

House Bill 2105

Sponsored by Representative GORSEK (at the request of Oregon AFSCME) (Presession filed.)

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**.

Establishes Department of Corrections Budget Oversight Commission to advise Governor and Director of Department of Corrections, and make recommendations for legislation, regarding management and implementation of biennial budget of department, including employee overtime expenses and health care expenses.

Directs commission to report to Legislative Assembly.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the Department of Corrections Budget Oversight Commission; and declaring an emer-
3 gency.

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

5 **SECTION 1. (1) The Department of Corrections Budget Oversight Commission is estab-**
6 **lished, consisting of 11 members appointed by the Governor.**

7 **(2) The term of office of each member of the commission is four years, but a member**
8 **serves at the pleasure of the Governor. Before the expiration of the term of a member, the**
9 **Governor shall appoint a successor whose term begins on July 1 next following. A member**
10 **is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make**
11 **an appointment to become immediately effective for the unexpired term.**

12 **(3) The appointment of each member of the commission is subject to confirmation by the**
13 **Senate in the manner prescribed in ORS 171.562 and 171.565.**

14 **(4) A member of the commission is entitled to compensation and expenses as provided in**
15 **ORS 292.495.**

16 **SECTION 2. Notwithstanding the term of office specified by section 1 of this 2017 Act,**
17 **of the members first appointed to the Department of Corrections Budget Oversight Com-**
18 **mission:**

19 **(1) Three shall serve for a term ending June 30, 2019.**

20 **(2) Three shall serve for a term ending June 30, 2020.**

21 **(3) Three shall serve for a term ending June 30, 2021.**

22 **(4) Two shall serve for a term ending June 30, 2022.**

23 **SECTION 3. (1) The members of the Department of Corrections Budget Oversight Com-**
24 **mission must be residents of this state with experience and expertise in the state and local**
25 **correction system and the criminal justice system in this state, including but not limited to:**

26 **(a) Two representatives of labor organizations whose members are employed in the state**
27 **corrections system;**

28 **(b) Representatives of organizations that advocate regarding issues pertaining to the**
29 **state and local corrections system;**

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 (c) Representatives of public, private, profit and nonprofit agencies, organizations and
 2 other entities with experience in, interest in and responsibility for the provision of services
 3 to persons in the custody of the Department of Corrections;

4 (d) Members of the Oregon State Bar with expertise in the state and local correction
 5 system and the criminal justice system in this state; and

6 (e) Representatives of law enforcement agencies and district attorneys.

7 (2) The members of the commission shall select one of the commission's members to
 8 serve as chairperson and another to serve as vice chairperson, for terms and with duties and
 9 powers necessary for the performance of the functions of the offices as the commission de-
 10 termines.

11 (3) A majority of the members of the commission constitutes a quorum for the trans-
 12 action of business.

13 (4) The commission shall meet at least once every three months at a time and place de-
 14 termined by the chairperson of the commission. The commission also may meet at other
 15 times and places specified by the call of the chairperson or of a majority of the members of
 16 the commission.

17 (5) All agencies of state government, as defined in ORS 174.111, are directed to assist the
 18 commission in the performance of the commission's duties, powers and obligations and, to
 19 the extent permitted by laws relating to confidentiality, to furnish information that the
 20 members of the commission consider necessary in order to further the work of the com-
 21 mission. The assistance under this subsection may constitute the provision of staffing re-
 22 sources to the commission.

23 **SECTION 4.** (1) The Department of Corrections Budget Oversight Commission shall ad-
 24 vise the Governor and the Director of the Department of Corrections, and make recom-
 25 mendations for legislation, regarding the management and implementation of the biennial
 26 budget of the department, including employee overtime expenses and health care expenses.

27 (2) The commission may establish any advisory or technical committees the commission
 28 considers necessary to aid and advise the commission in the performance of its functions.
 29 The committees may be continuing or temporary committees. The commission shall deter-
 30 mine the representation, membership, terms and organization of the committees and shall
 31 appoint the members of the committees. Members of the committees are not entitled to
 32 compensation but, at the discretion of the commission, may be reimbursed from funds
 33 available to the commission for actual and necessary travel and other expenses incurred by
 34 the members in the performance of official duties in the manner and amount provided in
 35 ORS 292.495.

36 (3) The commission may adopt rules to carry out the provisions of this section.

37 (4) Not later than January 1 of each year, the commission shall submit a report to the
 38 Governor and the Legislative Assembly in the manner provided by ORS 192.245. The report
 39 shall describe the findings and recommendations of the commission regarding the imple-
 40 mentation of the biennial budget of the department and any recommendations for legislation
 41 the commission determines are appropriate.

42 **SECTION 5.** This 2017 Act being necessary for the immediate preservation of the public
 43 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect
 44 on its passage.