House Bill 5202

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 as introduced.

Appropriates moneys from General Fund to specified state agencies for biennial expenses.
Modifies certain biennial appropriations made from General Fund to specified state agencies and Emergency Board.
Modifies limitations on expenditures for certain biennial expenses for specified state agencies.
Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to state financial administration; and declaring an emergency.

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

SECTION 1. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (5), chapter 427, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Justice, for crime victim and survivor services, is increased by $2,000,000 for distribution to nonprofit entities to assist survivors of domestic and sexual violence and human trafficking in maintaining or acquiring housing.

SECTION 2. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3, chapter 557, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds other than those described in section 2, chapter 557, Oregon Laws 2021, collected or received by the Judicial Department, is increased by $275,752 for an Elder Justice Innovation grant.

SECTION 3. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4, chapter 556, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds other than those described in sections 2 and 6, chapter 556, Oregon Laws 2021, collected or received by the Housing and Community Services Department, is increased by $1,681,331 for housing counseling services.

SECTION 4. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (2), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses, other than expenses described in sections 6 and 14, chapter 603, Oregon Laws 2021, from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds, corporate activity tax funds and federal funds, collected or received by the Department of Education, for operations, is increased by $1,668,814 to support the implementation of a comprehensive educator professional learning system.

SECTION 5. Notwithstanding any other law limiting expenditures, the limitation on

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.

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expenditures established by section 6 (3), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of grants-in-aid, program costs and purchased services from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds, corporate activity tax funds and federal funds, collected or received by the Department of Education for programs other than those specified in sections 5 and 14, chapter 603, Oregon Laws 2021, for the Educator Advancement Council, is increased by $3,488,205 for increases to Regional Educator Network Capacity grants.

SECTION 6. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 1 (1), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, for operations, is increased by $1,416,158, for procurement staff.

SECTION 7. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for health systems, health policy and analytics, and public health, is increased by $3,000,000 to temporarily increase behavioral health residential treatment provider rates.

SECTION 8. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for health systems, health policy and analytics, and public health, is increased by $9,000,000 to temporarily increase behavioral health residential treatment provider rates.

SECTION 9. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for health systems, health policy and analytics, and public health, is increased by $2,400,746 to expand the duration of Medicaid postpartum coverage to 12 months.

SECTION 10. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for health systems, health policy and analytics, and public health, is increased by $6,390,858 to expand the duration of Medicaid postpartum coverage to 12 months.

SECTION 11. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and Medicare receipts and including federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care and Development Fund, but excluding lottery funds and federal funds not described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for vocational rehabilitation services, is increased by $3,600,000 to increase provider rates for employment services.

SECTION 12. Notwithstanding any other provision of law, the General Fund appropriation
made to the Department of Human Services by section 1 (6), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for aging and people with disabilities programs, is increased by $9,093,426 for compensation changes driven by collective bargaining for workers who are not state employees.

SECTION 13. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (6), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for aging and people with disabilities programs, is increased by $16,809,247 for compensation changes driven by collective bargaining for workers who are not state employees.

SECTION 14. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (7), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for intellectual/developmental disabilities programs, is increased by $10,906,574 for compensation changes driven by collective bargaining for workers who are not state employees.

SECTION 15. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (7), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for intellectual/developmental disabilities programs, is increased by $21,342,327 for compensation changes driven by collective bargaining for workers who are not state employees.

SECTION 16. Notwithstanding any other provision of law, the General Fund appropriation made to the Emergency Board by section 1b (1), chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, for allocation to state agencies for compensation changes driven by collective bargaining for workers who are not state employees, is decreased by $20,000,000.

SECTION 17. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (6), chapter 427, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Justice, for the General Counsel Division, is increased by $2,310,592 for legal services to state agencies.

SECTION 18. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 427, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Justice, for the Criminal Justice Division, is decreased by $940,753 due to the withdrawal from the federal High Intensity Drug Trafficking Area program.

SECTION 19. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Justice by section 1 (3), chapter 427, Oregon Laws 2021, for the biennium ending June 30, 2023, for the Criminal Justice Division, is increased by $1,157,838 to increase statewide criminal analytical support.
SECTION 20. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (1), chapter 470, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds collected or received by the Department of State Police, for patrol services, criminal investigations, gaming enforcement and the office of the State Fire Marshal, is increased by $3,039,868 for expenditure of funds received through the equitable sharing program.

SECTION 21. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of State Police by section 1 (1), chapter 470, Oregon Laws 2021, for the biennium ending June 30, 2023, for patrol services, criminal investigations, gaming enforcement and the office of the State Fire Marshal, is increased by $11,323,221 for costs incurred during the 2021 fire season.

SECTION 22. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Youth Authority by section 1 (1), chapter 430, Oregon Laws 2021, for the biennium ending June 30, 2023, for facility programs, is decreased by $188,357, for the transfer of positions between programs to establish new Diversity, Equity and Inclusion positions.

SECTION 23. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Youth Authority by section 1 (2), chapter 430, Oregon Laws 2021, for the biennium ending June 30, 2023, for community programs, is decreased by $191,677, for the transfer of positions between programs to establish new Diversity, Equity and Inclusion positions.

SECTION 24. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Youth Authority by section 1 (3), chapter 430, Oregon Laws 2021, for the biennium ending June 30, 2023, for program support, is increased by $380,034, for the transfer of positions between programs to establish new Diversity, Equity and Inclusion positions.

SECTION 25. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (1), chapter 430, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds collected or received by the Oregon Youth Authority, for community programs, is decreased by $13,293, for the transfer of positions between programs to establish new Diversity, Equity and Inclusion positions.

SECTION 26. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (2), chapter 430, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds collected or received by the Oregon Youth Authority, for program support, is increased by $13,293, for the transfer of positions between programs to establish new Diversity, Equity and Inclusion positions.

SECTION 27. Notwithstanding any other provision of law, the General Fund appropriation made to the Judicial Department by section 1 (2), chapter 557, Oregon Laws 2021, for the biennium ending June 30, 2023, for operations, is increased by $2,432,008 for the reorganization of the office of the State Court Administrator.

SECTION 28. In addition to and not in lieu of any other appropriation, there is appropriated to the Public Defense Services Commission, for the biennium ending June 30, 2023, out of the General Fund, the amount of $380,436 to implement the provisions of chapter 400, Oregon Laws 2021.

SECTION 29. Notwithstanding any other provision of law, the General Fund appropriation
made to the Public Defense Services Commission by section 1 (3), chapter 444, Oregon Laws 2021, for the biennium ending June 30, 2023, for the Appellate Division, is increased by $259,969 for the Juvenile Appellate Section.

SECTION 30. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 560, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Oregon Business Development Department, for infrastructure, is increased by $1,500,000, for the expenditure of moneys transferred by the Public Utilities Commission to the Broadband Fund established by section 4, chapter 17, Oregon Laws 2020 (first special session), for the planning and development of broadband infrastructure.

SECTION 31. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5, chapter 426, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, other than those described in section 3, chapter 426, Oregon Laws 2021, collected or received by the Employment Department, is increased by $5,172,629 for services to adult and dislocated workers.

SECTION 32. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4, chapter 556, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds other than those described in sections 2 and 6, chapter 556, Oregon Laws 2021, collected or received by the Housing and Community Services Department, is increased by $39,769,368 for the Homeowner Assistance program.

SECTION 33. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (1), chapter 640, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Oregon Liquor and Cannabis Commission, for administrative expenses, is increased by $504,000.

SECTION 34. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4, chapter 504, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Board of Medical Imaging, is increased by $202,000, to address increasing investigatory workload, increased board stipends and other miscellaneous costs.

SECTION 35. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1, chapter 311, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Real Estate Agency, is increased by $151,083, for the eLicense information technology replacement project.

SECTION 36. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1, chapter 348, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other
revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the State Board of Tax Practitioners, is increased by $72,100, for operating expenses.

SECTION 37. Notwithstanding any other provision of law, the General Fund appropriation made to the State Forestry Department by section 1 (2), chapter 605, Oregon Laws 2021, for the biennium ending June 30, 2023, for fire protection, is increased by $46,298,469 for costs associated with the 2021 fire season.

SECTION 38. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 605, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds from the United States Forest Service for fire protection and for research projects, but excluding lottery funds and federal funds not described in section 2, chapter 605, Oregon Laws 2021, collected or received by the State Forestry Department, for fire protection, is increased by $78,218,491 for the processing of payments of costs from the 2021 fire season.

SECTION 39. Notwithstanding any other provision of law, the General Fund appropriation made to the Emergency Board by section 5 (1), chapter 605, Oregon Laws 2021, for the biennium ending June 30, 2023, for allocation to the State Forestry Department for fire protection expenses, is decreased by $6,146,267.

SECTION 40. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (1), chapter 602, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding federal funds, collected or received by the Oregon Department of Aviation, for operations, is increased by $766,259.

SECTION 41. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (3), chapter 602, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding federal funds, collected or received by the Oregon Department of Aviation, for pavement maintenance, is increased by $379,730.

SECTION 42. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Transportation by section 1 (2), chapter 442, Oregon Laws 2021, for the biennium ending June 30, 2023, for expenses related to debris removal associated with the 2020 wildfire season, is increased by $25,000,000.

SECTION 43. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 442, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received as reimbursement from the United States Department of Transportation, but excluding lottery funds and federal funds not described in section 2, chapter 442, Oregon Laws 2021, collected or received by the Department of Transportation, for the bridge program, is increased by $3,636,767 for the Interstate Bridge Replacement program.

SECTION 44. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (9), chapter 442, Oregon Laws 2021, for the biennium
ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received as reimbursement from the United States Department of Transportation, but excluding lottery funds and federal funds not described in section 2, chapter 442, Oregon Laws 2021, collected or received by the Department of Transportation, for driver and motor vehicle services, is increased by $5,248,462.

SECTION 45. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 425, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received from charges, but excluding lottery funds and federal funds not described in section 2, chapter 425, Oregon Laws 2021, collected or received by the Oregon Department of Administrative Services, for the Chief Human Resources Office, is increased by $1,669,855 to address the increased costs of statewide training expenses and to support newly independent state agencies.

SECTION 46. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (7), chapter 425, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received from charges, but excluding lottery funds and federal funds not described in section 2, chapter 425, Oregon Laws 2021, collected or received by the Oregon Department of Administrative Services, for the Enterprise Goods and Services Division, is increased by $2,127,233 to address staffing needs associated with the out-of-state workforce, the modernization of the electronic procurement system and the establishment of newly independent state agencies.

SECTION 47. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3, chapter 505, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds collected or received by the Secretary of State, is increased by $4,885,752 for the Oregon Centralized Voter Registration system replacement project.

SECTION 48. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 505, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Secretary of State, for the Administrative Services Division, is increased by $964,248, for server room upgrades and position actions.

SECTION 49. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (5), chapter 505, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Secretary of State, for the Corporation Division, is increased by $500,000, to accommodate increased bank card transaction and service fees.

SECTION 50. This 2022 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2022 Act takes effect on its passage.