838,587)	(1)	(1.00)
Adjusted 2019-21 Current Service Level	-	-	6,953,726	1,941,930	-	-	8,895,656	7	7.00
Total LFO Recommended Packages	-	-	1,609,732	49,000	-	-	1,658,732	2	1.75
2019-21 Legislative Actions	-	-	8,563,458	1,990,930	-	-	10,554,388	9	8.75
Net change from 2017-19 Leg Approved Budget	-	-	735,874	(329,944)	-	-	405,930	1	0.75
Percent change from 2017-19 Leg Approved Budget	0.0%	0.0%	9.4%	(14.2%)	0.0%	0.0%	4.0%	12.5%	9.4%
Net change from 2019-21 Adj Current Service Level	-	-	1,609,732	49,000	-	-	1,658,732	2	1.75
Percent change from 2019-21 Adj Current Service Level	0.0%	0.0%	23.2%	2.5%	0.0%	0.0%	18.7%	28.6%	25.0%

Facility Programs

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 301 Fee Changes to Maintain Current Operations

Package Description This policy option package uses increased revenues from Policy Option Package 101 to reinstate reductions made in POP 070.

Without these funds, OSMB would reduce available funding for engineering assistance, eliminate six grants and a major portion of the Maintenance Assistance Program, which supports over 80 municipal boat access facilities.

This package was modified to account for a package on package issue encountered in the Agency Request Budget phase.

LFO Recommendation Approve package contingent upon passage of HB 2080.

LFO Recommended	-	-	789,587	49,000	-	-	838,587	1	1.00
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Facility Programs

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 302 Waterway Access Account

Package Description \$820,145 of Other Funds from POP 102 will be transferred to the Facilities Program to provide for grants that specifically meet the needs of the nonmotorized boaters through improving water access sites and maintenance of boating facilities. Anticipated uses are for facility grants to state, federal, local government, parks organizations and tribal nations to acquire property or leases, easements, construction and maintenance of boating access sites. A permanent full-time Facilities Engineer 1 is needed because of the extra program workload on current staff. This position will phase-in six months into the biennium. This will expand the Boating Facility grants to address the access needs of non-motorized boaters at existing boating facilities, and potential development of new access.

LFO Recommendation Approved contingent upon passage of SB 47.

LFO Recommended	-	-	820,145	-	-	-	820,145	1	0.75
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	-	-	1,592,772	-	-	-	1,592,772	1	1.35
2017-19 Ebds, SS & Admin Act	-	-	17,834	-	-	-	17,834	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2017-19 Leg Approved Budget	-	-	1,610,606	-	-	-	1,610,606	1	1.35
2017-19 Leg Approved Budget (Base)	-	-	1,610,606	-	-	-	1,610,606	1	1.35
Summary of Base Adjustments	-	-	10,958	-	-	-	10,958	-	-
2019-21 Base Budget	-	-	1,621,564	-	-	-	1,621,564	1	1.35
010: Non-PICS Pers Svc/Vacancy Factor	-	-	7,654	-	-	-	7,654	-	-
030: Inflation & Price List Adjustments	-	-	50,310	-	-	-	50,310	-	-
060: Technical Adjustments	-	-	(30,960)	-	-	-	(30,960)	-	(0.15)
2019-21 Current Service Level	-	-	1,648,568	-	-	-	1,648,568	1	1.20
Adjusted 2019-21 Current Service Level	-	-	1,648,568	-	-	-	1,648,568	1	1.20
Total LFO Recommended Packages	-	-	-	60,000	-	-	60,000	-	-
2019-21 Legislative Actions	-	-	1,648,568	60,000	-	-	1,708,568	1	1.20
Net change from 2017-19 Leg Approved Budget	-	-	37,962	60,000	-	-	97,962	-	(0.15)
Percent change from 2017-19 Leg Approved Budget	0.0%	0.0%	2.4%	100.0%	0.0%	0.0%	6.1%	0.0%	(11.1%)
Net change from 2019-21 Adj Current Service Level	-	-	-	60,000	-	-	60,000	-	-
Percent change from 2019-21 Adj Current Service Level	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%	3.6%	0.0%	0.0%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 402 Waterway Access Account

Package Description With the passage of POP 102, non-motorized boaters with vessels over 10 feet will continue to pay \$5 annually towards the AIS program if they purchase a year or two year permit.

Boaters will now also have the option to purchase a one-week permit, and \$1 of every \$5 will be transferred to the AIS program. This is projected to increase revenues by \$8,516.

LFO Recommendation Approved contingent upon passage of SB 47.

LFO Recommended - - - - -

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 801 LFO Analyst Adjustments

Package Description One-time federal fund limitation as a fee for specific services related to the Aquatic Invasive Species Program for additional resources for the boat inspection programs in Brookings, Ashland, Ontario, and Umatilla.

LFO Recommendation Approve the package as a one-time federal fund limitation.

LFO Recommended	-	-	-	60,000	-	-	60,000	-	-
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Legislatively Proposed 2019 - 2021 Key Performance Measures

Published: 4/22/2019 12:55:18 PM

Agency: Marine Board

Mission Statement:

Serving Oregon's recreational boating public through education, enforcement, access, and environmental stewardship for a safe and enjoyable experience.

Legislatively Proposed KPMs	Metrics	Agency Request	Last Reported Result	Target 2020	Target 2021
1. Number of boat patrol hours conducted on the water.		Approved	26,276	34,650	TBD
2. Number of boat operators arrested for boating under the Influence of Intoxicants (BUII).		Approved	56	100	TBD
3. Boating fatalities per 100,000 registered boats.		Approved	10.70	6.50	TBD
4. Percent of inspected boaters who are in compliance with the requirement to carry a Mandatory Boater Education Card		Approved	94%	95%	TBD
5. Number of gallons of boater generated-sewage not deposited in Oregon waters as a result of Marine Board facilities.		Approved	515,306	750,000	TBD
6. Ratio of matching funds from other sources to Marine Board funds.		Approved	1.60	2.10	TBD
7. Average number of days it takes to process and award grant funds.		Approved	5.60	20	TBD
8. Average number of days it takes to process requests for grant reimbursements.		Approved	5.30	8	TBD
9. 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.	Accuracy	Approved	94%	95%	TBD
	Helpfulness		91%	95%	TBD
	Availability of Information		93%	95%	TBD
	Expertise		100%	95%	TBD
	Timeliness		94%	95%	TBD
	Overall		93%	95%	TBD
10. Percent of total best practices met by the Board.		Approved	90%	100%	TBD
11. Number of boat Inspections for aquatic invasive species with actual inspections.		Approved	28,115	15,500	TBD

LFO Recommendation:

LFO recommends approval of the Key Performance Measures and targets as proposed.

SubCommittee Action:

The Subcommittee approved the LFO recommendation.