

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

1
2 Relating to state financial administration; and declaring an emergency.

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

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

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

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

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

30 **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.

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

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

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

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

24 **SECTION 9.** Notwithstanding any other provision of law, the General Fund appropriation
25 made to the Oregon Health Authority by section 1 (1), chapter 668, Oregon Laws 2021, for the
26 biennium ending June 30, 2023, for health systems, health policy and analytics, and public
27 health, is increased by \$2,400,746 to expand the duration of Medicaid postpartum coverage to
28 12 months.

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

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

45 **SECTION 12.** Notwithstanding any other provision of law, the General Fund appropriation

1 made to the Department of Human Services by section 1 (6), chapter 606, Oregon Laws 2021,
2 for the biennium ending June 30, 2023, for aging and people with disabilities programs, is in-
3 creased by \$9,093,426 for compensation changes driven by collective bargaining for workers
4 who are not state employees.

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

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

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

24 **SECTION 16.** Notwithstanding any other provision of law, the General Fund appropriation
25 made to the Emergency Board by section 1b (1), chapter 669, Oregon Laws 2021, for the
26 biennium ending June 30, 2023, for allocation to state agencies for compensation changes
27 driven by collective bargaining for workers who are not state employees, is decreased by
28 \$20,000,000.

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

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

42 **SECTION 19.** Notwithstanding any other provision of law, the General Fund appropriation
43 made to the Department of Justice by section 1 (3), chapter 427, Oregon Laws 2021, for the
44 biennium ending June 30, 2023, for the Criminal Justice Division, is increased by \$1,157,838
45 to increase statewide criminal analytical support.

1 **SECTION 20.** Notwithstanding any other law limiting expenditures, the limitation on
2 expenditures established by section 3 (1), chapter 470, Oregon Laws 2021, for the biennium
3 ending June 30, 2023, as the maximum limit for payment of expenses from federal funds
4 collected or received by the Department of State Police, for patrol services, criminal inves-
5 tigations, gaming enforcement and the office of the State Fire Marshal, is increased by
6 \$3,039,868 for expenditure of funds received through the equitable sharing program.

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

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

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

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

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

31 **SECTION 26.** Notwithstanding any other law limiting expenditures, the limitation on
32 expenditures established by section 3 (2), chapter 430, Oregon Laws 2021, for the biennium
33 ending June 30, 2023, as the maximum limit for payment of expenses from federal funds
34 collected or received by the Oregon Youth Authority, for program support, is increased by
35 \$13,293, for the transfer of positions between programs to establish new Diversity, Equity and
36 Inclusion positions.

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

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

45 **SECTION 29.** Notwithstanding any other provision of law, the General Fund appropriation

1 made to the Public Defense Services Commission by section 1 (3), chapter 444, Oregon Laws
2 2021, for the biennium ending June 30, 2023, for the Appellate Division, is increased by
3 \$259,969 for the Juvenile Appellate Section.

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

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

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

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

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

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

43 **SECTION 36.** Notwithstanding any other law limiting expenditures, the limitation on
44 expenditures established by section 1, chapter 348, Oregon Laws 2021, for the biennium end-
45 ing June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other

1 revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds,
2 collected or received by the State Board of Tax Practitioners, is increased by \$72,100, for
3 operating expenses.

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

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

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

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

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

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

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

44 **SECTION 44.** Notwithstanding any other law limiting expenditures, the limitation on
45 expenditures established by section 2 (9), chapter 442, Oregon Laws 2021, for the biennium

1 ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or
2 other revenues, including Miscellaneous Receipts and federal funds received as reimburse-
3 ment from the United States Department of Transportation, but excluding lottery funds and
4 federal funds not described in section 2, chapter 442, Oregon Laws 2021, collected or received
5 by the Department of Transportation, for driver and motor vehicle services, is increased by
6 \$5,248,462.

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

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

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

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

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

41 **SECTION 50.** This 2022 Act being necessary for the immediate preservation of the public
42 peace, health and safety, an emergency is declared to exist, and this 2022 Act takes effect
43 on its passage.
44