

HB 5021 BUDGET REPORT and MEASURE SUMMARY

Joint Committee On Ways and Means

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Reviewed By: Doug Wilson, Legislative Fiscal Office

**Oregon Government Ethics Commission
2023-25**

PRELIMINARY

Budget Summary*

| | 2021-23 Legislatively Approved Budget ⁽¹⁾ | 2023-25 Current Service Level | 2023-25 Committee Recommendation | Committee Change from 2021-23 Leg. Approved | |
|---------------------|---|----------------------------------|-------------------------------------|--|----------|
| | | | | \$ Change | % Change |
| Other Funds Limited | \$ 3,312,835 | \$ 3,441,776 | \$ 3,926,618 | \$ 613,783 | 18.5% |
| Total | \$ 3,312,835 | \$ 3,441,776 | \$ 3,926,618 | \$ 613,783 | 18.5% |

Position Summary

| | | | | |
|--------------------------------------|------|------|------|------|
| Authorized Positions | 9 | 9 | 10 | 1 |
| Full-time Equivalent (FTE) positions | 9.00 | 9.00 | 9.88 | 0.88 |

⁽¹⁾ Includes adjustments through January 2023

* Excludes Capital Construction expenditures

Summary of Revenue Changes

Funding for the Oregon Government Ethics Commission (OGEC) comes from an assessment equally shared between state agencies/public universities, and local government jurisdictions. State agencies and public universities are assessed based upon their number of full-time equivalent positions. A portion of these assessment revenues originate as General Fund. Local entities are assessed based upon a formula connected to the Municipal Audit charge collected by the Secretary of State. Additionally, the Commission collects fines and forfeitures through the imposition of civil penalties. These revenues are transferred to the General Fund and are not used to support agency operations.

Summary of General Government Subcommittee Action

The mission of OGEC is to impartially administer and enforce Oregon’s government ethics laws. The Oregon Government Ethics law, Lobbying Regulation law, and the executive session provisions of Oregon Public Meetings law are within the regulatory jurisdiction of the OGEC. The commission and its staff educate public officials and lobbyists on government ethics, lobby regulation, and executive session provisions of public meeting laws through on-line and in-person training. Over 200,000 public officials and lobbyists are subject to the commission’s jurisdiction.

The subcommittee recommended a budget of \$3,926,618 Other Funds. The recommended budget is an 18.5 percent increase from the 2021-23 Legislatively Approved Budget and includes 10 positions (9.88 FTE). The subcommittee recommended the following packages:

- Package 101: EFS-CMS System updates. This package includes a one-time increase of \$259,740 Other Funds expenditure limitation for the upgrade of the current Electronic Filing System (EFS) and the current Case Management System (CMS) to benefit OGEC operations and all required filers. The EFS allows public officials to file Statements of Economic Interest online and lobbyists to register with the commission and file their quarterly expenditure reports. The CMS provides information on the complaint process for alleged ethics, lobbying or executive sessions violations and provides a centralized location for complaints related to documents. The primary focus of this upgrade is to establish a bridge between the two systems and to increase the functionality of each system. This package will result in a one-time increase in assessments paid by state agencies, public universities, and local jurisdictions.
- Package 102: Training & Development Specialist 2. This package increases the Other Funds expenditure limitation by \$225,102 and establishes a new permanent full-time Training and Development Specialist 2 position (0.88 FTE) to increase the Commission's capacity to provide trainings and advice to public officials, lobbyists, and the public. One driving factor is the transition to on-line training during the pandemic which increased participation. One result of this participation growth is the increased number of questions, advice requests and complaints. This position will assist in meeting this increasing demand in services, as well as developing additional training objectives and structures. Approval of this package will result in an ongoing increase in the assessment paid by state agencies, public universities and public local jurisdictions.

Summary of Performance Measure Action

See attached Legislatively Adopted 2023-25 Key Performance Measures form.

PRELIMINARY

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Oregon Government Ethics Commission
Michelle Lisper--971-283-6360

| DESCRIPTION | GENERAL FUND | LOTTERY FUNDS | OTHER FUNDS | | FEDERAL FUNDS | | TOTAL ALL FUNDS | POS | FTE |
|---|--------------|---------------|---------------------|-------------|---------------|-------------|---------------------|-----------|-------------|
| | | | LIMITED | NONLIMITED | LIMITED | NONLIMITED | | | |
| 2021-23 Legislatively Approved Budget at Jan 2023 * | \$ - | \$ - | \$ 3,312,835 | \$ - | \$ - | \$ - | \$ 3,312,835 | 9 | 9.00 |
| 2023-25 Current Service Level (CSL)* | \$ - | \$ - | \$ 3,441,776 | \$ - | \$ - | \$ - | \$ 3,441,776 | 9 | 9.00 |
| <u>SUBCOMMITTEE ADJUSTMENTS (from CSL)</u> | | | | | | | | | |
| SCR 199-010 - General Program | | | | | | | | | |
| Package 101: EFS-CMS System Updates | | | | | | | | | |
| Services and Supplies (professional Services) | \$ - | \$ - | \$ 259,740 | \$ - | \$ - | \$ - | \$ 259,740 | | |
| Package 102: Training & development Specialist 2 | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 188,047 | \$ - | \$ - | \$ - | \$ 188,047 | 1 | 0.88 |
| Services and Supplies | \$ - | \$ - | \$ 37,055 | \$ - | \$ - | \$ - | \$ 37,055 | | |
| TOTAL ADJUSTMENTS | \$ - | \$ - | \$ 484,842 | \$ - | \$ - | \$ - | \$ 484,842 | 1 | 0.88 |
| SUBCOMMITTEE RECOMMENDATION * | \$ - | \$ - | \$ 3,926,618 | \$ - | \$ - | \$ - | \$ 3,926,618 | 10 | 9.88 |
| | | | | | | | | | |
| % Change from 2021-23 Leg Approved Budget | 0.0% | 0.0% | 18.5% | 0.0% | 0.0% | 0.0% | 18.5% | 11.1% | 9.8% |
| % Change from 2023-25 Current Service Level | 0.0% | 0.0% | 14.1% | 0.0% | 0.0% | 0.0% | 14.1% | 11.1% | 9.8% |

*Excludes Capital Construction Expenditures

PRELIMINARY

Legislatively Approved 2023 - 2025 Key Performance Measures

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Agency: Government Ethics Commission

Mission Statement:

The Oregon Government Ethics Commission will impartially and effectively administer and enforce Oregon's government ethics laws for the benefit of Oregon's citizens. The Commission will emphasize education in achieving its mission. The regulatory jurisdiction of the Oregon Government Ethics Commission covers provisions of ORS Chapter 244, Oregon Government Ethics law; ORS 171.725 to 171.785 and 171.992, Lobby Regulation law; and executive session provisions of Oregon Public Meetings law, ORS 192.660

| Legislatively Approved KPMs | Metrics | Agency Request | Last Reported Result | Target 2024 | Target 2025 |
|--|-----------------------------|----------------|----------------------|-------------|-------------|
| 1. Percentage of statutory time limit used for preliminary reviews, investigations, staff opinions and Commission advisory opinions. | | Approved | 79% | 90% | 90% |
| 2. Quality of investigations completed through peer review. | | Approved | 4.87 | 5 | 5 |
| 3. Training Program's Effectiveness - Percentage of wrong answers by training participants on questions after training compared to the percentage of wrong answers prior to training. | | Approved | 70% | 75% | 75% |
| 4. Minimize Case Disposition Costs - Percentage of contested cases settled before hearing. | | Approved | 100 | 100 | 100 |
| 5. Customer Service - Percentage of customers rating their satisfaction with agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information. | Overall | Approved | 86 | 95 | 95 |
| | Accuracy | | 88 | 90 | 90 |
| | Timeliness | | 90 | 90 | 90 |
| | Helpfulness | | 86 | 95 | 95 |
| | Expertise | | 91 | 95 | 95 |
| | Availability of Information | | 88 | 90 | 90 |
| 6. Governance Best Practices - Percent of total best practices met by the commission. | | Approved | 100 | 100 | 100 |

LFO Recommendation:

The Legislative Fiscal Office recommends approval of the proposed Key Performance Measures and targets.

SubCommittee Action:

Approved the LFO recommendation.