GENERAL GOVERNMENT SUBCOMMITTEE ORIENTATION

JANUARY 23, 2023

KIM TO, PRINCIPAL LEGISLATIVE ANALYST LEGISLATIVE FISCAL OFFICE



Legislative Fiscal Office

Legislative Fiscal Office (LFO)

- •Non-partisan, independent, permanent professional support staff office to the Legislature that was created in 1959
- Mission is to promote state fiscal accountability by:
 - Providing comprehensive research, analysis, and recommendations on the state's biennial budget
 - Evaluating state expenditures, program administration, and agency organization
 - Assisting in development of the Legislature's adopted balanced budget
 - Preparing fiscal impact statements on legislative measures
 - Publishing detailed analyses, summary documents, and briefs on budget-related topics
- •Provides staff to the Joint Committee on Ways and Means plus several other legislative committees
- •Staff consists of a Director, two Deputy Directors, 22 Analysts, a Committee Manager, and an Administrative Specialist

LFO Session Responsibilities

- •Review, analysis, and recommendations for agency budgets
 - Review budgets for accuracy
 - Analyze fiscal and policy issues
 - Examine revenue sources, expenditure limitations, expenditure patterns, staffing levels, and proposed law changes
 - Review impact of budget reductions or enhancements
 - Make recommendations on agency budget bills, budget reports, budget notes, and key performance measures
- •Facilitate bill amendments, budget report finalization, and presentation of Ways and Means Subcommittee decisions for the Full Ways and Means Committee
- Assist bill carriers on the House and Senate floors
- •Respond to questions and collect information requested by legislators

LFO Session Responsibilities -Fiscal Impact Statements

Review and analyze proposed legislation for budgetary impact and prepare fiscal impact statements for measures reported out of legislative committees

- Fiscal Impact
- Minimal Impact
- No impact

FISCAL IMPACT OF PROPOSED LEGISLATION

81st Oregon Legislative Assembly – 2022 Regular Session Legislative Fiscal Office

> Only Impacts on Original or Engrossed Versions are Considered Official

Measure: SB 1510 - A

Prepared by: Emily Coates

Reviewed by: John Terpening, Amanda Beitel, Tim Walker, Michelle Deister

Date: 2/8/2022

Measure Description:

Requires police officer to inform stopped person of right to refuse consent to search.

Government Unit(s) Affected:

Department of Public Safety Standards and Training (DPSST), Oregon State Police (OSP), Oregon Department of Transportation (ODOT), Board of Parole and Post-Prison Supervision (BPPPS), Counties, Cities, Oregon State Sheriffs' Association(OSSA), Criminal Justice Commission (CJC), Department of Corrections (DOC), Emergency Board

Summary of Fiscal Impact:

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

Summary of Expenditure Impact:

Oregon Criminal Justice Commission	2021-23 Biennium	2023-25 Biennium
General Fund		
Personal Services	388,273	636,939
Services and Supplies	233,584	96,000
Special Payments	10,000,000	0
Total Funds	\$10,621,857	\$732,939
Positions	3	3
FTE	1.89	3.00

Analysis:

This measure requires police officers to inform stopped person of right to refuse consent to search. If voluntary consent is given, the measure will require the officer to ensure there is written, video or audio record of permission given. The measure also prohibits an officer from commencing a traffic stop based on certain minor traffic violations that are not in compliance with existing law. An officer may issue a citation for these violations only if the officer has already stopped and detained the driver operating the vehicle for a separate traffic violation, effective January 1, 2023. The measure requires parole and probation officers to receive additional training in trauma-informed care, culturally specific services, and de-escalation techniques.

LFO Interim Responsibilities

- •Analyze and make recommendations on agency requests to the Emergency Board and Interim Joint Committee on Ways and Means
- Publish highlights report of session budgetary actions and detailed analysis reports of the legislatively adopted budget by agency and program
- Publish briefs and reports on budget-related topics and issues of interest to the Legislature
- Review state agency budget execution and operations
- Monitor agency expenditures and program implementation
- •Respond to inquiries from legislators, press, agencies, citizens, NCSL, etc.

Other Committees Staffed by LFO

- •Emergency Board is a constitutional body responsible for making certain allowable budget adjustments when the Legislature is not in session
- •Joint Legislative Audit Committee is responsible for reviewing audits, conducting evaluations, and making recommendations for change based on audit findings
- •Joint Legislative Committee on Information Management and Technology is responsible for establishing statewide policy on information systems and technology and making recommendations on information resource management programs and information technology acquisitions
- •Transparency Oregon Advisory Commission is responsible for making recommendations to the Department of Administrative Services on the creation, contents, operations, and enhancements to the state's transparency website

State of Oregon Budget

Balanced Budget

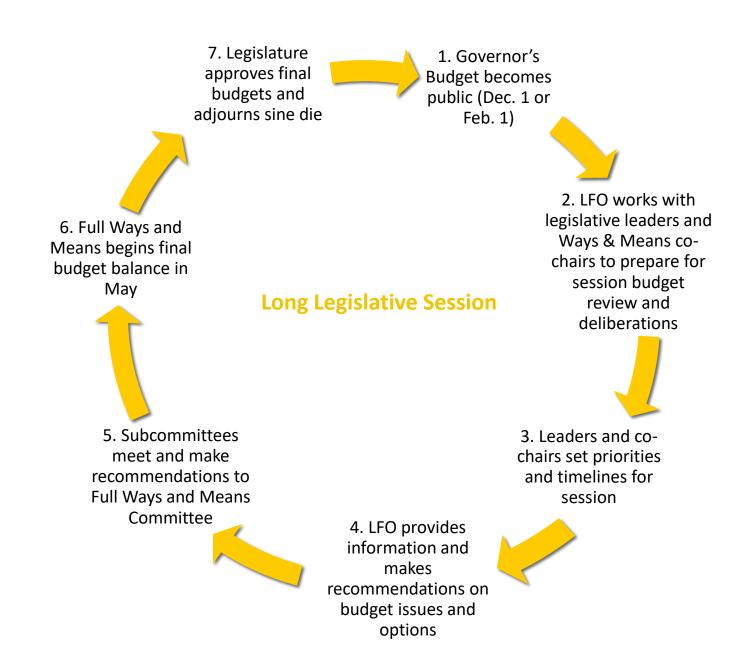
- •Legislature has a constitutional responsibility to balance the budget
- •Article IX, Section 2: Legislature to provide revenue to pay current state expenses and interest
 - The Legislative Assembly shall provide for raising revenue sufficiently to defray the expenses of the State for each fiscal year, and also a sufficient sum to pay the interest on the State debt, if there be any.
- Article IX, Section 4: Appropriation necessary for withdrawal from treasury
 - No money shall be drawn from the treasury, but in pursuance of appropriations made by law.
- Article IX, Section 6: Deficiency of funds; tax levy to pay
 - Whenever the expenses, of any fiscal year, shall exceed the income, the Legislative Assembly shall provide for levying a tax, for the ensuing fiscal year, sufficient, with other sources of income, to pay the deficiency, as well as the estimated expense of the ensuing fiscal year.

Budget Principles

- •Balancing estimated revenues and proposed expenditures
- •Allocating resources to achieve desired outcomes and measuring progress toward desired outcomes
- Providing accountability at all levels for meeting program outcomes
- •Encouraging savings and investments that reduce or avoid future costs
- •Planning for the short-term and the long-term, using consistent assumptions for demographics and trends

Budget Process

- Oregon budgets on a biennial basis: July 1st of odd-numbered year to June 30th of next oddnumbered year
- State budget is adopted during the long legislative session in odd-numbers years
- In any two-year biennial budget period, adjustments to the adopted budget can be made in either of the annual sessions or by the Emergency Board



Budget Basics – Fund Types

General Fund appropriation

Primarily personal and corporate income taxes, estate and inheritance taxes, corporate excise taxes; other (i.e., liquor revenue)

Lottery Funds allocation

- Generated through traditional, sports betting, and video lottery gaming, as well as associated interest
- Dedicated to economic development, public education, parks/native fish and wildlife habitat, veterans

Other Funds limitation

- Fees, interest earnings, dedicated fee or tax revenue (9-1-1 tax, forest harvest tax, vehicle and gas tax, marijuana revenue, etc.), bond proceeds
- Dedicated by law for specific purposes
- Limited and Nonlimited

Federal Funds limitation

- Grants, formula funds from federal agencies such as HUD, HHS
- Dedicated by law for specific purposes
- Limited and Nonlimited

Budget Basics – Expenditure Categories

- •Personal Services includes personnel costs (wages, PERS, benefits, social security, etc.)
- •Services and Supplies includes operation costs (travel, office supplies, rent, legal expenses, expendable property, contracts, etc.)
- •Special Payments includes transfers and payments to other agencies or external entities (grants and loans)
- •Capital Outlay includes products with value of more than \$5,000, life of more than two years, used more than once
- •Capital Improvement includes construction, remodel, improvement costs of less than \$1 million
- •Capital Construction (Major Construction/Acquisition) includes construction, remodel, improvement costs of more than \$1 million; established for a six-year period
- •Debt Service includes principal and interest payments on bonds and certificates of participation
- Budget also tracks positions and FTE (full-time equivalent)

Budget Basics – Appropriation Bills

- Appropriation bills are the budgetary control
- Appropriation bills are session law (Oregon Laws)
- Appropriation bills are by fund type and may be total agency or detailed to program within agency
- Appropriation bills are not detailed to the expenditure category level
- Budget reports accompany appropriation bills or policy bills with appropriations

81st OREGON LEGISLATIVE ASSEMBLY-2021 Regular Session

Enrolled House Bill 5010

Introduced and printed pursuant to House Rule 12.00. Presession filed (at the request of Oregon Department of Administrative Services)

CHAPTER

AN ACT

Relating to the financial administration of the State Department of Geology and Mineral Industries; and declaring an emergency.

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

SECTION 1. There is appropriated to the State Department of Geology and Mineral Industries, for the biennium beginning July 1, 2021, out of the General Fund, the amount of \$5,986,843 for operations of the department.

SECTION 2. Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium beginning July 1, 2021, as the maximum limits for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds for contract services, but excluding lottery funds and federal funds not described in this section, collected or received by the State Department of Geology and Mineral Industries, for the following purposes:

<u>SECTION 3.</u> Notwithstanding any other law limiting expenditures, the amount of \$5,927,333 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from federal funds other than those described in section 2 of this 2021 Act, collected or received by the State Department of Geology and Mineral Industries.

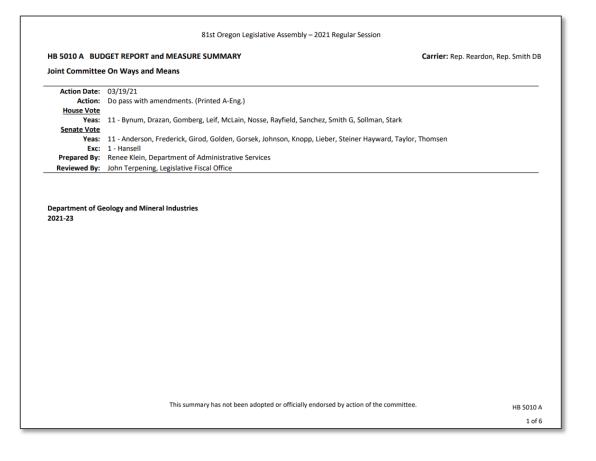
SECTION 4. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect July 1, 2021.

Budget Basics – Appropriation Bills

- •Appropriation bills are generally agency specific (House bills = 5000 series, Senate bills = 5500 series)
- •Budget for bonding and capital construction are in bills separate from agency budget bills
- •Article IX, Section 7, Oregon Constitution limits appropriation bills to state current expenses (no other subject allowed)
- •Final bills of session are commonly known as the Omnibus Budget Reconciliation (Emergency Fund) bill and Program Change bill

Budget Reports

- Accompany appropriation bills or policy bills with appropriations
- Provide details on legislative action and intent for a budget bill or a policy bill with a budgetary impact (will have expenditure category detail), but do not have the force of law
- Contain detailed information on approved policy option packages and adjustments to current service level
- Include position authorization and full-time equivalents
- Approved Key Performance Measures and targets are attached to the budget report



Budget Notes

- Provide direction to an agency, but do not have the force of law
- Included in the budget report
- Must be approved for inclusion by the Co-Chairs of the Full Ways and Means Committee.

Examples of budget notes:

Budget Note:

The Department of Education shall convene a group to study the State Board of Education developed media program standards. The study must evaluate the appropriateness of the standards and whether they adequately address student media needs, and methods to measure and ensure compliance with the standards. The Department should consult with organizations that represent public school educators and those who promote school libraries in selecting members of the group. The Department shall report the study's result and any recommendations by December 30, 2021.

Budget Note:

The Department of Education's Early Learning Division shall report to the Interim Committee on Joint Ways and Means on the ongoing cashflow for the Child Care Development Fund (CCDF). The report must include information regarding actual and estimated expenditures and what the expenditures are for; a projection of the cashflow of the CCDF for 2021-23 and 2023-25 including ending balances; a plan for how any undesignated expenditures will be used; and if there are potential cashflow issues in the future, alternatives to close any gaps between estimated expenditures and CCDF resources.

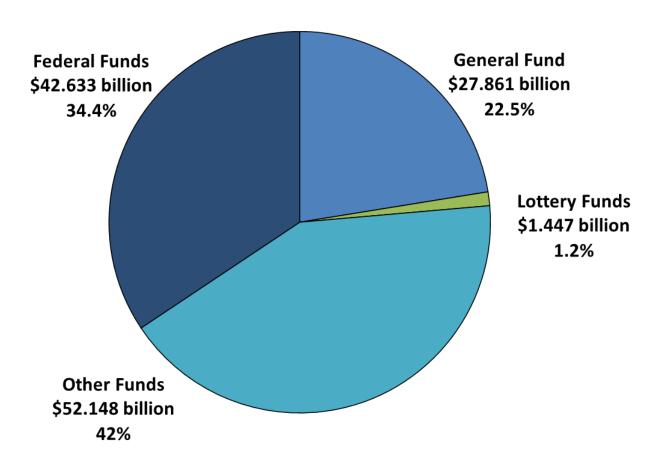
Budget Basics – "Budget Math"

Agency Budget Bill

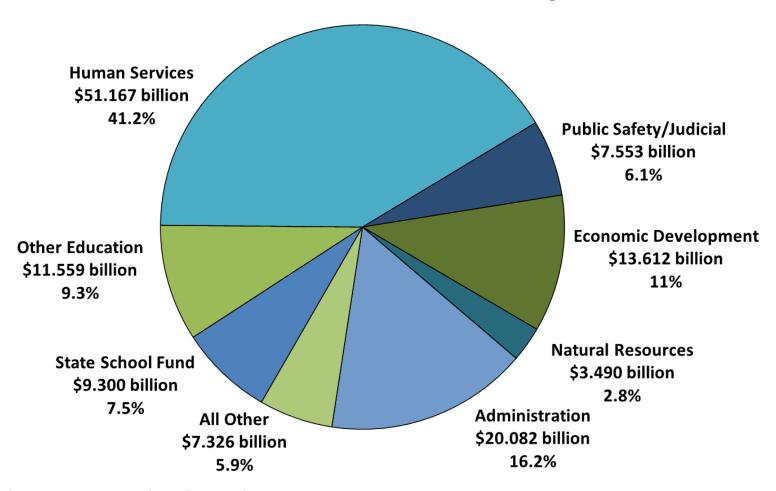
- + Omnibus Budget Reconciliation (Emergency Fund) Bill
- + Capital Construction Bill
- + Policy Bills (with an appropriation)
- = Legislatively Adopted Budget (LAB)
- + February Session and/or Special Session Actions
- + Emergency Board Actions
- = Legislatively Approved Budget (LAB)

2021-23 Legislatively Approved Budget \$124.1 Billion Total Funds

10.3% Increase from 2019-21 Approved Budget



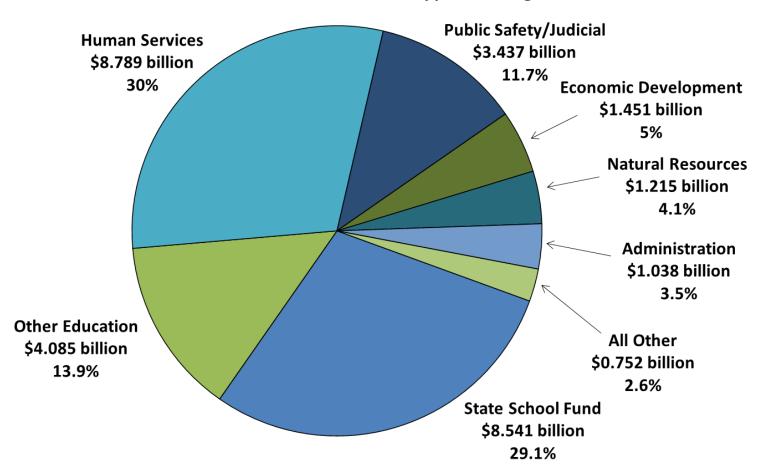
2021-23 Legislatively Approved Budget \$124.1 Billion Total Funds 10.3% Increase from 2019-21 Approved Budget



Includes Emergency Board and administrative actions through December 2022

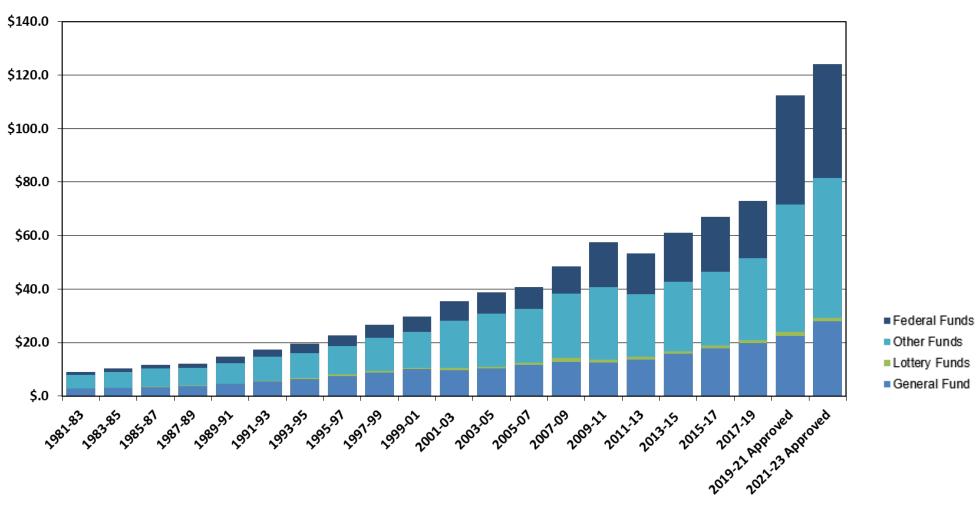
2021-23 Legislatively Approved Budget \$29.308 Billion General Fund and Lottery Funds

22.6% Increase from 2019-21 Approved Budget



Oregon Budget History – Total Funds

(\$ in billions)



Budget Expenditure Drivers

- Population Growth
- Demographics
- Inflation
- Health Care Costs
- Mandated Caseloads
- Federal Policy Changes

- Lawsuits
- Initiatives
- Public Employees Retirement System
- •Rollup Costs
- •Replacement of One-Time Revenues
- State Policy Decisions

Reserve Funds

Education Stability Fund

- Established in 2002 through a constitutional amendment to convert an existing education endowment fund to a reserve fund
- Funded with 18% of net lottery proceeds (capped at 5% of the amount accrued in General Fund revenues in the prior biennium)
- Requires 3/5 majority vote of each chamber and must be spent on public education (K-12 and post-secondary)
- \$705.8 million projected balance at the end of the 2021-23 biennium (December 2022 forecast)

Rainy Day Fund

- Established by the Legislature in 2007 as a general purpose reserve fund
- Receives transfers of up to 1% of General Fund appropriations each biennium (from the General Fund ending balance)
- Use in a biennium is limited to 2/3 of the amount in the fund at the beginning of the biennium and requires 3/5 majority vote of each chamber to access
- \$1.3 billion projected balance at the end of the 2021-23 biennium (December 2022 forecast)

2023 Session – Budget Issues

•2023-25 Tentative Budget

- Legislative Fiscal Office and DAS Chief Financial Office develop a projected General Fund/Lottery Funds budget for the next biennium
- Based on the December 2022 revenue forecast
- Includes the projected costs of continuing currently authorized programs
- Reflects a projected gap between available resources and estimated expenditures of \$559.2 million for the 2023-25 biennium

Governor's Budget

• Incoming Governor has until February 1 to submit budget to the Legislature

•2023 Legislative Session

- 2021-23 rebalance
- Updated revenue forecasts
- Legislative priorities and requests
- 2023-25 Legislatively Adopted Budget

General Government Subcommittee

Subcommittee Role and Responsibilities

- Appropriation Bills
 - Agency Budget Presentations
 - Recommendations to the Full Ways and Means Committees on budget bill, key performance measures, and budget notes
 - Budget report
- •Fee Related Bills
- Policy Bills with a budgetary impact
- Federal Grant Requests
- Reports

Comparison of General Government Subcommittee and Administration Program Area

General Government Subcommittee	Administration Program Area
Department of Administrative Services (DAS)	Department of Administrative Services(DAS)
a. County and State Fairs	a. County and State Fairs
b. Oregon Historical Society	b. Oregon Historical Society
c. Oregon Public Broadcasting	c. Oregon Public Broadcasting
2. Oregon Advocacy Commissions Office (OACO)	Oregon Advocacy Commissions Office (OACO)
3. Employment Relations Board (ERB)	3. Employment Relations Board (ERB)
4. Oregon Government Ethics Commission (OGEC)	4. Oregon Government Ethics Commission (OGEC)
5. Office of the Governor (GOV)	5. Office of the Governor (GOV)
6. State Library of Oregon (SLO)	6. State Library of Oregon (SLO)
7. Department of Revenue (DOR)	7. Department of Revenue (DOR)
8. Secretary of State (SOS)	8. Secretary of State (SOS)
9. Oregon State Treasurer (OST)	9. Oregon State Treasurer (OST)
10. Public Employees Retirement System (PERS)	10. Public Employees Retirement System (PERS)
11. Office of the Public Records Advocate (OPRA)	11. Office of the Public Records Advocate (OPRA)
12. Board of Accountancy (BOA)	12. Oregon Liquor and Cannabis Commission (OLCC)
13. Construction Contractors Board (CCB)	13. Oregon Racing Commission (ORC)
14. Board of Tax Practitioners (BTP)	
15. Legislative Agencies	
a. Legislative Commission on Indian Services (LCIS)	
b. Legislative Administration Committee (LAC)	
c. Legislative Assembly (LA)	
d. Legislative Counsel (LC)	
e. Legislative Fiscal Officer (LFO)	
f. Legislative Revenue Officer (LRO)	*Bolded agencies not in the General Government Subcommittee.
*Bolded agencies not in the Administrative Program Area	

General Government Subcommittee

15 Appropriation Bills (budget measures), 3 Program Areas:

Administration Program Area

- 1. Office of the Governor Paul Siebert
- 2. Secretary of State (SOS) Paul Siebert
- 3. Oregon State Treasurer (OST) Walt Campbell
- 4. State Library of Oregon (SLO) Kim To
- 5. Government Ethics Commission (OGEC) Doug Wilson
- 6. Advocacy Commissions Office (ACO) Doug Wilson
- 7. Employment Relations Board (ERB) Kim To
- 8. Public Employee Retirement System (PERS) John Borden
- 9. Department of Revenue (DOR) Doug Wilson
- 10. Department of Administrative Services (DAS) Kim To
- 11. Office of the Public Records Advocate (OPRA) Kim To

Consumer and Business Program Area

- 12. Construction Contractors Board (CCB) Ben Ruef
- 13. Board of Accountancy (BOA) Michael Graham
- 14. Board of Tax Practitioners (BTP) Michael Graham

Legislative Program Area

- 15. Legislative Branch Tom MacDonald
 - Legislative Commission on Indian Services (LCIS)
 - Legislative Administration Committee (LAC)
 - Legislative Assembly (LA)
 - Legislative Counsel Committee (LC)
 - Legislative Fiscal Officer (LFO)
 - Legislative Policy and Research Office (LPRO)
 - Legislative Revenue Officer (LRO)

Current Service Level Adjustments

- Personal services growth for ongoing positions
- Mandated caseload increases or decreases
- •Phase-in the full cost of new programs that did not operate for the entire 2021-23 biennium (roll-up costs)
- •Phase-out savings for programs that will be discontinued or were approved as one-time in the prior biennium
- Fund shifts
- •Debt Service adjustments
- Standard inflation
 - Services and supplies (4.2%)
 - Medical costs (6.6%)
 - Non-state employee personnel costs (8.8%)

General Government Subcommittee Budget Summary

GENERAL GOVERNMENT SUBCOMMITTEE

	2019-21 Actual	2021-23 Legislatively Approved *	2023-25 Current Service Level	
General Fund	662,814,581	1,404,367,746	493,786,749	
Lottery Funds	25,613,848	50,926,178	76,157,295	
Other Funds	1,797,868,781	2,274,865,152	1,740,590,069	
Other Funds (NL)	11,884,748,623	13,079,845,553	13,670,716,483	
Federal Funds	1,271,602,315	3,249,885,369	10,288,260	
Total Funds	15,642,648,148	20,059,889,998	15,991,538,856	
Positions	3,590	3,801	3,650	
FTE	3,371.25	3,583.73	3,471.76	

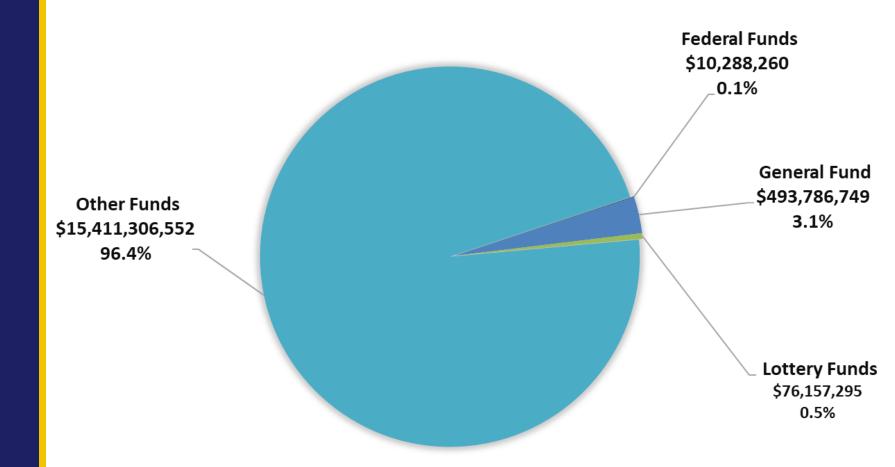
^{*} Includes Emergency Board and administrative actions through December 2022.

GENERAL GOVERNMENT SUBCOMMITEE CURRENT SERVICE LEVEL BUDGET SUMMARY

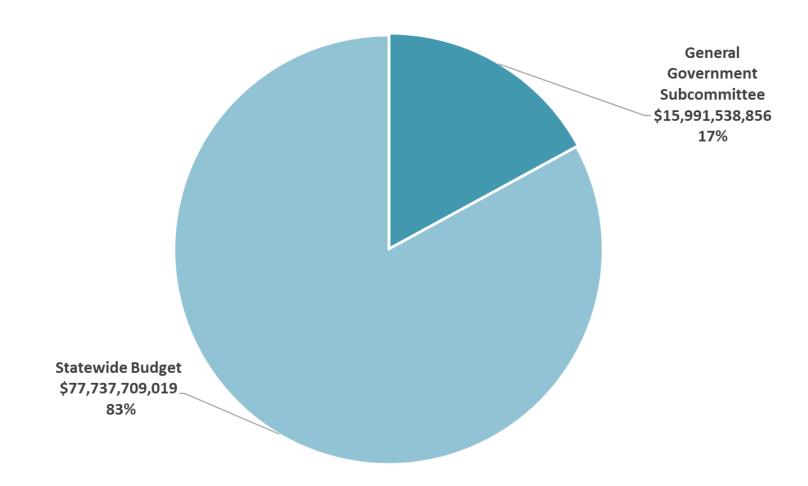
	General Fund	Lottery Funds	Other Funds	Other Funds NL	Federal Funds	Total Funds	Positions	FTE
Administrative Services, Department of	14,155,618	54,590,200	1,179,732,627	143,492,672	-	\$1,391,971,117	931	930.50
Office of the Public Records Advocate	-	-	726,435	-	-	\$726,435	2	2.00
Advocacy Commissions Office	1,387,078	-	10,253	-	-	\$1,397,331	4	4.00
Employment Relations Board	3,493,480	-	2,763,130	-	-	\$6,256,610	13	13.00
Government Ethics Commission	-	-	3,441,776	-	-	\$3,441,776	9	9.00
Governor, Office of the	21,310,580	4,774,856	4,504,827	-	-	\$30,590,263	65	65.00
Public Employees Retirement System	-	16,792,239	132,007,763	13,523,120,517	-	\$13,671,920,519	384	384.00
Revenue, Department of	236,057,192	-	160,836,418	-	-	\$396,893,610	1,109	1,050.78
Secretary of State	16,691,665	-	84,581,235	-	5,022,647	\$106,295,547	229	228.25
State Library	4,900,626	-	8,234,407	-	5,265,613	\$18,400,646	40	38.47
Treasurer, State	-	-	126,748,301	2,900,000	-	\$129,648,301	208	199.91
Construction Contractors Board	-	-	18,979,594	-	-	\$18,979,594	59	59.00
Accountancy, Board of	-	-	3,409,013	-	-	\$3,409,013	8	7.50
Tax Practitioners, Board of	-	-	1,173,865	-	-	\$1,173,865	2	2.00
Indian Services, Commission on	1,137,503	-	7,604	-	-	\$1,145,107	3	3.00
Legislative Administration Committee	72,438,738	-	5,972,200	396,000	-	\$78,806,938	81	78.46
Legislative Assembly	72,043,802	-	173,805	150,000	-	\$72,367,607	333	253.77
Legislative Counsel Committee	19,828,459	-	2,275,376	657,294	-	\$22,761,129	64	57.58
Legislative Fiscal Officer	9,056,315	_	5,011,440	-	-	\$14,067,755	27	27.00
Legislative Policy and Research Office	17,642,567	-	-	-	-	\$17,642,567	72	51.54
Legislative Revenue Officer	3,643,126	-	-	-	-	\$3,643,126	7	7.00
	\$493,786,749	\$76,157,295	\$1,740,590,069	\$13,670,716,483	\$10,288,260	\$15,991,538,856	3,650	3,471.76

General Government Subcommittee 203-25 CSL Budget

by Fund Type

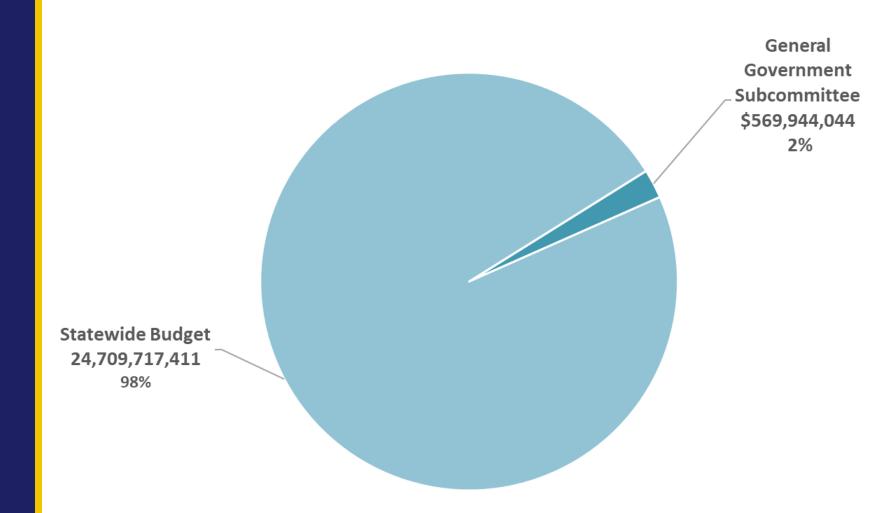


Comparison to the Statewide Budget Total Funds



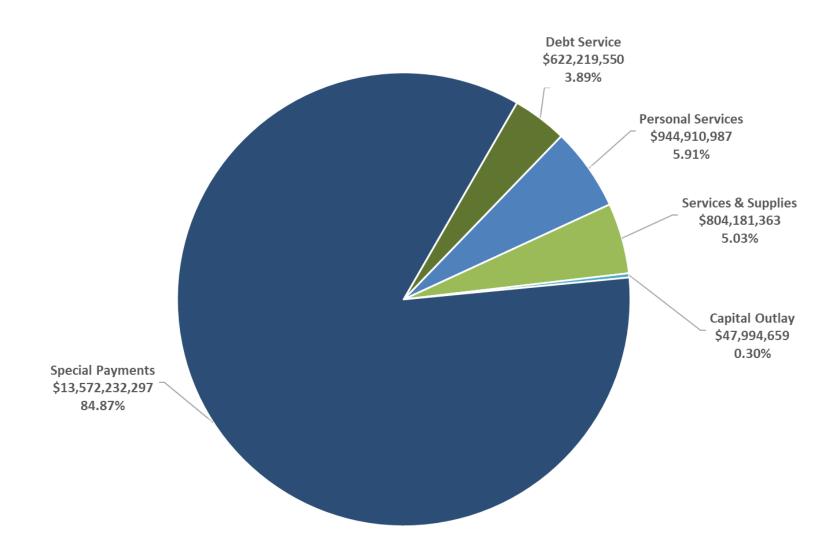
Comparison to the Statewide Budget

General Fund and Lottery Funds



General Government Subcommittee 2023-25 CSL Budget

by Expenditure Categories



2013-25 Biennium Key Budget Issues

Setting state agency assessments

 Potential difficulty continuing current programs services

•Identifying and funding critical investments above the current service level

 Modernization of legacy information technology systems

What to expect during session

Hearing-Type/ Timeframe	Purpose	Who	
Agency Hearings Public hearings/Invited Testimony/Public Testimony Late January through late March to early April	LFO overview; CFO summary of the Governor's budget; condensed agency presentation of its mission, organization, budget, performance metrics, audits, and reduction options. Select agencies will be scheduled for in-depth follow-up discussion of major budget issues/decision points.	All Agencies/ follow-up with select agencies	
Work Session Late March to Early June	Agency work session may be conducted as soon as agency hearings are completed	All agencies	

What to expect in the next few days

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	
23	24	25	26	
Subcommittee		LFO Review of the	Open	
Orientation	Open	Semi-Independent	No Meeting	
Budget Overview	No Meeting	Agency Reports		
(Informational Meeting)		WRK		
30	31	1	2	
	DAS Assessments &	DOR	DAS Reverse Auction	
Open	DOJ Legal Rates	Customer Service Report	(Informational Meeting)	
No Meeting	(Informational Meeting)	WRK		

LFO Contacts

Kim To 986-1830 Scheduler & Coordinator

Department of Administrative Services (DAS) State Library of Oregon (SLO) Employment Relations Board (ERB) Office of the Public Records Advocate (OPRA)

Ron Nalley 986-1822 Committee Assistant

John Borden 986-1842

Public Employees Retirement System(PERS)

Walt Campbell 986-1815

Oregon State Treasurer (OST)

Michael Graham 986-1821

Board of Accountancy (BOA)
Board of Tax Practitioners (BTP)

Tom MacDonald 986-1816

Legislative Agencies:
Commission on Indian Services
Legislative Administration
Legislative Counsel Committee
Legislative Revenue Officer
Legislative Fiscal Officer
Legislative Assembly
Legislative Policy and Research Office
Legislative Equity Office

Ben Ruef 986-1812

Construction Contractors Board (CCB)

Paul Siebert 986-1843

Office of the Governor (GOV) Secretary of State (SOS)

Doug Wilson 986-1837

Department of Revenue (DOR)
Oregon Government Ethics Commission (OGEC)
Oregon Advocacy Commission (OAC)

Questions?

LFO Contact Information

• Phone: 503-986-1828

• Location: Capitol Building, Room H-178

Additional Resources

- LFO Homepage: https://www.oregonlegislature.gov/lfo
- Budget Analyses and Briefs: https://www.oregonlegislature.gov/lfo/Pages/Publications.aspx
- Ways and Means Documents: https://www.oregonlegislature.gov/lfo/Pages/JointWaysMeans.aspx
- Emergency Board Summaries: https://www.oregonlegislature.gov/lfo/Pages/EmergencyBoard.aspx