

HB 5046 -1 STAFF MEASURE SUMMARY

Joint Committee On Ways and Means

Prepared By: Amanda Beitel, Legislative Fiscal Officer

Meeting Dates: 4/7

WHAT THE MEASURE DOES:

Provides continuing expenditure authority for state agencies without budgets adopted for the 2023-25 biennium by July 1, 2023. The measure allows these agencies to continue operations at the same level as the last quarter of the 2021-23 biennium, with exceptions for the Oregon Health Authority and the Department of Human Services. The continuing resolution also applies to any state agency budget that may be vetoed by the Governor. Expenditure authority provided by this continuing resolution is authorized through September 15, 2023.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Replaces text of original measure; provides continuing expenditure authority for state agencies without budgets adopted for the 2023-25 biennium by July 1, 2023.

BACKGROUND:

Any state agency without an adopted budget for the 2023-25 biennium as of July 1, 2023 needs legislative approval to continue activities at a stated level. This continuing resolution provides an agency without an adopted budget with the authority to receive and spend money for a limited amount of time. The amount that an agency is authorized to spend under the continuing resolution counts toward the agency's total 2023-25 budget.

The exact amounts are authorized by the Department of Administrative Services by administrative rule. The amounts can be adjusted to reflect actions in pending legislation. Pending legislation refers to a bill that has, at a minimum, passed out of a budget subcommittee or budget committee. This continuing resolution does not bind the Legislative Assembly in determining 2023-25 budgets while the continuing resolution is in effect.

Even if the Legislative Assembly adjourns sine die on or before June 30, 2023, it is possible that the Governor will not be able to sign all budget bills by July 1, 2023. Prior to a bill being signed by the Governor, it must be enrolled and signed by both presiding officers. The Office of Legislative Counsel prepares enrolled measures based on what they receive from the House and Senate Desks, and in the order received from the Desks, unless rush enrollment is requested. Legislative Counsel may not receive all the measures passed during the last days of session until after sine die. The Desks then present the enrolled bills to the presiding officers for signatures. Once signed by the presiding officers, the bills are delivered to the Governor for signature. It is impossible to predict when signatures will be provided by the presiding officers and the Governor. In addition, under section 15b, Article V of the Oregon Constitution, the Governor has 30 days (excluding Saturdays and Sundays) after sine die to sign or veto bills.