

FISCAL IMPACT OF PROPOSED LEGISLATION**Measure: HB 3377 - A10**80th Oregon Legislative Assembly – 2019 Regular Session
Legislative Fiscal Office*Only Impacts on Original or Engrossed
Versions are Considered Official*Prepared by: Kim To
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Date: May 29, 2019**Measure Description:**

Establishes Joint Committee on Conduct and Legislative Equity Office. Directs Legislative Equity Office to establish the Capitol Leadership Team.

Government Unit(s) Affected:

Legislative Assembly, Oregon Government Ethics Commission (OGEC)

Summary of Fiscal Impact:

Costs related to the measure will require budgetary action - See analysis.

Summary of Expenditure Impact:

	2019-21 Biennium	2021-23 Biennium
Legislative Branch - General Fund		
Personal Services	356,818	462,596
Services and Supplies	36,900	38,200
Facilities Rental	92,000	95,200
Professional Services	907,600	835,900
TOTAL GENERAL FUND	\$1,393,318	\$1,431,896
Positions	2	2
FTE	1.67	2.00

Analysis:

HB 3377 with the -A10 amendment appropriates \$1,393,318 General Fund to the Legislative Assembly to establish the Joint Committee on Conduct (JCC), the Legislative Equity Office (LEO), and directs LEO to establish the Capitol Leadership Team (CLT). The bill prescribes the charges, duties, and fiduciary responsibilities for the Joint Committee on Conduct, the Legislative Equity Office, and the Capitol Leadership Team.

Legislative Equity Office (LEO)

The total fiscal impact of this bill on the Legislative Branch is estimated at \$1,393,318 General Fund and two positions (1.67 FTE) for the 2019-21 biennium; and \$1,431,896 General Fund and two positions (2.00 FTE) for the 2021-23 biennium. The bill authorizes the Joint Committee on Conduct to make recommendations for the appointment of the Legislative Equity Officer and authorizes the Legislative Equity Officer to hire staff for the office. Personal Services and related Services and Supplies reflect staffing costs for one Legislative Executive Officer position and one Executive Support Specialist 1 position. The bill requires the Joint Committee on Conduct to provide office facilities for the Legislative Equity Office to enable its operation as an independent function separate from other parts of the legislative branch. Included in the fiscal analysis are projected costs to locate the office near but outside the Capitol.

In addition to staffing and office space expenses, the bill requires the Legislative Equity Officer to establish a process to receive and address complaints and reports alleging harassment or other misconduct, as well as an offsite process for providing confidential process counseling to individuals who have experienced or observed harassment. Also, the Legislative Equity Office is required to conduct a minimum of two hours of respectful

workplace training on workplace harassment avoidance policies and free speech and free expression rights at least once each calendar quarter. Training must be attended annually by legislators; legislative staff, interns, and volunteers; and employees of contractors who are regularly present in the Capitol. Lobbyists, as well as executive and judicial branch employees may be included. The Legislative Equity Officer must record attendance at these trainings. Training must be made available online. In developing these trainings, the Legislative Equity Officer is required to consult with the Legislative Administrator and the JCC on culture and climate surveys, training, and building policies and practices. The bill allows the Legislative Equity Officer to enter into contracts to carry out the functions of the office, including contracting with: [1] one or more individuals unaffiliated with the legislative branch to serve as an independent investigator; [2] individual(s) to provide training; [3] individual(s) to conduct culture and climate surveys; and [4] one or more offsite process counselors. The bill requires JCC to establish minimum qualifications for offsite process counselors. Professional Services amounts reflect the projected costs for these contracts.

Legislative Administration

The Legislative Administrator is required to provide members of the Capitol Leadership Team with advanced respectful workplace training with an emphasis on implementing cultural change in the workplace. Based on recent U.S. Equal Employment Opportunity Commission (EEOC) training, Legislative Administration estimates the cost of Capitol Leadership Team training to be \$100,000 General Fund. This amount is included in the Professional Services line item in the table above.

Oregon Government Ethics Commission (OGEC)

The bill requires all lobbyists registered with OGEC to attend at least two hours of respectful workplace training annually and submit proof of training to the Oregon Government Ethics Commission. OGEC must track this information and submit a report to the Legislative Equity Officer listing each lobbyist, and the date and duration of training attended for the prior calendar year. OGEC anticipates that it will need to modify its electronic filing system to track lobbyist training data. System enhancements are estimated to increase the annual vendor fee by \$7,000. OGEC is projected to have sufficient Other Funds working capital balance to cover this cost during the 2019-21 biennium.