

# WORK SESSION ORIENTATION

JOINT COMMITTEE ON WAYS AND MEANS – PUBLIC SAFETY SUBCOMMITTEE

MAY 2023

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LEGISLATIVE FISCAL OFFICE



# Primary Budget Measures

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- Primary budget (or appropriation) measures are agency-specific and are in the 5000 series (House = 5000 series and Senate = 5500 series)
- Budget measures have an emergency clause and are effective on passage, but not operative until July 1, 2023
- Authority expires at the end of the biennium

# Legal Budgetary Control

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- Appropriation bills are session law or Oregon Laws and provide budgetary control
- Appropriation bills are structured by fund type and may be further delineated by source or type of funds and programs within the agency
- Appropriation bills are not detailed to the expenditure category level
- Action by either the Legislature or Emergency Board is needed to modify Oregon Law except for Non-Limited authority, which can be modified administratively

# Example of a Simple Budget Measure

81st OREGON LEGISLATIVE ASSEMBLY--2021 Regular Session

## Enrolled Senate Bill 5519

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Oregon Department of Administrative Services)

CHAPTER .....

AN ACT

Relating to the financial administration of the Oregon Government Ethics Commission; and declaring an emergency.

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

**SECTION 1.** Notwithstanding any other law limiting expenditures, the amount of \$3,323,513 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and reimbursements from federal service agreements, but excluding lottery funds and federal funds not described in this section, collected or received by the Oregon Government Ethics Commission.

**SECTION 2.** 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.

**Enrolled**  
**Senate Bill 5536**

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with presession filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Oregon Department of Administrative Services)

CHAPTER .....

AN ACT

Relating to the financial administration of the Public Employees Retirement System; and declaring an emergency.

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

**SECTION 1.** 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 but excluding lottery funds and federal funds, collected or received by the Public Employees Retirement System, for the following purposes:

- (1) **Central Administration**
  - Division ..... \$ 18,389,692
- (2) **Financial and Administrative Services Division.....** \$ 25,509,775
- (3) **Information Services Division ..** \$ 29,427,649
- (4) **Operations Division.....** \$ 43,996,509
- (5) **Compliance, Audit and Risk Division .....** \$ 9,643,688
- (6) **Core Retirement System:**
  - (a) **Implementation of chapter 355, Oregon Laws 2019:**
    - (A) **Project management and implementation .....** \$ 2,044,800
    - (B) **Quality assurance and testing ..** \$ 812,500
    - (C) **Information technology applications .....** \$ 13,337,000
    - (D) **Operational implementation.....** \$ 6,620,497
    - (b) **ORION Modernization Project..** \$ 800,000

Example of a  
Programmatically  
Structured  
Budget Measure

# Subcommittee Work Session

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- The subcommittee will take action on Legislative Fiscal Office recommendations for the agency's primary budget measure, any associated fee measure, budget notes, and Key Performance Measures
- LFO's recommendation memo and report from the Oregon Budget Information Tracking System (ORBITS) will be available on OLIS prior to the meeting
- The subcommittee will be presented an amendment to the primary budget measure that reflects the LFO recommendation
- Subcommittee recommendations will advance to the Joint Committee on Ways and Means and then both chambers

# Subcommittee Process

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- Subcommittees will follow the rules adopted by the Full Committee
- An affirmative vote of a majority of the appointed members of each chamber on the subcommittee is needed to advance a measure to the Full Committee
- A subcommittee does not have the power to table or hold legislation or an agenda item but must report it back to the Full Committee for consideration
- Before the subcommittee can take action on an amendment, it must be posted to OLIS four hours in advance of a work session

# Example of an LFO Recommendation Memo

## Legislative Fiscal Office

Oregon State Capitol  
900 Court Street NE, H-178  
Salem, OR 97301  
503-986-1828

Laurie Byerly, Interim Legislative Fiscal Officer  
Amanda Beitel, Deputy Legislative Fiscal Officer (Budget)  
Paul Siebert, Deputy Legislative Fiscal Officer (Audit/IT)



## Joint Committee on Ways and Means

Sen. Betsy Johnson, Senate Co-Chair  
Sen. Elizabeth Steiner Hayward, Senate Co-Chair  
Rep. Dan Rayfield, House Co-Chair

Sen. Fred Girod, Senate Co-Vice Chair  
Rep. David Gomberg, House Co-Vice Chair  
Rep. Greg Smith, House Co-Vice Chair

**To:** Human Services Subcommittee  
**From:** Zane Potter, Legislative Fiscal Office  
**Date:** May 6, 2021  
**Subject:** HB 5022 – Oregon State Board of Nursing  
Work Session Recommendations

### Oregon State Board of Nursing – Agency Totals

	2017-19 Actual	2019-21 Legislatively Approved	2021-23 Current Service Level	2021-23 LFO Recommended
Other Funds	16,500,862	20,326,025	21,022,293	21,084,201
<b>Total Funds</b>	<b>16,500,862</b>	<b>20,326,025</b>	<b>21,022,293</b>	<b>21,084,201</b>
Positions	49	54	54	54
FTE	48.90	53.90	53.90	53.90

The 2021-23 LFO Recommended Budget is \$21.1 million and 54 positions (53.90 FTE). This is 3.7% more than the 2019-21 Legislatively Approved Budget and 0.3% more than the 2021-23 Current Service Level.

### Adjustments to Current Service Level

See attached “Work Session Presentation Report.”

Package 801 increases the Board’s Other Funds expenditure limitation by \$100,000 to cover e-government transaction fees effective January 1, 2021. This fee would otherwise be paid by licensees.

Note: Statewide adjustments and six-year capital construction expenditures are not included in these recommendations. Any needed adjustments will be made in end of session bills.



# ORBITS Work Session Report

**Nursing, Board of**

**LFO Analyst Recommended**

**Agency Number: 85100**

**LFO102 - Work Session Presentation Report  
2021-23 Biennium**

**Version: L - 01 - LFO Analyst Recommended**

**Cross Reference: 85100-001-00-00-00000**

**Board Operations**

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2019-21 Agy. Leg. Adopted	-	-	19,719,954	-	-	-	19,719,954	54	53.90
2019-21 Ebds, SS & Admin Act	-	-	606,071	-	-	-	606,071	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2019-21 Leg Approved Budget	-	-	20,326,025	-	-	-	20,326,025	54	53.90
2019-21 Leg Approved Budget (Base)	-	-	19,719,954	-	-	-	19,719,954	54	53.90
Summary of Base Adjustments	-	-	741,595	-	-	-	741,595	-	-
2021-23 Base Budget	-	-	20,461,549	-	-	-	20,461,549	54	53.90
010: Non-PICS Pers Svc/Vacancy Factor	-	-	(37,913)	-	-	-	(37,913)	-	-
030: Inflation & Price List Adjustments	-	-	598,657	-	-	-	598,657	-	-
2021-23 Current Service Level	-	-	21,022,293	-	-	-	21,022,293	54	53.90
Adjusted 2021-23 Current Service Level	-	-	21,022,293	-	-	-	21,022,293	54	53.90
Total LFO Recommended Packages	-	-	61,908	-	-	-	61,908	-	-
2021-23 Legislative Actions	-	-	21,084,201	-	-	-	21,084,201	54	53.90
Net change from 2019-21 Leg Approved Budget	-	-	758,176	-	-	-	758,176	-	-
Percent change from 2019-21 Leg Approved Budget	0.0%	0.0%	3.7%	0.0%	0.0%	0.0%	3.7%	0.0%	0.0%
Net change from 2021-23 Adj Current Service Level	-	-	61,908	-	-	-	61,908	-	-
Percent change from 2021-23 Adj Current Service Level	0.0%	0.0%	0.3%	0.0%	0.0%	0.0%	0.3%	0.0%	0.0%

# Budget Starting Point

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During work session, LFO will review any change to the current service level as a discrete policy option package:

- 070 package – revenue shortfall (i.e., eliminates budget authority unsupported by a revenue source)
- 08X series packages – reflects ongoing interim activities of the Emergency Board/Special Sessions/Legislature
- 09X series packages – Governor's budget recommendations
- 100 series packages - agency requested and recommended by LFO (can be modified as part of recommendation)
- 80X series packages - LFO added packages, including agency-specific adjustments or statewide adjustment
- Assessment and rate changes will come at the end of session
- Packages that adjust only revenue or beginning balances for Other Funds might also be included

# ORBITS Work Session Report

***Nursing, Board of***

***LFO Analyst Recommended***

***Agency Number: 85100***

LFO102 - Work Session Presentation Report  
2021-23 Biennium

Version: L - 01 - LFO Analyst Recommended

Cross Reference: 85100-001-00-00-00000

Board Operations

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 801 LFO Analyst Adjustments**

Package Description This package increases the Board's Other Funds expenditure limitation by \$100,000 to provide sufficient limitation to pay for e-government transaction fees effective January 1, 2021. This fee, charged by NIC Oregon, would otherwise be paid by licensees.

LFO Recommendation Approve the package.

LFO Recommended	-	-	100,000	-	-	-	100,000	-	-
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# Example of an Amendment to a Budget Measure

SB 5536-1  
(LC 9536)  
4/21/21 (DFY/ps)

Requested by JOINT COMMITTEE ON WAYS AND MEANS

## PROPOSED AMENDMENTS TO SENATE BILL 5536

1 On page 1 of the printed bill, delete lines 5 through 28 and delete page  
2 2 and insert:

3 “**SECTION 1.** Notwithstanding any other law limiting expenditures,  
4 the following amounts are established for the biennium beginning July  
5 1, 2021, as the maximum limits for payment of expenses from fees,  
6 moneys or other revenues, including Miscellaneous Receipts but ex-  
7 cluding lottery funds and federal funds, collected or received by the  
8 Public Employees Retirement System, for the following purposes:

- 9 (1) Central Administration
- 10 Division ..... \$ 18,389,692
- 11 (2) Financial and Administrative
- 12 Services Division..... \$ 25,509,775
- 13 (3) Information Services Division .. \$ 29,427,649
- 14 (4) Operations Division..... \$ 43,996,509
- 15 (5) Compliance, Audit and Risk
- 16 Division ..... \$ 9,643,688
- 17 (6) Core Retirement System:
- 18 (a) Implementation of chapter 355,
- 19 Oregon Laws 2019:
- 20 (A) Project management and
- 21 implementation ..... \$ 2,044,800

# Key Performance Measures

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The subcommittee will take action on Legislative Fiscal Office recommendations for the agency's:

- Key Performance Measures, including any recommended changes
- Key Performance Measure targets for the years 2024 and 2025
- Possible instructions to the agency

# Sample KPM Report

## Legislatively Proposed 2021 - 2023 Key Performance Measures

Published: 3/20/2021 2:31:14 PM

Agency: Public Employees Retirement System, Oregon

**Mission Statement:**

We serve the people of Oregon by administering public employee benefit trusts to pay the right person the right benefit at the right time.

Legislatively Proposed KPMs	Metrics	Agency Request	Last Reported Result	Target 2022	Target 2023
1. TIMELY RETIREMENT PAYMENTS - Percent of initial service retirements paid within 45 days from retirement date.		Approved	62%	80%	80%
2. TOTAL BENEFIT ADMIN COSTS - Total benefit administration costs per member.		Approved	\$172.00	\$165.00	\$165.00
3. MEMBER TO STAFF RATIO - Ratio of members to FTE staff.		Approved	983	1,055	1,055
4. ACCURATE BENEFIT CALCULATIONS - Percent of service retirement monthly benefits accurately calculated to within \$5 per month.		Approved	100%	100%	100%
5. LEVEL OF PARTICIPATION - Percent of state employees participating in the deferred compensation program.		Approved	37%	50%	50%
6. CUSTOMER SERVICE - Percent of member customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Helpfulness	Approved	89%	95%	95%
	Overall		89%	95%	95%
	Availability of Information		86%	95%	95%
	Timeliness		89%	95%	95%
	Accuracy		90%	95%	95%
	Expertise		90%	95%	95%
7. TIMELY BENEFIT ESTIMATES - Percent of benefit estimates processed within 30 days.		Approved	63%	95%	95%
8. BOARD OF DIRECTORS BEST PRACTICES - Percent of total best practices criteria met by the PERS board.		Approved	100%	100%	100%

**LFO Recommendation:**

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

**SubCommittee Action:**

# Budget Note Recommendation

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A budget note is a formal directive included in a budget report to express legislative intent for a particular budget issue. A budget note directs an agency to take administrative or managerial action relating to the agency's execution of its biennial budget. A budget note is of limited scope, not intended to circumvent, supplant, or replace other substantive or policy measures or law. The directive in a budget note typically expires at the end of the biennium. Budget notes are neither required nor necessary for every Ways and Means measure. See JWM Rule #9

# Work Sessions

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- No agency or public testimony will be taken during work sessions
- The Department of Administrative Services will not make a recommendation, as that recommendation has already been made as part of the Governor's budget



# Budget Report

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- Satisfies chamber rules by serving as both a Staff Measure Summary and Fiscal Impact Statement, and will be prepared after Full Committee
- Provides narrative to support legislative intent of a budget measure and explains the approved actions
- Authorizes number of positions and full-time equivalents
- Includes any budget notes, agency instructions, or requests to unschedule funds
- Includes Key Performance Measure report as an addendum

# Sample Budget Report

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81st Oregon Legislative Assembly – 2021 Regular Session

**SB 5537 A BUDGET REPORT and MEASURE SUMMARY**

**Carrier:** Rep. Smith G

**Joint Committee On Ways and Means**

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**Action Date:** 06/04/21

**Action:** Do Pass the A-Eng bill.

**House Vote**

**Yeas:** 11 - Bynum, Drazan, Gomberg, Leif, McLain, Nosse, Rayfield, Sanchez, Smith G, Sollman, Stark

**Senate Vote**

**Yeas:** 12 - Anderson, Frederick, Girod, Golden, Gorsek, Hansell, Johnson, Knopp, Lieber, Steiner Hayward, Taylor, Thomsen

**Prepared By:** Patrick Heath, Department of Administrative Services

**Reviewed By:** Zane Potter, Legislative Fiscal Office

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Department of Revenue  
2021-23

# Sample Budget Report (continued)

## **Budget Summary\***

	2019-21 Legislatively Approved Budget <sup>(1)</sup>	2021 - 23 Current Service Level	2021-23 Committee Recommendation	Committee Change from 2019-21 Leg. Approved	
				\$ Change	% Change
General Fund	\$ 193,109,647	\$ 204,437,845	\$ 213,020,750	\$ 19,911,103	10.3%
General Fund Debt Service	\$ 14,287,394	\$ 6,695,900	\$ 6,695,900	\$ (7,591,494)	-53.1%
Other Funds Nonlimited	\$ 8,817	\$ -	\$ -	\$ (8,817)	-100.0%
Other Funds Debt Service Nonlimited	\$ 2,246,184	\$ -	\$ -	\$ (2,246,184)	-100.0%
Other Funds Limited	\$ 140,177,244	\$ 129,810,993	\$ 149,099,871	\$ 8,922,627	6.4%
Other Funds Debt Service	\$ 2,018,471	\$ 550,120	\$ 550,120	\$ (1,468,351)	-72.7%
Total	\$ 351,847,757	\$ 341,494,858	\$ 369,366,641	\$ 17,518,884	5.0%

## **Position Summary**

Authorized Positions	1,094	1,001	1,105	11
Full-time Equivalent (FTE) positions	1,014.40	957.18	1,045.62	31.22

<sup>(1)</sup> Includes adjustments through January 2021

\* Excludes Capital Construction expenditures

## **Summary of Revenue Changes**

The Department of Revenue (DOR) is responsible for collecting taxes that make up 97% of the state's General Fund revenue, including the Personal Income Tax, Corporate Income Tax, Inheritance Tax, Cigarette Tax, and Other Tobacco Products Tax. General Fund revenues collected by DOR are expected to reach \$22.6 billion in the 2021-23 biennium. The General Fund is uniquely dependent on the Personal Income Tax, which is projected to account for approximately 89% of the General Fund revenues in 2021-23.

# Legislatively Adopted Budget

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Equals an agency's primary budget measure

- + Any policy measures with budgetary impacts
- + Any changes included in the omnibus budget reconciliation measure (e.g. statewide DAS assessment changes and Attorney General rate change)
- + Any change in the Capital Construction measure
- = Legislatively **Adopted** Budget

# Legislatively Approved Budget

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Equals an agency's Legislatively Adopted Budget:

- + February session actions (omnibus/capital construction measures and policy measures with budgetary impact)
  - + Emergency Board actions (under limited authority)
  - + Special session actions, if convened
  - + Select executive branch administrative actions authorized by law
- = Legislatively **Approved** Budget

# Questions?

