

Legislative Fiscal Office

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Joint Committee on Ways and Means

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Rep. Greg Smith, House Co-Vice Chair

To: General Government Subcommittee

From: Kim To, Legislative Fiscal Office

Date: February 27, 2020

Subject: SB 5701 – Relating to state financial administration

SB 5701 is the fee ratification bill for the Board of Licensed Professional Counselors and Therapists (BLPCT), the Oregon Board of Psychology (OBOP), the Occupational Therapy Licensing Board (OTLB), the Oregon Mortuary and Cemetery Board (OMCB), the Oregon State Board of Nursing (OSBN), and the Oregon Department of Transportation (ODOT). The measure provides the enabling legislation necessary to approve fees adopted by these agencies through Administrative Rule and approved by the Department of Administrative Services during the 2019 interim. ORS 291.055(1)(e) mandates that all new state agency fees or fees increases adopted between regular sessions of the Legislative Assembly are rescinded upon adjournment of the next regular session unless authorized by enabling legislation setting forth the approved fees.

All five boards created a new Military spouse/Domestic Partner Temporary Practice Authorization Fee to be paid by applicants for a new Temporary Practice Authorization that will be available to spouses of members of the Armed Forces of United States who are stationed in Oregon. The Authorization will allow qualifying individuals to practice in the State of Oregon for up to two years. This new fee will allow the board to implement HB 3030 (2019) and SB 688 (2019), which requires professional licensing boards to issue temporary practice authorizations to spouses of members of the Armed Forces of United States who are stationed in Oregon. The new fee is anticipated to generate nominal Other Funds revenue. Although the volume of applications is difficult to predict, very few are anticipated.

In addition, the Board of Nursing increased the Certified Nursing Assistant (CNA) by Student Nurse fee from \$60 to \$106. This fee is paid by nursing students who wish to be certified to work as a CNA during their nursing education. With this \$46 increase, the fee paid by student nurses will be the same as the fee for all individuals seeking a Certified Nursing Assistant license. The fiscal impact of this fee increase is anticipated to be minimal. The Board projects receiving an average of 100 CNA by Student Nurse applications per biennium resulting in an estimated revenue increase of \$4,600 per biennium. This fee offsets the cost of the examination and certification process

Finally, ODOT established two new fees: (1) the Short Line Railroad Rehabilitation Preliminary Certification fee of \$250 to be paid by the railroad applying to ODOT for the tax credit in advance of doing any rehabilitation work, in order to confirm the work qualifies; and (2) Short Line Railroad Rehabilitation Final Certification fee of up to 0.5% of the estimated tax credit, charged to the railroad after the rehabilitation work and the certification by ODOT had been completed. HB 2164 (2019) authorized ODOT to set fees in order to recover the costs incurred while certifying the rehabilitation work in the event the railroad decides not to go through with the rehabilitation work after applying for precertification. The fiscal impact of these fees is anticipated to be minimal. ODOT estimates that there are approximately 20 short line railroads in Oregon that could apply for the credit. If all qualified railroads applied for and received certification each biennium, there would be a maximum revenue of \$5,000 in pre-certification fees and \$20,000 in final certification fees, for a total potential revenue of \$25,000 each biennium to offset costs incurred by ODOT in administering the process.

The -2 amendment corrects line duplication and other drafting errors.

Recommended Changes

LFO recommends adoption of the -2 amendment.

MOTION: I move adoption of the -2 amendment. (VOTE)

Final Subcommittee Action

LFO recommends that SB 5701, as amended by the -2 amendment, be moved to the Ways and Means Full Committee.

MOTION: I move SB 5701, as amended, to the Full Committee with a do pass recommendation. (VOTE)

Carriers

Full Committee: _____

House Floor: _____

Senate Floor: _____