

Requested by Representative ZIKA

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2167**

1 In line 2 of the printed bill, before the period insert “; creating new pro-  
2 visions; and amending ORS 291.206 and 291.216”.

3 Delete lines 4 through 16 and insert:

4 **“SECTION 1. (1) The Racial Justice Council is created within the**  
5 **Office of the Governor.**

6 **“(2) The membership of the council consists of the Governor, as**  
7 **chairperson, and no more than 40 additional members appointed by**  
8 **and serving at the pleasure of the Governor, subject to the following**  
9 **requirements:**

10 **“(a) Each member must have a demonstrated commitment to racial**  
11 **equity, social and economic justice and diversity and inclusion;**

12 **“(b) Each member must have connections to, or experience working**  
13 **with, historically underserved communities, particularly tribal com-**  
14 **munities, immigrants, refugees and communities of Black or**  
15 **Indigenous people or other people of color;**

16 **“(c) Each member must have personal or professional experience**  
17 **and knowledge in public policy, criminal justice reform, police ac-**  
18 **countability, economic opportunity, housing, homelessness, health**  
19 **equity, behavioral health, education or research; and**

20 **“(d) Appointments to the council must be made to ensure repre-**  
21 **sentation of the racial, gender and geographical diversity of Oregon.**

1       **“(3) The Governor may assign one or more members to serve as a**  
2 **liaison between the council and the advocacy commissions.**

3       **“(4)(a) The Governor shall establish committees to address policies**  
4 **of interest to the council. A committee may address multiple policy**  
5 **areas.**

6       **“(b) The Governor shall appoint each council member to at least**  
7 **one committee. The Governor may appoint additional individuals who**  
8 **are not members of the council to serve as voting or nonvoting mem-**  
9 **bers of a committee, provided that:**

10       **“(A) Public officials who serve in the legislative or judicial branch**  
11 **may serve only as nonvoting members of a committee; and**

12       **“(B) Members of the Legislative Assembly may serve on a commit-**  
13 **tee only if the committee includes an equal number of members from**  
14 **each chamber of the Legislative Assembly.**

15       **“(c) Committees shall report to the council. The council shall ap-**  
16 **prove or disapprove recommendations of a committee.**

17       **“(d) Appointments to each committee must be made to ensure rep-**  
18 **resentation of the racial, gender and geographical diversity of Oregon.**

19       **“(5) The term of a member of the council is two years. Members**  
20 **are eligible for reappointment. If there is a vacancy for any cause, the**  
21 **Governor shall make an appointment to become immediately effective**  
22 **for the unexpired term.**

23       **“(6) Members of the council are not entitled to compensation under**  
24 **ORS 292.495. The chair, in the chair’s discretion, may reimburse**  
25 **members of the council as provided in ORS 292.495 for actual and**  
26 **necessary travel or other expenses incurred in the performance of**  
27 **their duties as members of the council.**

28       **“(7) Official action by the council requires modified consensus of**  
29 **the members of the council.**

30       **“(8) The council shall meet at times and places specified by the call**

1 of the chairperson.

2 “(9) All agencies of state government, as defined in ORS 174.111, are  
3 directed to assist the council in the performance of its duties and, to  
4 the extent permitted by laws relating to confidentiality, to furnish  
5 such information and advice as the council considers necessary to  
6 perform its duties.

7 “(10) At least once per year, the council shall report to the Legis-  
8 lative Assembly, the Secretary of State, the Bureau of Labor and In-  
9 dustries, the State Treasurer and the Attorney General. The report  
10 must describe strategies designed to institutionalize racial justice into  
11 the conduct of state business and may include other matters pertinent  
12 to dismantling systemic and institutional racism.

13 “(11) As used in this section:

14 “(a) ‘Advocacy commission’ means the Commission on Asian and  
15 Pacific Islander Affairs, the Commission on Black Affairs and the  
16 Commission on Hispanic Affairs.

17 “(b) ‘Racial justice’ means systematic fair treatment of people of  
18 all races that results in equitable opportunities and outcomes for all  
19 people.

20 “SECTION 2. Notwithstanding the term length specified in section  
21 1 (5) of this 2021 Act for members of the Racial Justice Council, the  
22 Governor shall appoint half, rounding down, of the members initially  
23 appointed to the council for an initial term of one year.

24 “SECTION 3. (1) The Racial Justice Council shall provide advice and  
25 recommendations to the Governor relating to racial justice, which  
26 may include:

27 “(a) Recommending changes to state policies, practices, budgets and  
28 structures to align them within a racial justice and equity framework.

29 “(b) Creating action plans to promote racial justice in areas in-  
30 cluding criminal justice, police accountability, housing and

1 **homelessness, human services, economic opportunity, health equity,**  
2 **environmental equity and education recovery.**

3 **“(c) Developing long-term strategies to institutionalize racial jus-**  
4 **tice into the conduct of state business.**

5 **“(d) Establishing and maintaining communication between com-**  
6 **munity leaders and the Office of the Governor.**

7 **“(e) Identifying areas of potential future collaboration with the**  
8 **state and outside stakeholders.**

9 **“(f) Directing the collection of data from across sectors of society**  
10 **to support data-driven policy decisions.**

11 **“(g) Providing principles and recommendations that center racial**  
12 **justice to the Governor to inform the Governor’s budget and tax ex-**  
13 **penditure report required under ORS 291.202.**

14 **“(h) Monitoring progress on programs and investments recom-**  
15 **mended by the council, in cooperation with the Office of the Governor,**  
16 **the official responsible for cultural change in the Oregon Department**  
17 **of Administrative Services, the Chief Data Officer appointed under**  
18 **ORS 276A.353 and other agencies or officials as appropriate.**

19 **“(2) The council shall advise and assist state agencies in creating**  
20 **racial impact statements for programs included in agency request**  
21 **budgets under ORS 291.206.**

22 **“(3) The council shall establish and maintain avenues of communi-**  
23 **cation with appropriate officers and committees of the Legislative**  
24 **Assembly to monitor investments in and track progress towards racial**  
25 **equity.**

26 **“(4) As used in this section, ‘racial justice’ has the meaning given**  
27 **that term in section 1 of this 2021 Act.**

28 **“SECTION 4. ORS 291.206 is amended to read:**

29 **“291.206. (1) The Governor shall prescribe rules the Governor considers**  
30 **necessary for the guidance of agencies in the preparation of agency request**

1 budgets. The Governor shall use the classifications of expenditures provided  
2 in ORS 291.216 (6)(a) and shall prepare and prescribe classifications of reve-  
3 nue for the purpose of budget-making and accounting.

4 “(2) Insofar as practicable, agency request budgets and appropriation  
5 measures shall be prepared in a manner that reflects state governmental or-  
6 ganization and state agency duties, functions and powers under the law in  
7 effect on January 1 of the following year. The Oregon Department of Ad-  
8 ministrative Services shall maintain agency request budgets in the form in  
9 which they are submitted.

10 “(3) As supplemental information, each agency request budget shall in-  
11 clude options for a 10 percent reduction from the estimate of the projected  
12 costs of continuing currently authorized activities or programs for the next  
13 biennium, excluding debt service. Each state agency shall describe the 10  
14 percent reduction in terms of the activities or programs that the agency will  
15 not undertake. The activities or programs must be ranked in order of im-  
16 portance and priority on the basis of lowest cost for benefit obtained.

17 “(4) **As supplemental information, each agency request budget shall**  
18 **include a racial impact statement, which must be developed in con-**  
19 **sultation with the Racial Justice Council. The racial impact statement**  
20 **must describe the impact of programs, policies and budget modifica-**  
21 **tions on Oregonians who are Black, Indigenous or other people of**  
22 **color.**

23 “**SECTION 5.** ORS 291.216 is amended to read:

24 “291.216. (1) The Governor’s budget shall include a budget message pre-  
25 pared by the Governor, including recommendations of the Governor with  
26 reference to the fiscal policy of the state government for the coming  
27 biennium, describing the important features of the budget, embracing a gen-  
28 eral budget summary setting forth the aggregate figures of the budget so as  
29 to show a balanced relation between the total proposed expenditures and the  
30 total anticipated income, with the basis and factors on which the estimates

1 are made, the amount to be borrowed, and other means of financing the es-  
2 timated expenditures for the ensuing biennium, compared with the corre-  
3 sponding figures for at least the last completed biennium and the current  
4 biennium.

5 “(2) The Governor’s budget shall be supported by explanatory schedules  
6 or statements, classifying the expenditures reported in the budget, both past  
7 and proposed, by organization units, objects and funds, and the income by  
8 organization units, sources and funds, and the proposed amount of new bor-  
9 rowing as well as proposed new tax or revenue sources, including a single  
10 comprehensive list of all proposed increases in fees, licenses and assessments  
11 assumed in the budget.

12 “(3) The Governor’s budget shall be submitted for all dedicated funds, as  
13 well as the state General Fund, and shall include the estimated amounts of  
14 federal and other aids or grants to state agencies or activities provided for  
15 any purpose whatever, together with estimated expenditures therefrom.

16 “(4) The Governor’s budget shall embrace the detailed estimates of ex-  
17 penditures and revenues. It shall include:

18 “(a) Statements of the bonded indebtedness of the state government,  
19 showing the actual amount of the debt service for at least the past biennium,  
20 and the estimated amount for the current biennium and the ensuing  
21 biennium, the debt authorized and unissued, the condition of the sinking  
22 funds and the borrowing capacity.

23 “(b) The Governor’s recommendations concerning tax expenditures iden-  
24 tified under ORS 291.214.

25 “(c) Any statements relative to the financial plan which the Governor  
26 may consider desirable or which may be required by the Legislative Assem-  
27 bly.

28 “(5) The Governor’s budget shall use the estimated revenues under ORS  
29 291.342 for the fiscal year in which the budget is submitted as the basis for  
30 total anticipated income under subsection (1) of this section, subject to ad-

1 justment as may be necessary to reflect accurately projections for the next  
2 biennium.

3 “(6)(a) The Governor’s budget shall present information regarding the  
4 expenses of the state in the following categories:

5 “(A) Personnel expenses, including compensation and benefits for state  
6 employees, but excluding costs of services contracted out and temporary  
7 service costs.

8 “(B) Supplies, equipment and the costs of services contracted out.

9 “(C) Special payments.

10 “(D) Capital construction.

11 “(E) Capital outlay.

12 “(F) Debt service.

13 “(b) For each category described in paragraph (a) of this subsection, the  
14 budget shall show actual expenditures for the prior biennium and estimated  
15 expenditures for the current biennium.

16 “(c) As supplemental information to the budget, the Governor shall in-  
17 clude an estimate of the projected costs of continuing currently authorized  
18 programs in the next biennium. The estimate shall include, but is not limited  
19 to the projected costs of:

20 “(A) Removing one-time expenditures;

21 “(B) Program phase-ins and phase-outs;

22 “(C) Personnel expenses compared to existing compensation plan agree-  
23 ments, including position vacancy experience calculations;

24 “(D) Inflation for services, supplies and medical costs;

25 “(E) Transfers between state funds or accounts;

26 “(F) Mandated caseload changes; and

27 “(G) Debt service for previously issued debt.

28 “(d) The budget shall show the total increase in the cost of salaries and  
29 benefits for all state positions.

30 “(7) The Governor’s budget shall include:

1 “(a) The total number of positions and full-time equivalent positions in-  
2 cluded in the budget.

3 “(b) The average vacancy rate in the present biennium.

4 “(c) The number of permanent, full-time equivalent vacancies as of July  
5 1 of even-numbered years.

6 “(8) The Governor’s budget shall include computations showing budget  
7 figures as a percentage of the total General Fund, federal fund, fee or other  
8 source category, as may be appropriate.

9 “(9) The Governor’s budget shall include, in a format that provides side-  
10 by-side comparison with the State Debt Policy Advisory Commission report  
11 of net debt capacity, a six-year forecast, by debt type and repayment source,  
12 of:

13 “(a) That portion of the capital construction program required to be re-  
14 ported by ORS 291.224 that will be financed by debt issuance.

15 “(b) The acquisition of equipment or technology in excess of \$500,000 that  
16 will be financed by debt issuance.

17 “(c) Other state agency debt issuance for grant or loan purposes.

18 “(10) The Governor’s budget shall include the outcomes-based budgeting  
19 information required by ORS 291.217 (2) and (3).

20 “(11) The Governor’s budget shall include recommendations regarding  
21 available funds that could be used to make lump sum payments to the Public  
22 Employees Retirement System under ORS 238.229.

23 **“(12) The Governor’s budget shall include a narrative summarizing**  
24 **the racial impact statements required under ORS 291.206.”.**

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