

LC 3826
2021 Regular Session
PRIORITY
5/24/21 (HRL/ps)

D R A F T

SUMMARY

Directs Oregon Department of Administrative Services to prepare tentative budget for funding of State School Fund. Requires department to form committee for purpose of preparing tentative budget. Prescribes factors to be considered by committee.

A BILL FOR AN ACT

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Relating to the method for funding public education.

Whereas funding for kindergarten through grade 12 public education now comprises nearly half of the state's General Fund budget; and

Whereas the primary source of funding for kindergarten through grade 12 public education comes from appropriations made by the Legislative Assembly from the General Fund to the State School Fund; and

Whereas the Legislative Assembly must develop biennial state budgets based on available resources; and

Whereas the state budgeting process depends on an accurate analysis of current resources and uncontrollable cost drivers; and

Whereas the public relies on fiscal analyses to describe public education fiscal facts with the greatest accuracy possible; and

Whereas the calculation process for determining the current service level for public education that is prescribed by the Governor's Executive Order 14-14 has introduced instability to public education funding and relies, in part, on policies and organizational entities that are no longer in force or no longer exist; and

Whereas confusion about the meaning of the current service level and

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 confusion about the level itself have impacted the stability of school budgets;
2 and

3 Whereas the state's calculation of a budget for kindergarten through
4 grade 12 public education based on current service levels has not and cannot
5 be developed at the level of detail as for other state programs; and

6 Whereas the Quality Education Commission calculates the gap between
7 baseline funding for public education and its recommended full-funding level
8 for public education based on the current service level calculation; and

9 Whereas policymakers rely on the accuracy of the current service level
10 calculation to gauge whether proposed appropriation levels will result in
11 stable school budgets; and

12 Whereas the State of Oregon has an interest in directing the process for
13 determining the current service level for kindergarten through grade 12
14 public schools based on accurate information and collaboration among all
15 key entities involved in the school finance process; now, therefore,

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

17 **SECTION 1. Section 2 of this 2019 Act is added to and made a part**
18 **of ORS 327.006 to 327.133.**

19 **SECTION 2. (1) Each even-numbered year, the Oregon Department**
20 **of Administrative Services shall prepare a tentative budget for funding**
21 **the State School Fund for the next biennium.**

22 **(2)(a) For the purpose of preparing the tentative budget, the de-**
23 **partment shall form a committee. The committee must include:**

24 **(A) Representatives from the Department of Education, the Legis-**
25 **lative Fiscal Office, the Legislative Revenue Officer and the**
26 **Governor's office;**

27 **(B) Representatives of school districts, including school business**
28 **officials;**

29 **(C) Representatives of professional organizations that represent**
30 **school district administrators, school district boards and education**
31 **labor unions; and**

1 **(D) The cochairs of the Joint Committee on Ways and Means.**

2 **(b) The representatives from the Legislative Fiscal Office and the**
3 **Legislative Revenue Officer and the cochairs of the Joint Committee**
4 **on Ways and Means shall serve as nonvoting members on the com-**
5 **mittee formed under this subsection.**

6 **(3) In preparing the tentative budget, the Oregon Department of**
7 **Administrative Services shall review with the committee formed under**
8 **subsection (2) of this section the components of the methodology that**
9 **will be used to prepare the tentative budget and the calculations for**
10 **the tentative budget. The department shall collaborate with the com-**
11 **mittee to refine the methodology by considering alternative ap-**
12 **proaches to the calculations and other factors the committee believes**
13 **may be pertinent to the preparation of the tentative budget. The de-**
14 **partment shall collaborate with the committee prior to finalizing the**
15 **tentative budget required under this section. The tentative budget**
16 **shall include:**

17 **(a) Projected changes in the cost of personal services, other ser-**
18 **vices, supplies and capital expenditures, based on anticipated expenses;**

19 **(b) Forecasted local revenues, as described in ORS 327.011 and as**
20 **calculated by the Oregon Department of Administrative Services, the**
21 **Legislative Fiscal Officer, the Legislative Revenue Officer and the**
22 **Department of Revenue; and**

23 **(c) Projected cost factors that may arise from new laws and ad-**
24 **ministrative rules.**

25 **(4) The Oregon Department of Administrative Services shall present**
26 **the tentative budget prepared under this section to the Governor and**
27 **to the Legislative Assembly in conjunction with submittal of the**
28 **agency request budget of the Department of Education.**