



Legislative Fiscal Office (LFO)






Fiscal Impact Statement (FIS)

Process Overview

January 12, 2017

LFO's FIS Team and Assignments



Fiscal Analyst	Assigned FIS Program Areas	
Krista Dauenhauer	Education Economic Development Consumer and Business Services	
Theresa McHugh	General Government Statewide Impact	
John Terpening	Public Safety Judicial Branch Transportation	
Kim To	Health and Human Services Legislative Branch Natural Resources All Bills with Task Forces/Committees	
		

Today's Presentation

- FIS tools and resources
- **Fiscal Impact Statement (FIS)**
 - Purpose of a FIS – Why do we need one?
 - Roles and responsibilities of FIS process partners.
 - How to determine and quantify the fiscal impact of a measure.
 - How to justify a fiscal impact determination.
- **What to expect during the 2017 Legislative Session**





FIS Tools & Resources

Tools and Resources

<https://www.oregonlegislature.gov/lfo/Pages/fis.aspx>

- 2017 LFO Assignments Listing by Analyst
- 2017 Agency FIS Instructions
- 2017 Agency FIS Form - *Excel version*
- 2017 Agency FIS Form - *Word version*

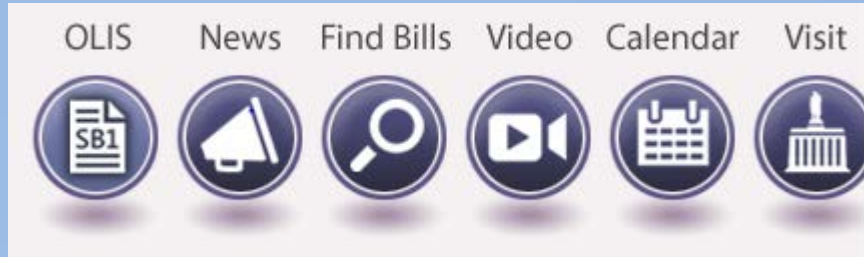
- How to Read a Measure
- How to Hand-Engross an Amended Measure
- FIS Checklist
- FIS Frequently Asked Questions

- FIS Example Packets (3)
 - Example 1: Measure History
 - Example 2: Formulating a FIS
 - Example 3: Sample Agency FIS

- 2017 FIS Process Overview PowerPoint



<http://www.oregonlegislature.gov/>



2015-2016 Interim

Session Details for Tuesday, September 27, 2016

Pick a new date

Senate Chamber not scheduled

House Chamber not scheduled

Meetings Today

Senate Third Readings

Senate Second Readings

Senate First Readings

Senate Committee Referrals

Senate Committee Reports

Today's Publications

House Third Readings

House Second Readings

House First Readings

House Committee Referrals

House Committee Reports



Purpose of a FIS

Why do we need one?

What is a FIS?

Why do we need a Fiscal Impact Statement?

ORS Chapter 173; House and Senate Rules:

- A Fiscal Impact Statement is required on each measure reported out of committee.
- The intent of a fiscal impact statement is to make sure we do not violate the State Constitution by spending what we don't have.

**It's not just a good idea.
It's State law.**



What is a Fiscal Impact Statement (FIS)?

An independent, objective analysis of the financial effects of a measure on state and local government:

- Expenditures;
- Revenues;
- Staffing (FTE); and
- Organizational

The effects are quantified compared to the 2015-17 Legislatively Approved Budget.

IMPARTIAL
NONPARTISAN



Purpose of a FIS



Provide information to help Legislators make decisions.

- Identify the impact of a measure on the budgets of state and local government.
- Help achieve a balanced state budget.
- Inform Legislators and public about fiscal consequences of proposed legislation.

What a FIS is NOT

Fiscal Impact Statements

- do NOT explain the benefits of the proposed legislation.
- do NOT measure the impact on society.
- are NOT intended to influence the passage of the bill.





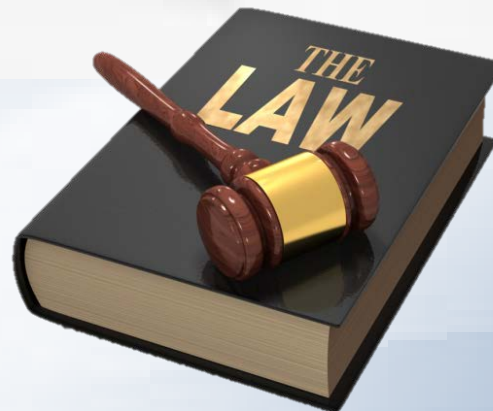
Roles and Responsibilities of FIS Process Partners

Who is responsible for producing FIS?

ORS Chapter 173; House and Senate Rules:

- Directs **LFO** to prepare FIS with assistance from
 - Department of Administrative Services (DAS)
 - state agencies
 - local governmental units

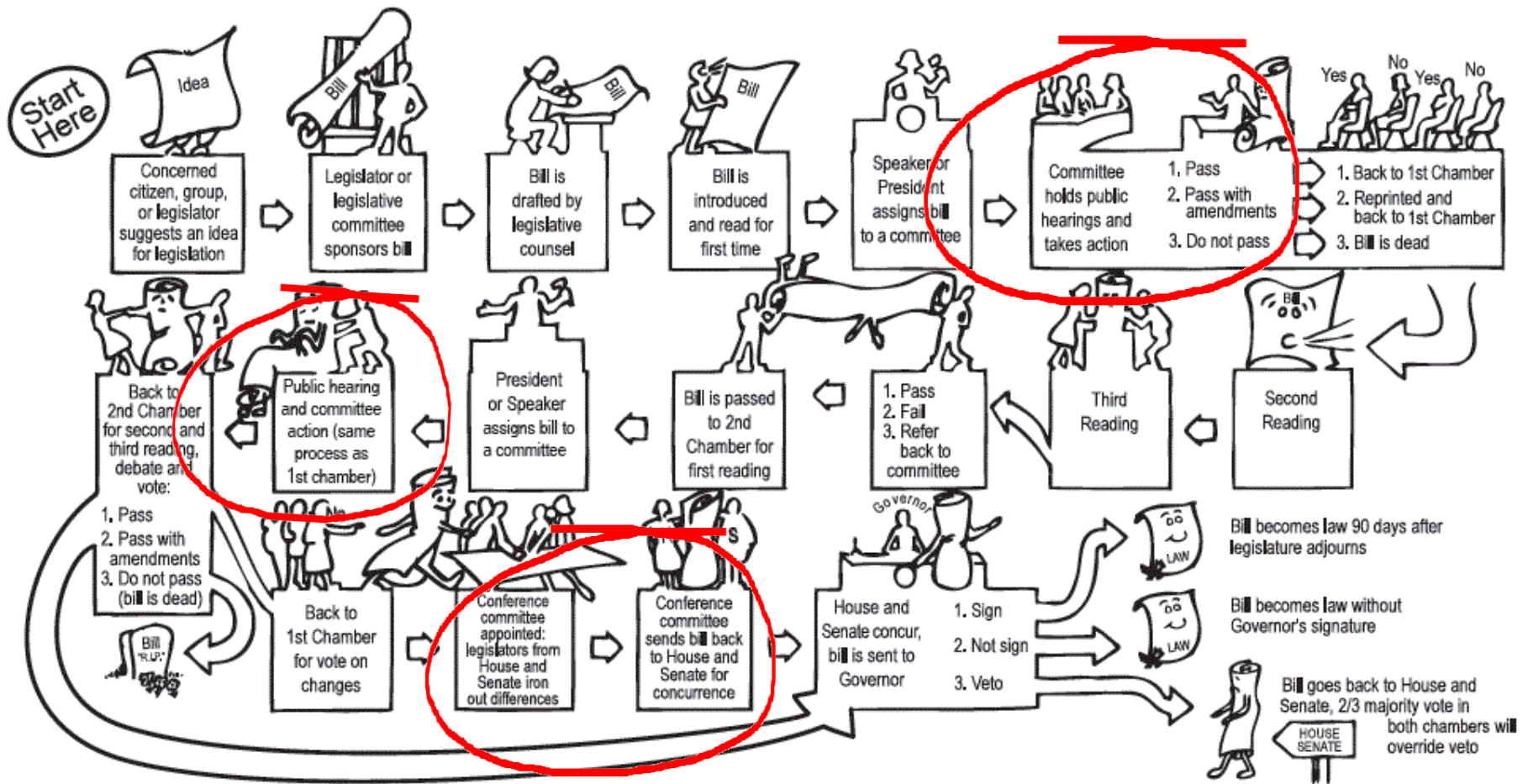
It's not just a good idea. It's the law.





How an Idea Becomes Law

A simple view of the Oregon Legislative Process



The Oregon Legislative Assembly

The Oregon Legislative Assembly is state government's "board of directors." It is responsible for making laws dealing with Oregon's well-being, adopting the state's budget, and for setting public policy. The Legislative Assembly is made up of two bodies: the Senate and the House of Representatives. The Senate consists of 30 members elected for four-year terms. The House consists of 60 representatives elected for two-year terms. Each member of the legislature represents a district (an area determined by population). Every Oregonian is represented by one state Senator and one state Representative.

The legislature convenes annually in February at the State Capitol in Salem, but sessions may not exceed 160 days in odd-numbered years and 35 days in even-numbered years, unless extended by a two-thirds vote in each chamber. About 3,000 bills are considered in each odd-year session. Relying largely upon work done in committees, the legislature enacts about one-third of these bills into Law

Managing the FIS Process

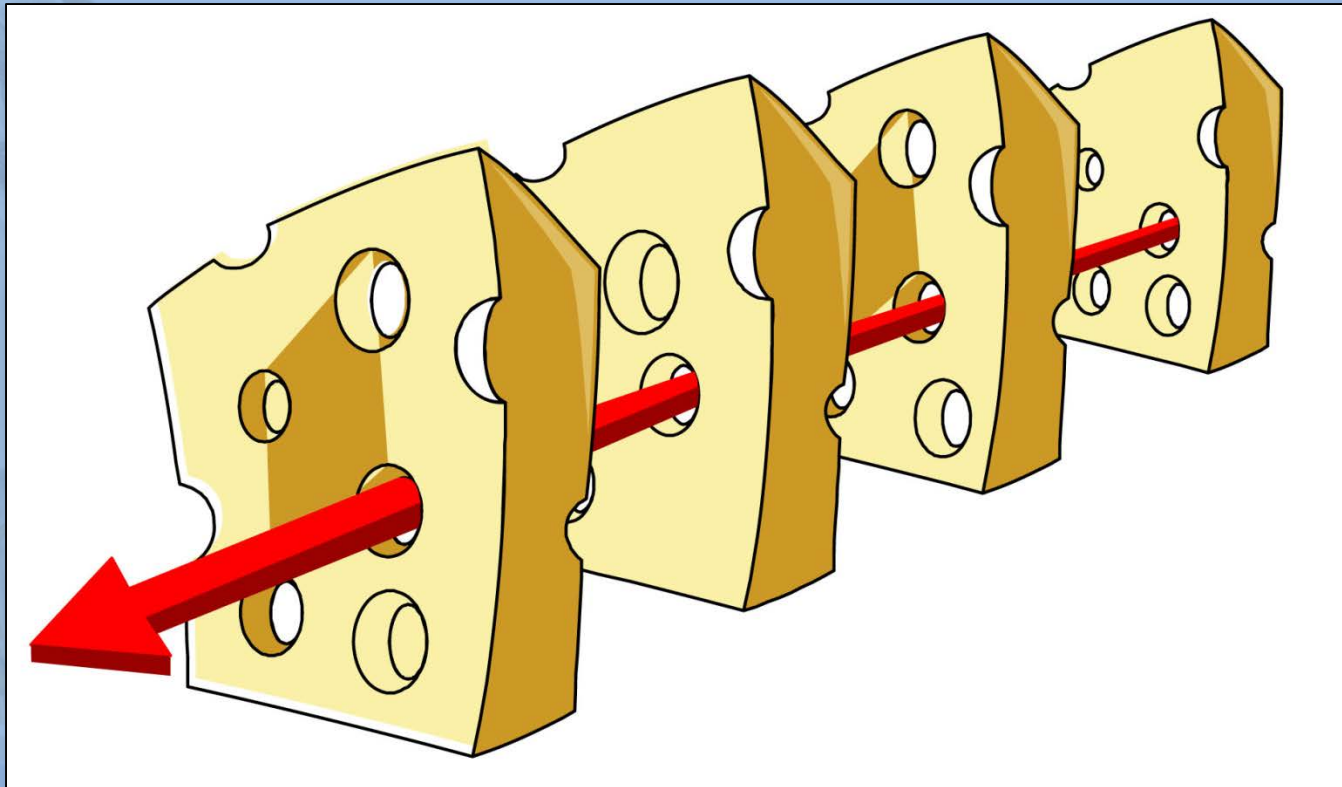


- We are all bombarded with information.
- We are required to balance the needs of multiple competing interests.
- We have limited time and capacity to weigh all the relevant benefits and costs of a decision.

The FIS process is structured to compensate for these realities.

Swiss Cheese Theory

Complexity + Multiple Competing Interests + Uncertainty = Risk of Mistakes



Hazards

In addition to the political system of checks and balances, we need to build technical and operational checks, backups, safety nets, redundancy to minimize errors.

Legislative Counsel

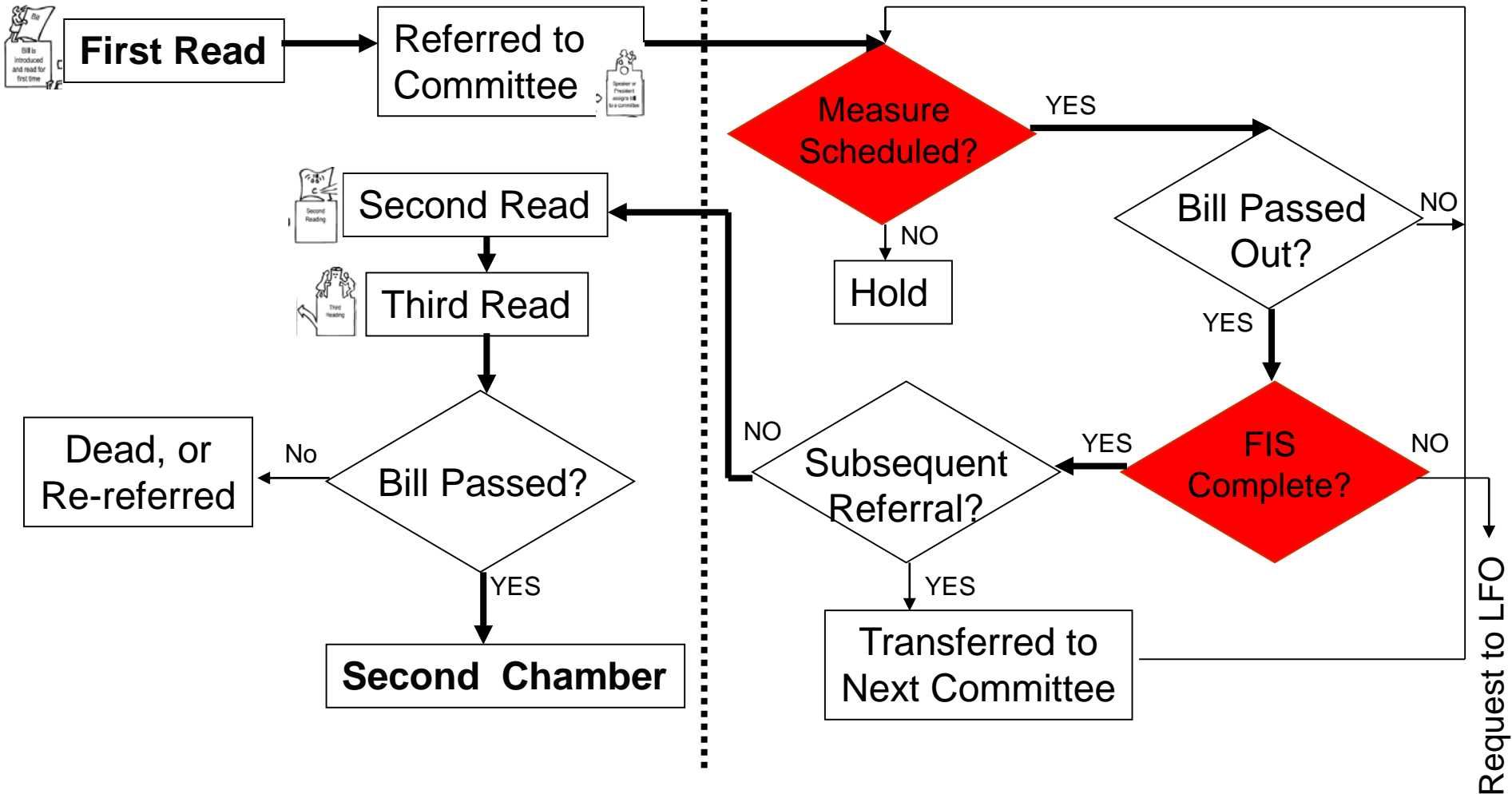


- Drafts all measures and amendments.
- Renders legal opinions.
- Provides informal legal advice to members, committees and staff.
- Publishes the [Oregon Revised Statutes](#) and other [legal publications](#).
- Reviews all [administrative rules](#) adopted by executive branch agencies for constitutionality and legal sufficiency.
- Performs other legal services as directed by the Legislative Assembly.

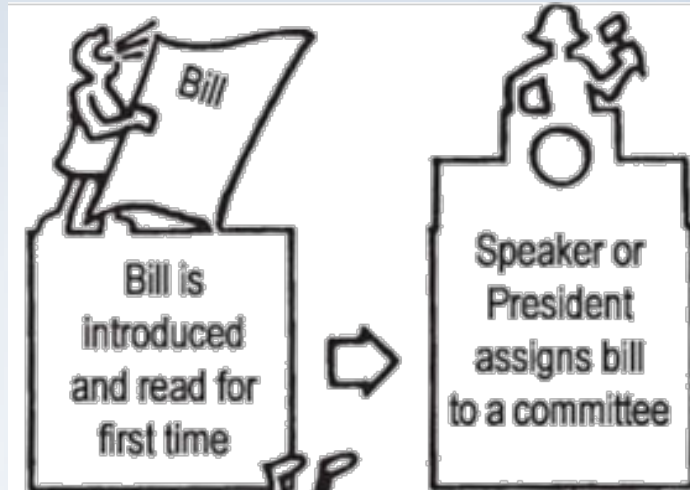
◆ FIS Process Intersection

CHAMBER OF ORIGIN

COMMITTEE WORK



Committees and Legislative Policy and Research Office (LPRO)



Senate Committees

- Business & Transportation
- Education & Workforce Development
- Environment & Natural Resources
- Gen. Gov., Consumer & Small Bus. Protection
- Health Care & Human Services
- Judiciary
- Rules
- Rural Communities & Economic Development
- Veterans' and Emergency Preparedness

House Committees

- Agriculture & Natural Resources
- Business & Labor
- Consumer Protection & Gov. Efficiency
- Education
- Energy & Environment
- Health Care
- Higher Education & Workforce Dev.
- Human Services & Housing
- Judiciary
- Land Use
- Rules
- Transportation & Econ. Development
- Veterans & Emergency Preparedness

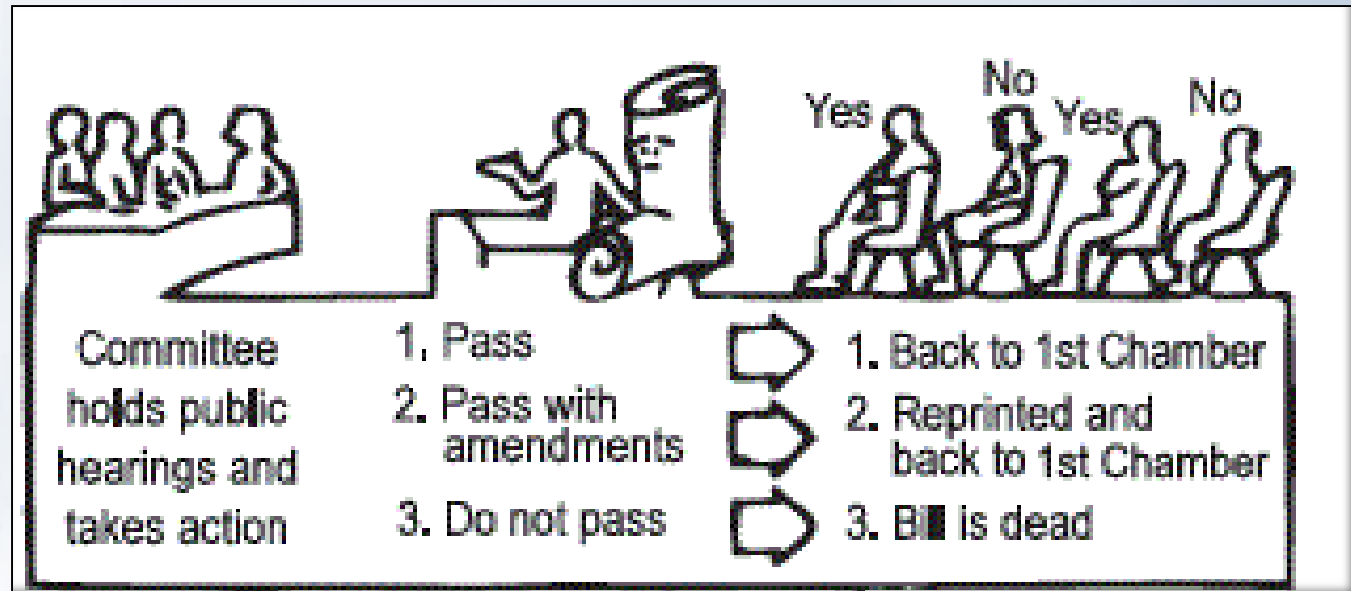


Committee Services

Legislative Policy and Research Office (LPRO) Analysts

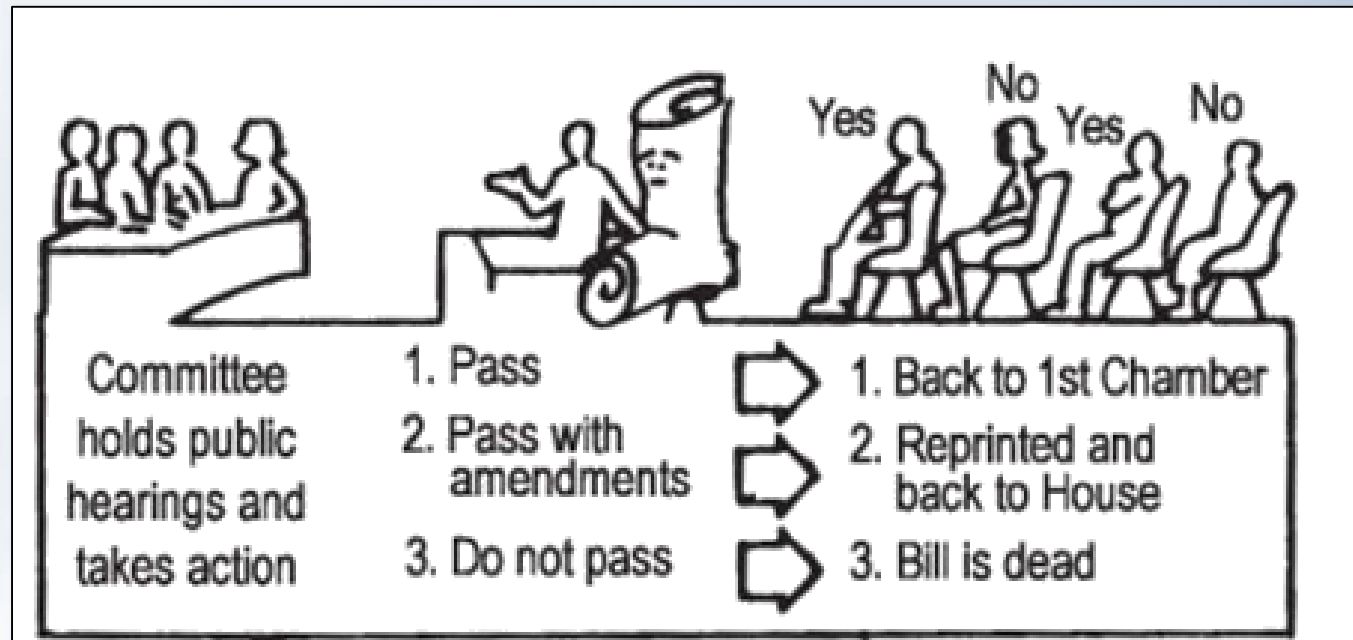


- Schedule a measure for a hearing
- Author Staff Measure Summaries (SMS)
- Request Amendment, FIS, and RIS



Setting FIS Priority

- PUB Public Hearing
- PPW Public Hearing and Possible Work Session
- PWK Possible Work Session
- PAW **Public Hearing and Work Session**
- PRW **Possible Reconsideration and Work Session**
- WRK **Work Session**



Committee Rules

Senate and House Rules state that the following supporting documents must be part of the materials filed with the Chief Clerk of the House or the Secretary of the Senate when a measure is reported out of committee:

- Fiscal Impact Statement (FIS)
- Revenue Impact Statement (RIS)
- Staff Measure Summary (SMS)

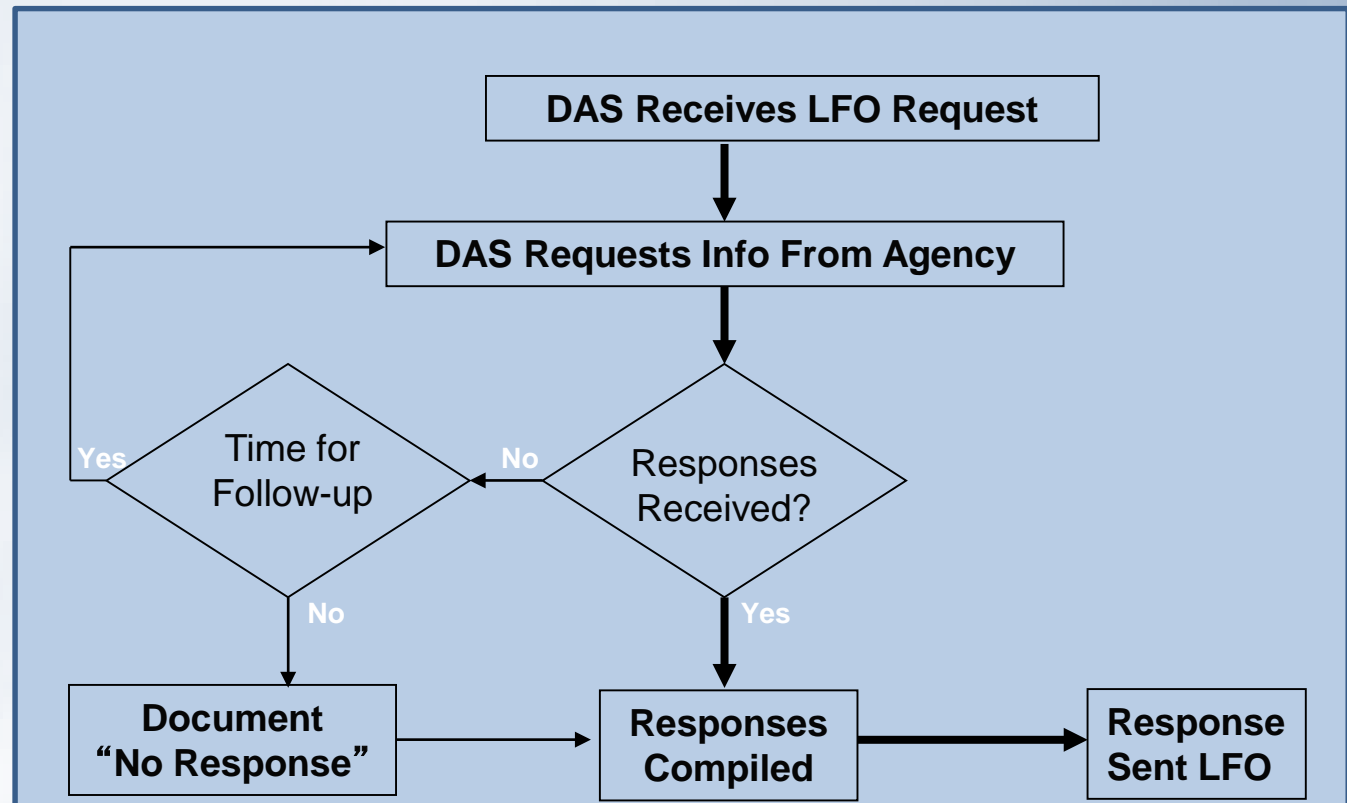


Department of Administrative Services (DAS)

Statewide Impact FIS Coordinator(s):

- **Amy Williams**
- **Lindsay Baker**

Gather and consolidate agency FIS for Executive Branch bills with statewide impact.



Executive Branch Enterprise View



- Enterprise Asset Management
 - Elaine Schacher, Elaine.G.Schacher@oregon.gov
- Enterprise Goods and Services
 - Brad Cunningham, Brad.Cunningham@oregon.gov
 - Tim Hendrix, Tim.Hendrix@oregon.gov
- Enterprise Human Resource Services
 - Erin Haney, erin.d.haney@oregon.gov
 - Susan Hoeye, Susan.E.Hoeye@oregon.gov
- Office of the State Chief Information Officer (OSCIO)
 - Justin Huddleston, justin.huddleston@oregon.gov
 - Darren Wellington, Darren.wellington@oregon.gov
 - Ed Arabas, Edward.p.arabas@oregon.gov
- Department of Administrative Services (DAS) Business Services
 - Janet Savarro, Janet.E.Savarro@soregon.gov
 - Lori Warren, lori.a.warren@oregon.gov
- Chief Finance Office (CFO)
 - Brian DeForest, Brian.E.DeForest@oregon.gov
 - George Naughton, George.m.Naughton@oregon.gov

Legislative Revenue Office (LRO)



Legislative Revenue Office

- Tax
- Common School Fund
- Court Fees and Fines

Legislative Fiscal Office

- Fees
- Civil penalties
- Ticket sales
- Grants
- Etc.

State Agencies and Local Government



- Agency FIS Coordinators
- Agency FIS Preparers
- Legislative Coordinators



Agency FIS Responsibilities



FIS Coordinators

- Communicate effectively and work collaboratively with LFO staff.
- Track measures that will impact your agency.
- Ensure there's good communication between agency fiscal, program and legislative staff.
- Develop internal processes to ensure timeliness and accuracy.
- Develop and fully document agency FIS assumptions and conclusions.
- Be proactive.

FIS Preparers

Collaborative, Iterative Process

A quality FIS results from good analysis, communication, and coordination among **ALL** information sources and the Legislative Fiscal Office.





LFO Working Folder Etiquette



- Agencies prepare potential impact information for consideration in preparation of the LFO fiscal impact statement.
- **LFO does not share fiscal information submitted by agencies before release of official LFO FIS.**
- LFO-produced fiscal impact statements are posted on OLIS.

Who uses the Official LFO FIS?



- Committees
- Legislature
- Governor

- State agencies
- Local governments
- The public

FISCAL IMPACT OF PROPOSED LEGISLATION

Seventy-Seventh Oregon Legislative Assembly – 2013 Regular Session
Legislative Fiscal Office

Measure: HB 2530

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Krista McDowell
Reviewed by: Paul Siebert
Date: 3/15/2013

Measure Description:

Prohibits importation of genetically engineered fish into this state.

Government Unit(s) Affected:

Oregon Department of Fish and Wildlife (ODFW)

Analysis:

The proposed legislation has been determined to have
MINIMAL EXPENDITURE IMPACT
on state or local government.

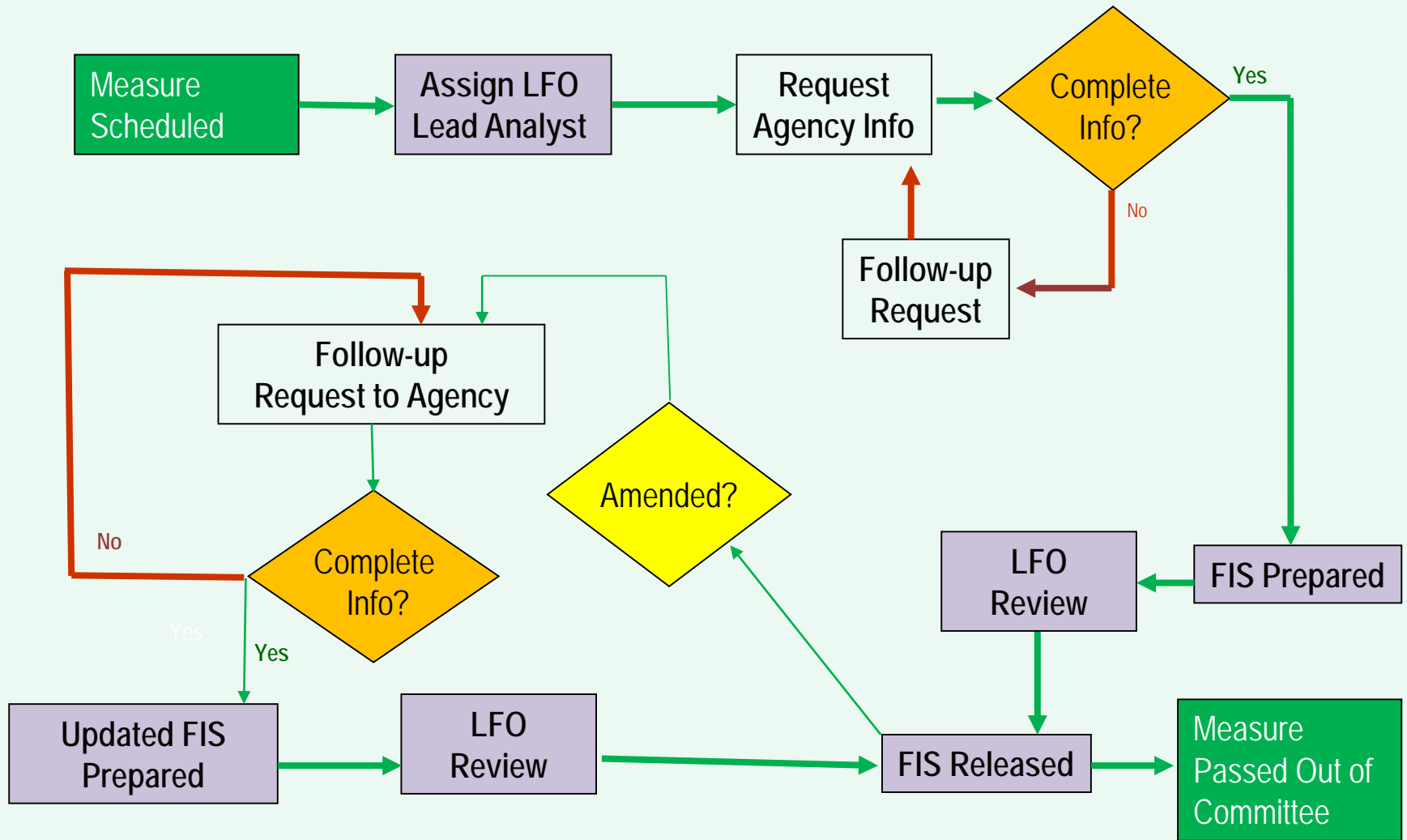
While this individual measure has a "Minimal" fiscal impact, an agency may incur a net fiscal impact greater than minimal depending on the cumulative impact of all measures enacted into law that affect the agency.

LFO FIS Responsibilities



- Identify and gather data from all affected agencies.
- Challenge information and assumptions as appropriate.
- Review historical information.
- Analyze and synthesize information collected into a **justified** fiscal impact conclusion.
- Meet legislative deadlines.
- Present FIS first to appropriate Legislative Committee, then publish online.
- Communicate effectively and work collaboratively with all entities that provide information.

FIS Internal LFO Process



Sample E-mail requesting agency FIS

From: To Kim
To: 'sara.singer@dhsosha.state.or.us'; MARQUETTE Carolina V; afauver@coveroregon.com
Cc: MENDIOLA Anita; cmiller@coveroregon.com
Subject: RE: SB 1562- A9 FIS Request - Please respond by 9am on Monday 2/24/2014

Message SB 1562-A9 Hand Engrossed.pdf (45 KB)



Please send me your agency's fiscal impact statement for SB 1562 –**A9** as soon as you can, but no later than 9am on Monday, February 24, 2014.

Thank you,
Kim

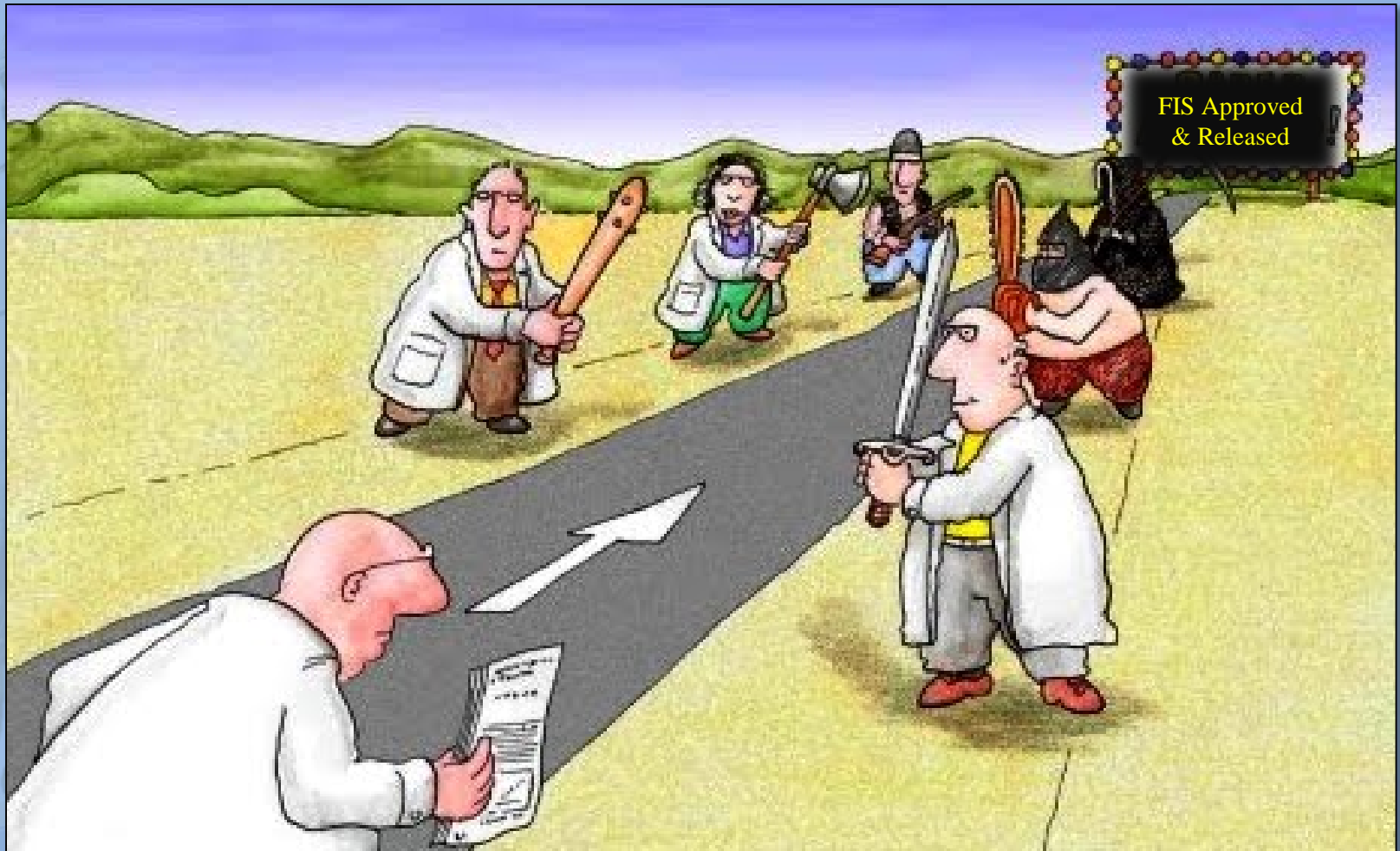
Kim To
Legislative Analyst
LEGISLATIVE FISCAL OFFICE
State Capitol
900 Court Street, NE
Room H-178
Salem, Oregon 97301-04043
Direct Line: 503-986-1830

Potentially Affected Agencies:

OHA
DCBS
Cover Oregon

Go to this link for instructions, forms, and other resources for developing a fiscal impact statement: <https://www.oregonlegislature.gov/lfo/Pages/fis.aspx>

LFO Internal Review Process for FIS



After the lead fiscal analyst prepares the FIS, it is reviewed by all LFO Budget Analysts with agencies that the measure may impact.



**How to determine and quantify
the fiscal impact of a measure**

Follow the established process



Provide all the basic components of a FIS



- ❑ Contact Information
- ❑ Measure Number and Version
- ❑ Written Analysis
 - Concise statement of what the measure requires agency to do.
 - Detailed description of strategy for implementing requirements, and related fiscal impact.
 - Clear explanation of which requirements may already be funded, and which are not.
 - If indeterminate FIS, list factors that are not quantifiable.
- ❑ Quantitative Analysis
- ❑ Supporting Data/Documents

Contact Information and Basic Measure Information

AGENCY FISCAL IMPACT STATEMENT FORM

(See instructions for completing form)

Please complete this form, and return one copy each to the Legislative Fiscal Office (LFO) and the Budget and Management Division (BAM).

Agency Name: _____
Preparer Name/Title: _____
Preparer Phone #: _____
Date Submitted: _____

Measure #: _____ Version: _____

- No fiscal impact** The absence of an expenditure or revenue (non-tax) impact.
 Minimal Impact A fiscal impact that can be absorbed with existing agency resources.
 Fiscal Impact A fiscal impact determined to be greater than a minimal fiscal impact.

The budgetary impact of this bill was reviewed and approved by the Interim Joint Committee on Ways and Means to be recommended to be included in the omnibus budget bill.

Yes _____ No _____

Is the bill anticipated by the Governor's Recommended Budget as a Policy Option Package? If yes, please identify the Policy Option Package name and number in your written analysis.

Yes _____ No _____

Written Analysis

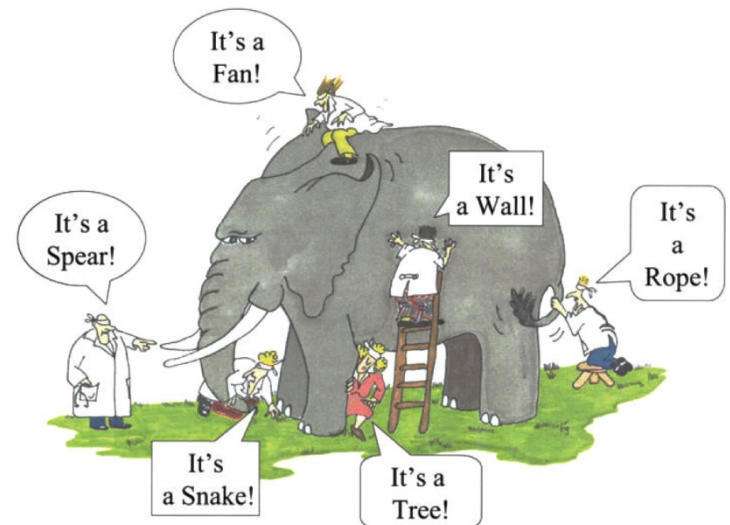
BILL DESCRIPTION

State your agency's understanding of what the bill proposes. How would the proposal be implemented?

For FIS prepared on subsequent bill versions (amendments), please provide an explanation of the changes made in each version of the measure.

AGENCY WRITTEN ANALYSIS:

Provide a high-level summary of the general requirements of the bill and what your agency will need to do to comply with the requirements. Identify any ambiguity or other issues related to the measure's language. Identify measure's effective date, and if applicable, operative dates. Summarize the methodology used to make fiscal calculations/determination. See instructions for other considerations.



Quantitative Analysis and Supporting Data



	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
7															
8															
9			Effect on Expenditure (by Fund and Category):												
10															
11			General Fund	Lottery Funds	Other Funds	Federal Funds	NL Other Funds	NL Federal Funds	TOTAL FUNDS						
12		2017-19 Biennium													
13		Personal Services	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
14		Services and Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
15		Special Payments	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
16		Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
17		Capital Construction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
18		Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
19		Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
20															
21															
22			General Fund	Lottery Funds	Other Funds	Federal Funds	NL Other Funds	NL Federal Funds	TOTAL FUNDS						
23		2019-21 Biennium													
24		Personal Services	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
25		Services and Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
26		Special Payments	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
27		Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
28		Capital Construction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
29		Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
30		Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
31															
32															
33			Effect on Revenues (by Fund):												
34															
35			General Fund	Lottery Funds	Other Funds	Federal Funds	NL Other Funds	NL Federal Funds	TOTAL FUNDS						
36															
37		2017-19 Biennium	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
38															
39		2019-21 Biennium	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
40															
41															
42			Effect on Position(s) / FTE(s):												
43															
44			Months of Impact				2017-19	2017-19					2019-21	2019-21	
45			2017-19	2019-21			Position Count	FTE					Position Count	FTE	
46															
47															
48															
49			Please complete detail Personal Services information using "PS Calculation" tab.												
50															

Page 1

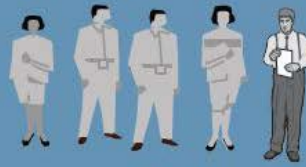
Fiscal Impact Statements

"As Is"
Measure Does Not Pass

"To Be"
Measure Becomes Law

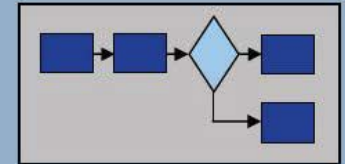
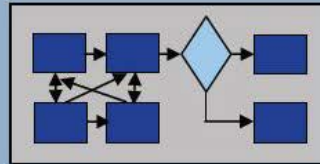
Accountability

People



Indicators

Process



Priorities

Resources



Types of FIS



1. No Fiscal
2. Minimal Fiscal (absorbable fiscal)*
3. (Written) Fiscal
 - Quantified Fiscal
 - Explanatory Fiscal*
 - Indeterminate Fiscal
 - Fiscal Lite (to move from one committee to another)
4. Re-issued Fiscals
 - Revised Fiscal: Agency adjustment
 - Corrected Fiscal: LFO adjustment

* Minimal fiscals may be issued as explanatory fiscals.

No Fiscal Impact



- Your agency has no involvement with these statutes.
- Codifies what is already in practice.
 - Must include a brief narrative explaining why there is no impact.
- Minor changes in process or protocol.
 - Must include a brief narrative explaining why there is no impact.

Minimal Fiscal Impact



- Minor changes in process or protocol.
- Absorbable costs.
- Be aware of cumulative impact.
 - Must include a brief narrative explaining why the impact is minimal.

Fiscal Impact

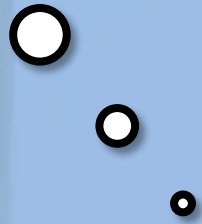


- Significant changes in process or protocol.
- Non-absorbable costs.
 - Must include a narrative explaining the complete fiscal impact.
 - Must include worksheet detailing cost calculations.

Justifying your FIS

Urgency
Change
Uncertainty
Risks

Measure Becomes Law



Resources

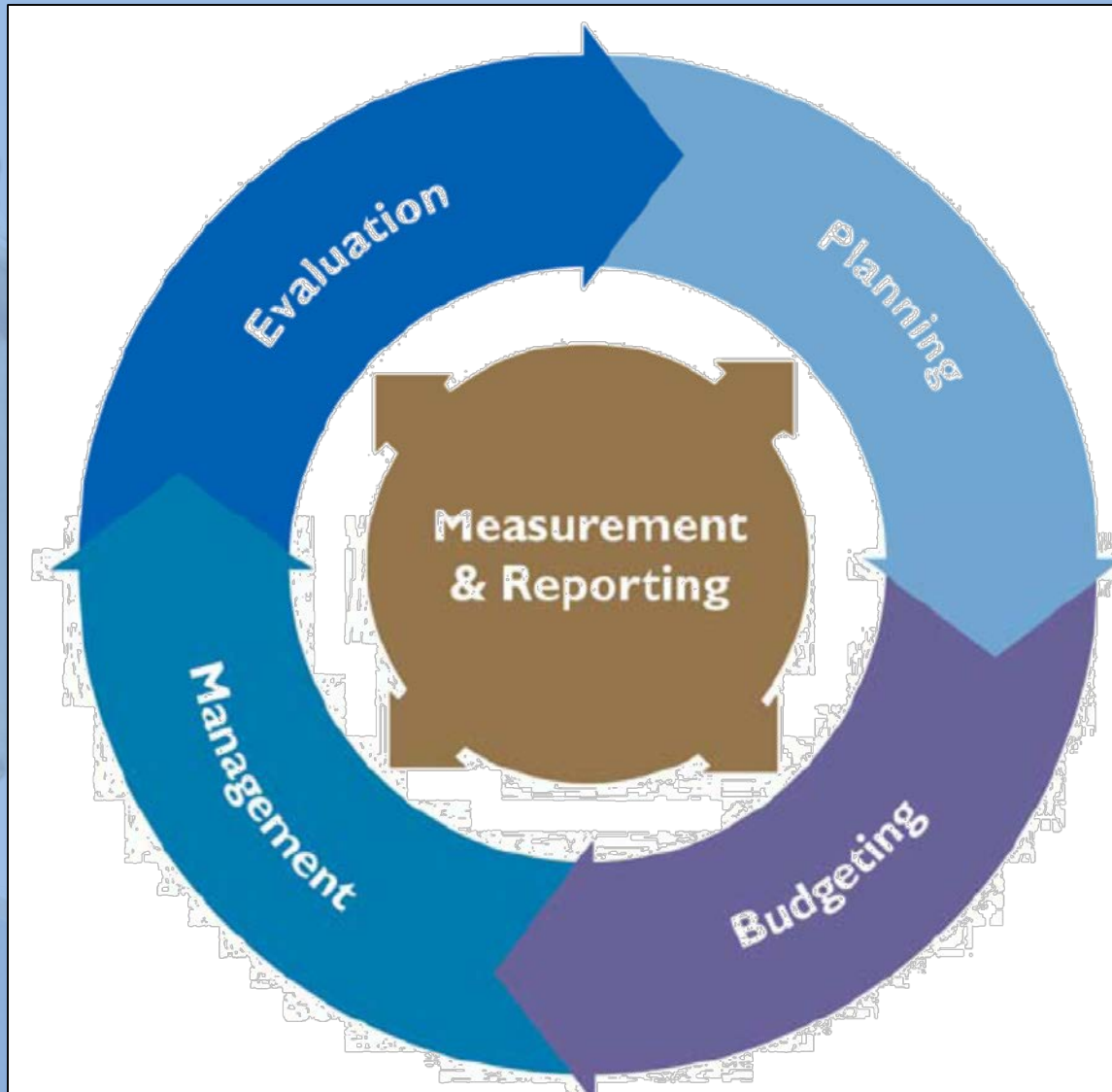
Processes

People

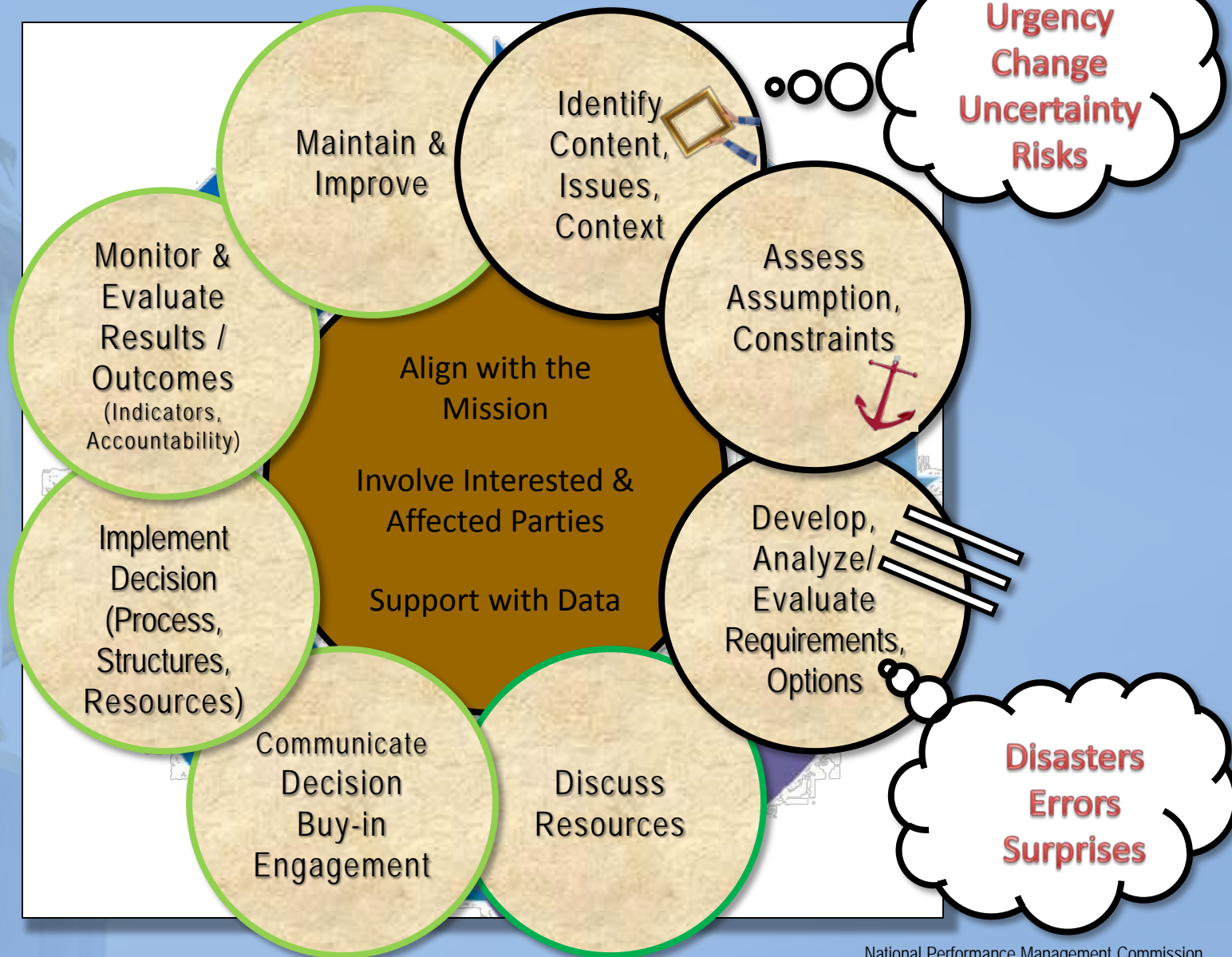
Measure Does Not Pass



Not Just a Price Tag, but a Business Plan



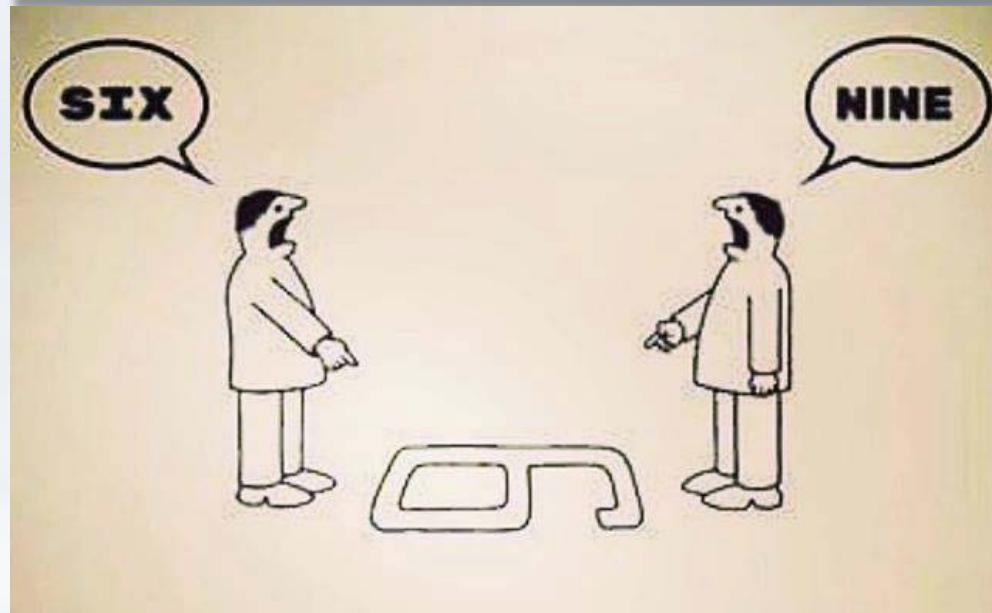
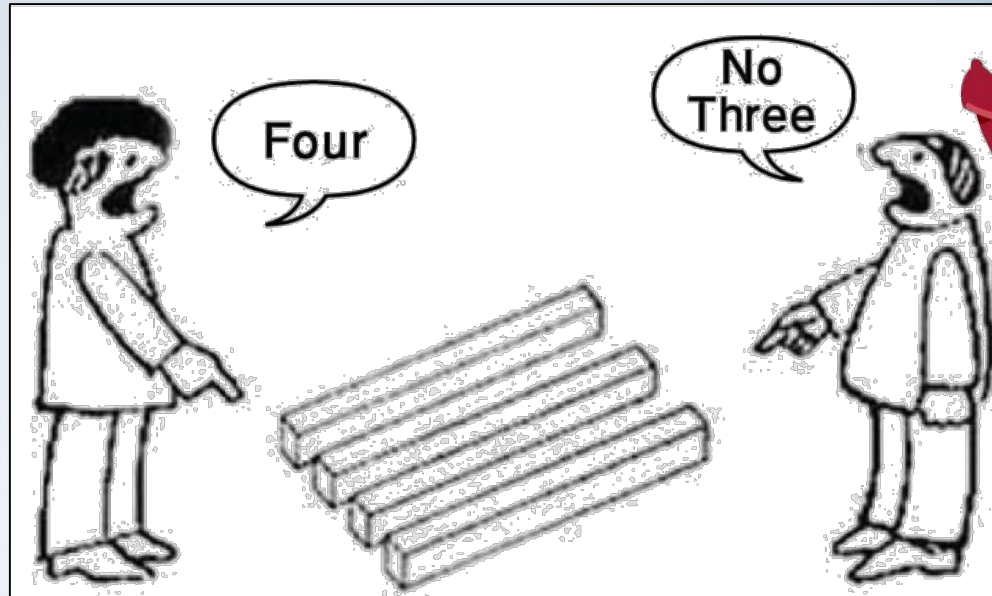
Not Just a Price Tag, but a Business Plan



Honestly Frame the Issue



Anchor the Issue



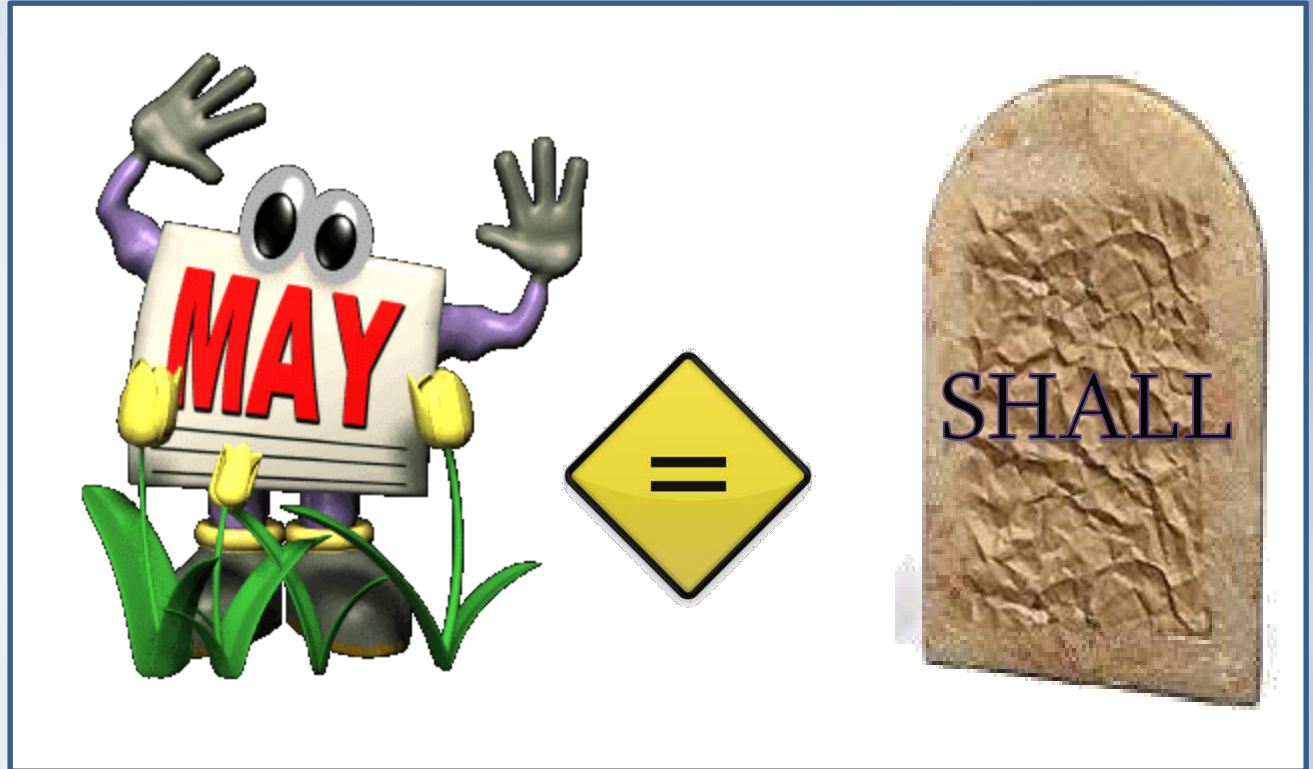
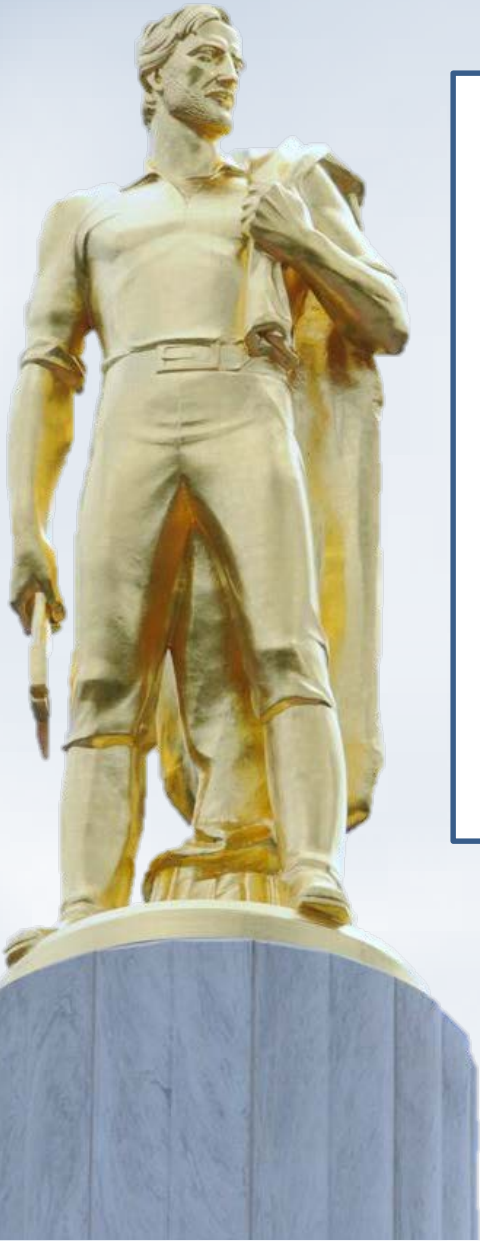
Discussing Resources

What resources (staff, equipment, regional offices, IT systems, etc.) are required to implement and manage the provisions of the bill, and do they already exist in the agency?

- Administrative
- Operating
- Maintenance
- Monitoring
- Enforcement
- Capital



Resources: Permissive Language



Resources: Funding Language



“...from funds available to the agency...”

“...from funds available for the purpose...”

“...the bill is to be implemented without any additional agency expenditures...”



Resources: Cost Containment or Cost/Priority Shifting?



- Feasibility: Legally, administratively
- Uncertainty and Risk: What could go wrong? How likely? How costly?
- Effectiveness: Will it solve the problem/seize the opportunity? How? Are there unintended consequences?
- Efficiency: Cost-benefit, cost effectiveness, productivity
- Equity: Who gains? Who loses? By how much?
- Priority: Given the current state of fiscal constraints are these policy expectations realistic? How will priorities be shifted? What is at risk of falling off the plate with the addition of these new provisions?

JUST
THE
FACTS!

Resources: Funding Language – Bills with an Appropriation

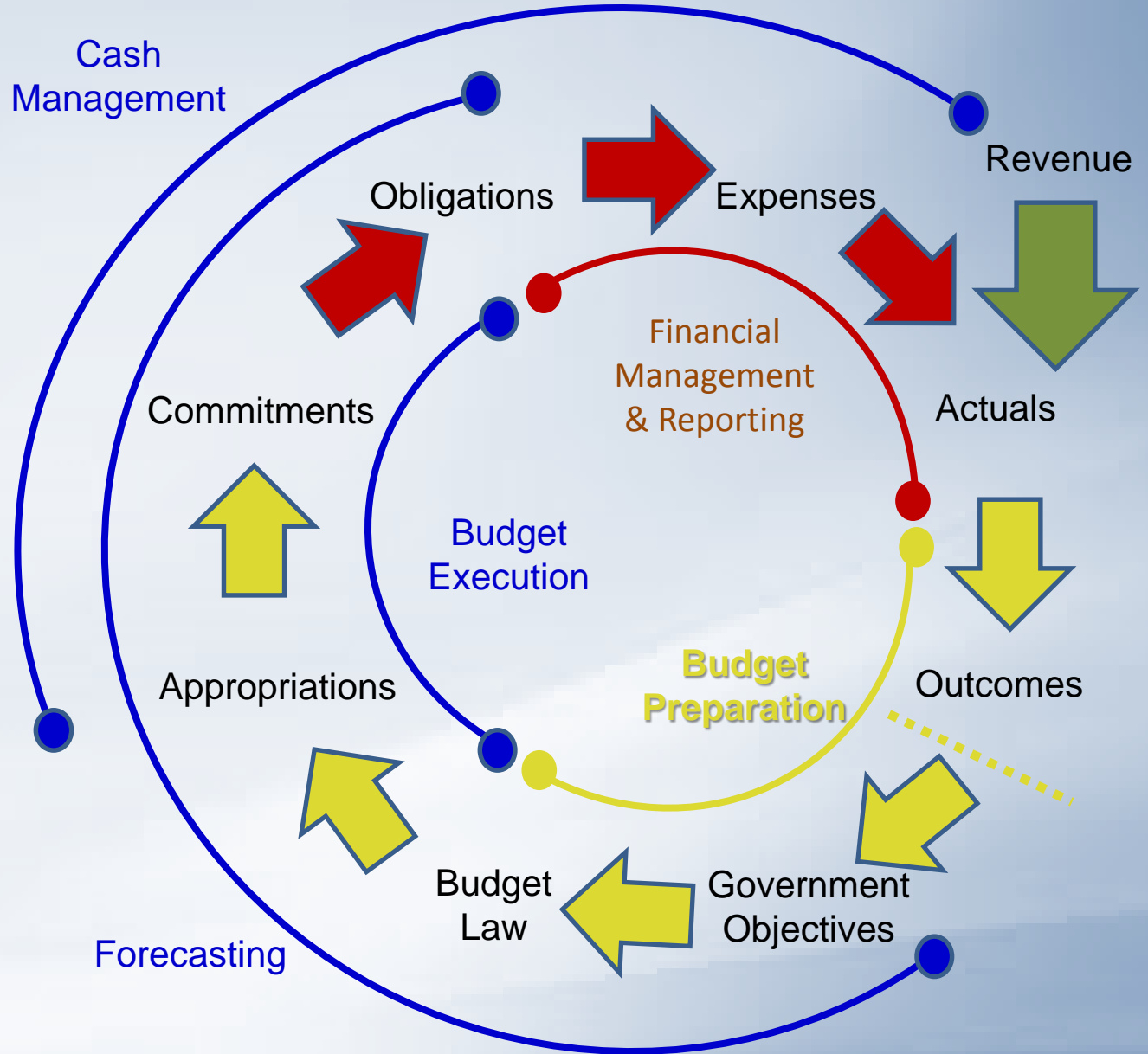


“There is appropriated...

If a measure appropriates \$100,000 to carryout the provisions of the bill, but the expected cost is \$300,000, how should we price the FIS?

- Always provide the true cost of carrying out the provisions of the measure.

Resources: Timing of Funding



Resources: Effective Date

Impact for 2017-2019

Normal = 18 months of impact

Emergency clause = could be up to 24 months of impact

Impact for 2019-2021

24 months unless there is a sunset date

2017		2018		2019	
JANUARY	JULY	JANUARY	JULY	JANUARY	JULY
S M T W T F S	S M T W T F S	S M T W T F S	S M T W T F S	S M T W T F S	S M T W T F S
1 2 3 4 5 6 7	2 3 4 5 6 7 8	1 2 3 4 5 6	8 9 10 11 12 13	1 2 3 4 5	1 2 3 4 5 6
8 9 10 11 12 13 14	9 10 11 12 13 14 15	7 8 9 10 11 12 13	14 15 16 17 18 19 20	6 7 8 9 10 11 12	7 8 9 10 11 12 13
15 16 17 18 19 20 21	16 17 18 19 20 21 22	14 15 16 17 18 19 20	21 22 23 24 25 26 27	3 4 5 6 7 8 9	14 15 16 17 18 19 20
22 23 24 25 26 27 28	23 24 25 26 27 28 29	8 9 10 11 12 13 14	28 29 30 31	10 11 12 13 14 15 16	21 22 23 24 25 26 27
29 30 31	30 31	15 16 17 18 19 20 21		17 18 19 20 21 22 23	28 29 30 31
FEBRUARY	AUGUST	FEBRUARY	AUGUST	FEBRUARY	AUGUST
1 2 3 4	1 2 3 4 5	1 2 3	1 2 3 4	1 2 3	1 2 3
5 6 7 8 9 10 11	6 7 8 9 10 11 12	4 5 6 7 8 9 10	5 6 7 8 9 10 11	3 4 5 6 7 8 9	4 5 6 7 8 9 10
12 13 14 15 16 17 18	13 14 15 16 17 18 19	11 12 13 14 15 16 17	12 13 14 15 16 17 18	10 11 12 13 14 15 16	11 12 13 14 15 16 17
19 20 21 22 23 24 25	20 21 22 23 24 25 26	18 19 20 21 22 23 24	19 20 21 22 23 24 25	17 18 19 20 21 22 23	18 19 20 21 22 23 24
26 27 28	27 28 29 30 31	25 26 27 28	26 27 28 29 30 31	24 25 26 27 28	25 26 27 28 29 30 31
MARCH	SEPTEMBER	MARCH	SEPTEMBER	MARCH	SEPTEMBER
1 2 3 4	1 2	1 2 3	1	1 2	1 2 3 4 5 6 7
5 6 7 8 9 10 11	3 4 5 6 7 8 9	4 5 6 7 8 9 10	2 3 4 5 6 7 8	3 4 5 6 7 8 9	8 9 10 11 12 13 14
12 13 14 15 16 17 18	10 11 12 13 14 15 16	11 12 13 14 15 16 17	9 10 11 12 13 14 15	10 11 12 13 14 15 16	15 16 17 18 19 20 21
19 20 21 22 23 24 25	17 18 19 20 21 22 23	18 19 20 21 22 23 24	16 17 18 19 20 21 22	17 18 19 20 21 22 23	22 23 24 25 26 27 28
26 27 28 29 30 31	24 25 26 27 28 29 30	25 26 27 28 29 30 31	23 24 25 26 27 28 29 30	24 25 26 27 28 29 30	29 30
APRIL	OCTOBER	APRIL	OCTOBER	APRIL	OCTOBER
1	1 2 3 4 5 6 7	1 2 3 4 5 6 7	1 2 3 4 5 6	1 2 3 4 5 6	1 2 3 4 5
2 3 4 5 6 7 8	8 9 10 11 12 13 14	8 9 10 11 12 13 14	7 8 9 10 11 12 13	7 8 9 10 11 12 13	6 7 8 9 10 11 12
9 10 11 12 13 14 15	15 16 17 18 19 20 21	15 16 17 18 19 20 21	14 15 16 17 18 19 20	14 15 16 17 18 19 20	13 14 15 16 17 18 19
16 17 18 19 20 21 22	22 23 24 25 26 27 28	22 23 24 25 26 27 28	21 22 23 24 25 26 27	21 22 23 24 25 26 27	20 21 22 23 24 25 26
23 24 25 26 27 28 29	29 30 31	29 30	28 29 30 31	28 29 30	27 28 29 30 31
30					
MAY	NOVEMBER	MAY	NOVEMBER	MAY	NOVEMBER
1 2 3 4 5 6	1 2 3 4	1 2 3 4 5	1 2 3	1 2 3 4	1 2
7 8 9 10 11 12 13	5 6 7 8 9 10 11	6 7 8 9 10 11 12	4 5 6 7 8 9 10	5 6 7 8 9 10 11	3 4 5 6 7 8 9
14 15 16 17 18 19 20	12 13 14 15 16 17 18	13 14 15 16 17 18 19	11 12 13 14 15 16 17	12 13 14 15 16 17 18	10 11 12 13 14 15 16
21 22 23 24 25 26 27	19 20 21 22 23 24 25	20 21 22 23 24 25 26	18 19 20 21 22 23 24	19 20 21 22 23 24 25	17 18 19 20 21 22 23
28 29 30 31	26 27 28 29 30	27 28 29 30 31	25 26 27 28 29 30	26 27 28 29 30 31	24 25 26 27 28 29 30
JUNE	DECEMBER	JUNE	DECEMBER	JUNE	DECEMBER
1 2 3	1 2	1 2	1	1 2 3 4 5 6 7	1 2 3 4 5 6 7
4 5 6 7 8 9 10	3 4 5 6 7 8 9	3 4 5 6 7 8 9	2 3 4 5 6 7 8	8 9 10 11 12 13 14	8 9 10 11 12 13 14
11 12 13 14 15 16 17	10 11 12 13 14 15 16	10 11 12 13 14 15 16	9 10 11 12 13 14 15	9 10 11 12 13 14 15	15 16 17 18 19 20 21
18 19 20 21 22 23 24	17 18 19 20 21 22 23	17 18 19 20 21 22 23	16 17 18 19 20 21 22	16 17 18 19 20 21 22	22 23 24 25 26 27 28
25 26 27 28 29 30	24 25 26 27 28 29 30	24 25 26 27 28 29 30	23 24 25 26 27 28 29 30 31	23 24 25 26 27 28 29 30 31	29 30 31



How to justify the fiscal impact of a measure

NOT a price tag; NOT a ransom note; but a Business Plan

A compelling FIS

- ▶ Justifies the cost estimate
 - Clearly and credibly document facts.
 - Leverages existing resources.
 - Includes stakeholder involvement.
 - Guides subsequent work.



Support with Meaningful and Relevant Information

“Everybody is entitled to his own opinion, but not his own facts.”

Senator Daniel Patrick Moynihan



www.timoelliott.com

“When you two have finished arguing your opinions, I actually have data!”



Proving the Integrity of Your Information

“You have to consider all the data—not just the data you like.”

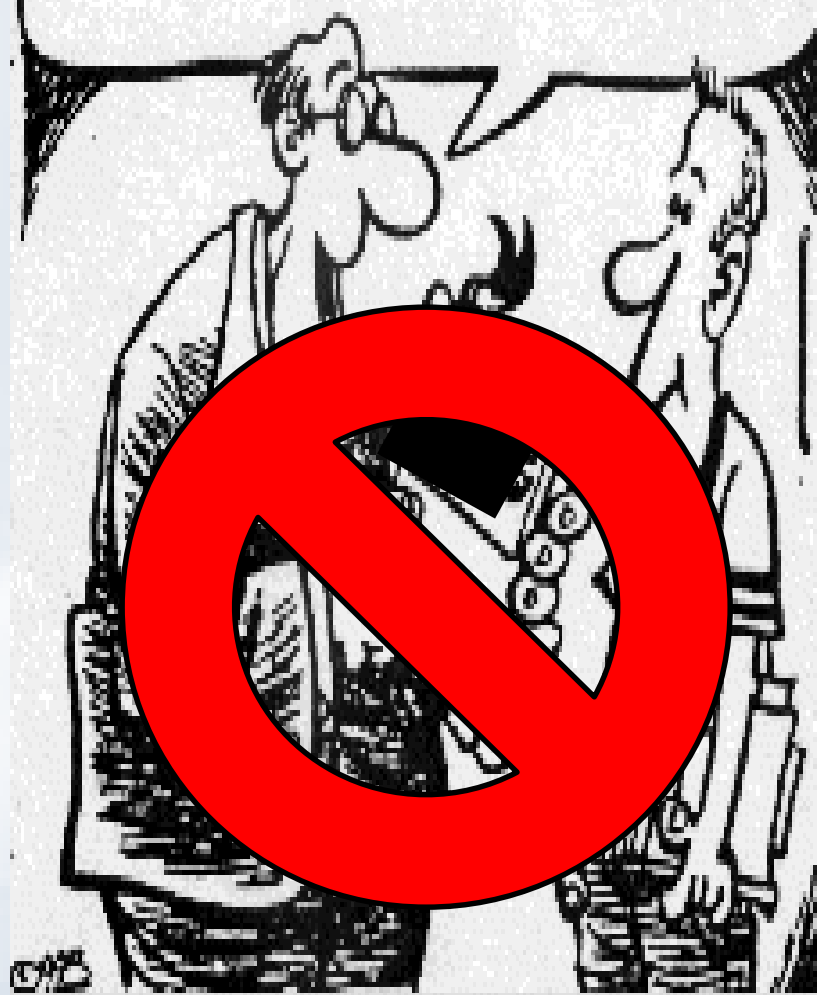
Daniel Gross



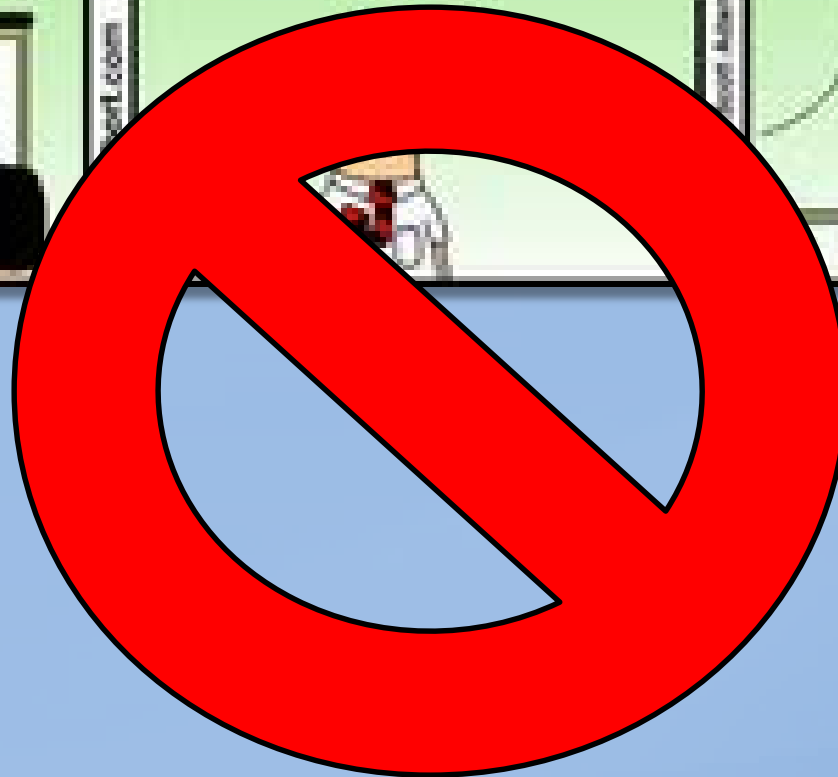
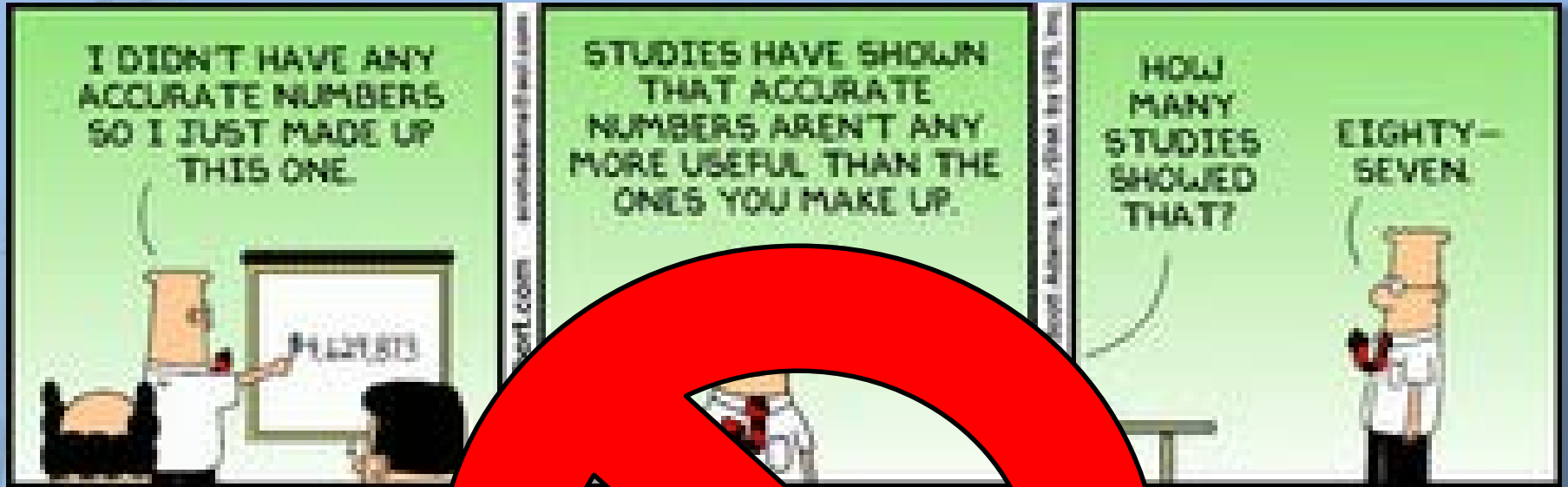
HERE ARE THE FACTS. WHAT CONCLUSIONS CAN WE DRAW FROM THEM?



HERE'S THE CONCLUSION. WHAT FACTS CAN WE FIND TO SUPPORT IT?

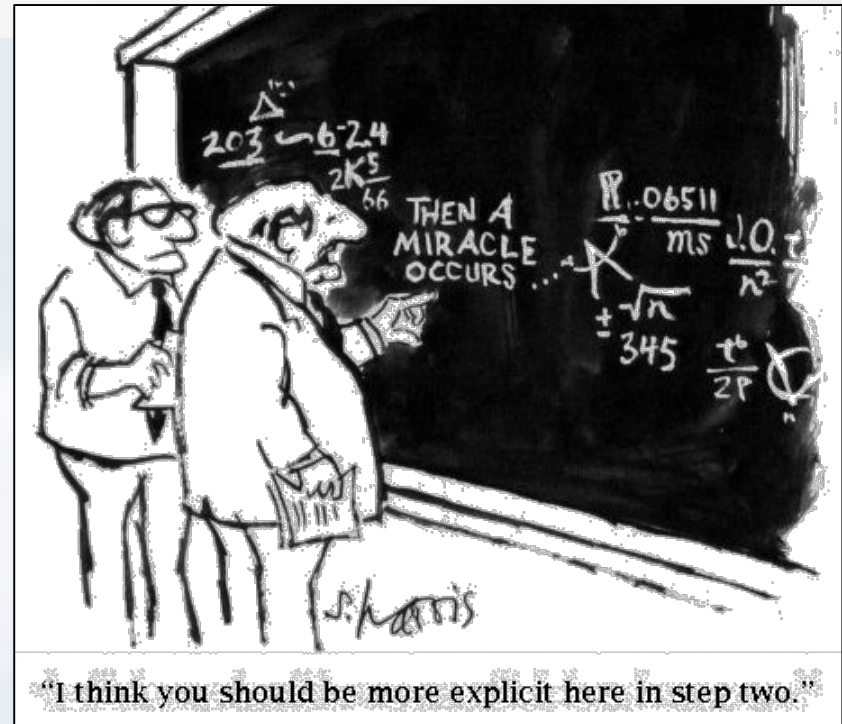


Proving the Integrity of Your Information



Show your work!

- Who says so? What is the source of the information? How does this source know?
- How was the data collected? Are assumptions, questions, uncertainties, and concerns clearly documented?



Keep your fiscal information simple and jargon free

Elucidate
Streamline
Demystify
Simplify

In an effort to improve the quality of our communication, I've setup a committee to help eradicate acronyms from the organization.

Great! What's the committee called?

*AEC
(Acronym
Eradication
Committee)*





Ambiguity

What happens in Vagueness
stays in Vagueness

© MARK ANDERSON

WWW.ANDERTOONS.COM



ANDERSON

"I'm here about the details."

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	
1								Factors:	2.38	0.1909	0.0765	2.86	1,389					0.4	0	0	0.6					
2																										
3	Fill in columns A, B, D, E and G; the table will calculate personal services costs for you.																									
4																										

														Total Personal Services by Fund				<i>Change % in row 1R through 1U</i>								
Pos. Count	Mos. / biennium	FTE	Class Title	Type FF / PP / LF / LP	Step	Monthly Budget Salary (See CompPlan tab)	Salary	ERB	PERS (see OPE Rate Tab)	SS	WC	Ins.	Total OPE	Mass Transit	Total Personal Services	GF	LT	OF	FF							
7		0.00			2		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
8		0.00			2		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
9		0.00			2		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
10		0.00			2		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
11		0.00			2		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
12		0.00			2		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
13		0.00			2		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
14		0.00			2		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
15		0.00			2		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16		0.00			2		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
17		0.00			2		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
18		0.00			2		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
19		0.00			2		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
20																										
21																										

22 **Some Possible Position Services & Supplies Costs to Consider** Note: PICS generates 100% OPE for positions that are 0.50 to full-time

23 *Please Identify Recurring and One-Time Costs*

	ORBITS Line Item	Amount																									
24																											
25	4100	Instate Travel																									
26	4150	Employee Training																									
27	4175	Office Expenses																									
28	4200	Telecommunications																									
29	4275	Publicity & Publications																									
30	4375	Employee Recruit & Development																									
31	4400	Dues & Subscriptions																									
32	4425	Facilities Rental Taxes																									
33	4575	Agency Program Related S&S																									
34	4650	Other Services & Supplies																									

Proving the Integrity of Your Information

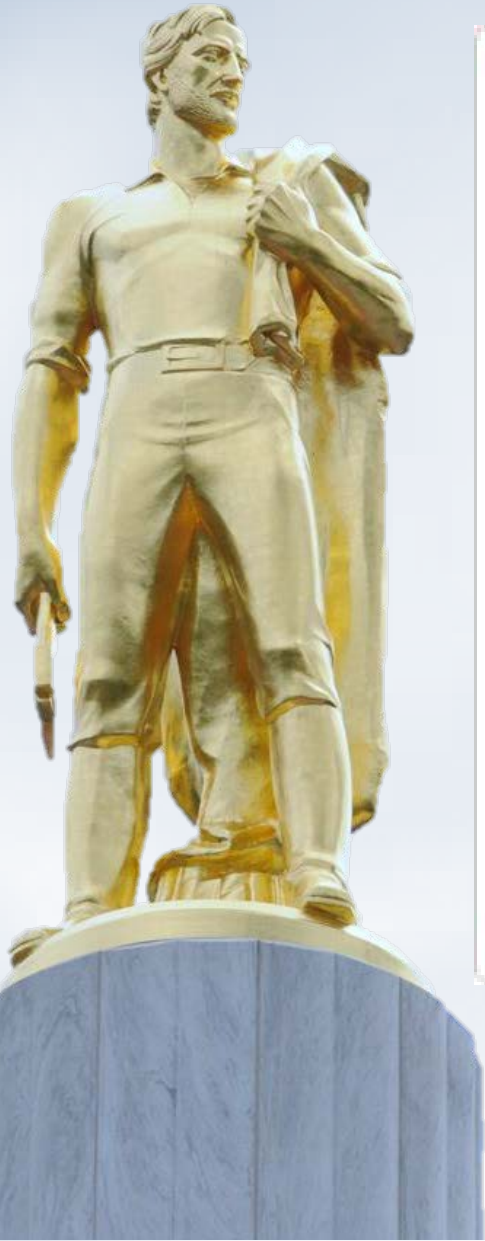


Establish an Internal Review and Proof-Reading Process

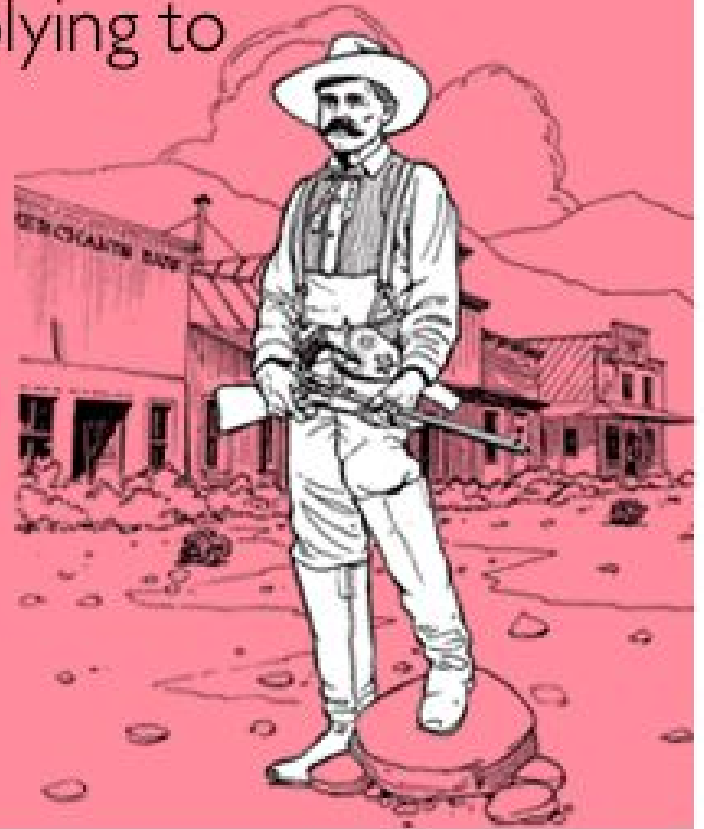


Sadly, I do my best proofreading after I hit send.

Please be thorough and responsive to follow-up questions



Thank you for replying to
part of my e-mail.



your  cards
someecards.com

Use the LFO provided Checklist



AGENCY FISCAL IMPACT STATEMENT (FIS) CHECKLIST

WRITTEN ANALYSIS

- Agency contact information.
- Measure number and version.
- Impact determination (No Fiscal, Minimal Fiscal, or Fiscal).
- Statement of what the measure does (just the facts please).
- Statement of how the measure impacts the agency (changes in structures, processes, priorities, etc., as well resource requirements).
- Explanation of the strategy and funding for implementing measure requirements (with assumptions, constraints, potential risks, etc. clearly identified).
- Make appropriate reference to budget links (policy option packages, reviewed by the interim Joint Ways and Means Committee, etc.).
- Statement of which requirements may already be funded and which are not.
- Identify any "structural" error or ambiguity in the measure's language.
- Acknowledge similar bills (in current and previous sessions), and/or links to Executive Orders.

QUANTITATIVE ANALYSIS

- Quantify fiscal implications (same, more, less \$\$) by fund type (General, Other, Lottery, Federal Funds), and budget category (Personal Services, Services and Supplies, Capital Outlay, Special Payments, and Debt Service).
- Calculations cover at least two biennia (based on effective/operative dates), but can be longer.
- Use 2015-17 current service level budget; discuss any relevant changes to the 2015-17 current service level budget as a result other budgetary actions; do NOT include inflation.
- Clearly delineate one-time expenditures from ongoing expenditures.
- If the proposed legislation impact agency cash flow, detail any actual or potential impact to agency cash flows.
- List by job classification the total number of new positions, and FTE necessary to implement the proposal.
- Indicate if positions are limited duration, permanent, full-time, part-time.
- Budget new positions at the second step of the salary range; do not include merit increase.
- Align position timeframe with the measure's effective and operative dates and phase-in/phase-out plans.
- Describe any changes in organizational structure required by, or resulting from, the measure.
- If the measure reduces staff, or avoids/delays the addition of staff, include this information.
- Identify whether the revenue source is a new fee, a fee increase, a new federal grant, Lottery Fund or General Fund.
- Identify any negative revenue impacts to fees, grants, or Lottery Funds.
- Clearly note any General Fund impact, positive or negative, affecting the receipt of General Fund by the state.
- For fee increases or new fees, indicate whether the agency has authority to administratively create or increase the fee or whether legislative approval is required.
- For federal grants, federal funding agency, cooperative or competitive grant, indicate the probability of grant approval and continued federal funding (i.e., is this a sustainable program).
- Show your work with backup spreadsheets.

If you have questions about FIS preparation approach, discuss with LFO ahead of time



What to Expect During the 2017 Legislative Session

Proposed 2017 Legislative Calendar

JANUARY						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9 Org. Days Opening Ceremony	10 Org. Days	11 Org. Days	12 Task Force Meetings	13 Session draft request DL	14
15	16 MLK Day	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

FEBRUARY						
S	M	T	W	T	F	S
			1 Session begins	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20 President's Day	21	22 Revenue Forecast	23	24 LC returns drafts	25
26	27	28 Measure Intro DL				

MARCH						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31 Possible in- district day	

APRIL						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7 Post work session	8
9	10	11	12	13	14	15
16	17	18 1st chamber WS deadline	19	20	21	22
23/30	24	25	26	27	28	29

MAY						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16 Revenue Forecast	17	18	19 Post work session	20
21	22	23	24	25	26	27
28	29 Memorial Day (In District)	30	31			

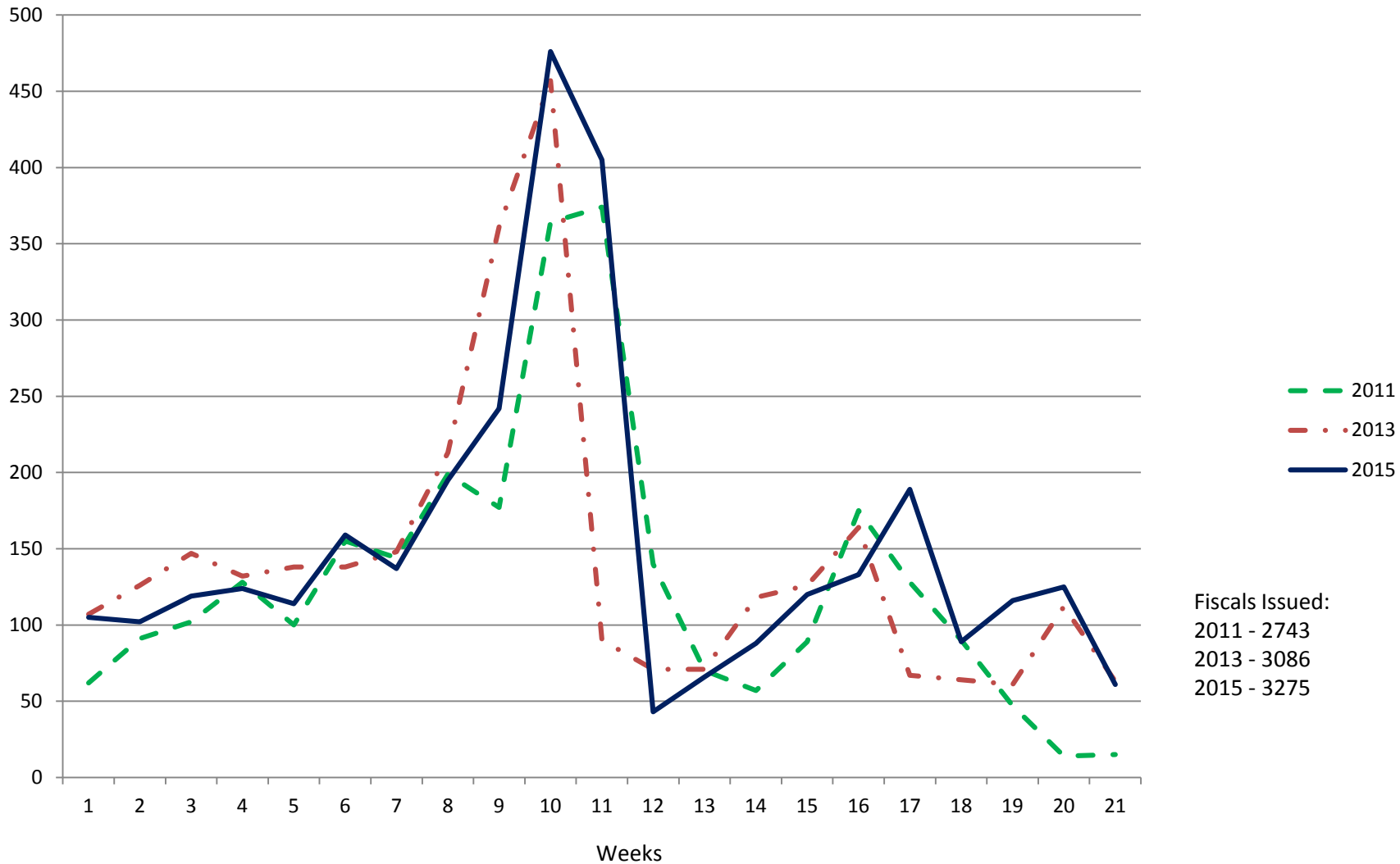
JUNE						
S	M	T	W	T	F	S
				1	2 2nd chamber WS deadline	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23 Target sine die	24
25	26	27	28	29	30	

Constitutional Deadline for Adjournment *Sine Die* is Monday, July 10, 2017

Updated 12/6/2016

Organizational Days	Member swearing in; first reading of pre-session filed bills; member and staff trainings
January Prep. Days	No committee meetings or floor sessions
Holiday	Holiday
Leg. Counsel Deadlines	Deadlines for bills to be requested, returned by LC, and introduced (after these deadlines, drafts/intros count against per-legislator limits)
Session Deadlines	Deadlines for bills to be posted for work sessions, then voted out of policy committees in the first and second chambers. Does not apply to Rules, Revenue, or Joint Committees.
House & Senate Floor	Senate and House floor sessions on all weekdays. Floor session schedule will be announced by the Senate President or House Speaker.

Fiscal Impact Statements Issued by Week



How to Prepare



- Prepare staff for after hours and weekend work schedules.
- Communicate and consult.
- Be Proactive.
 - Start FIS on Legislative Concepts (LCs).
 - If you have information that the measure will be scheduled, prepare FIS on measures and engrossed measures even before LFO request.



A Few Examples

Formulating a Fiscal Impact Statement



HB 2671 Notes

Black = content of bill

Green = LFO comments/questions

Blue = LFO preliminary benchmark calculations/findings/agencies' replies to request for info

Potentially affected agencies – noon 3/14/2013	Request Sent	Reply Received
DAS / Governor's Office	x	F
Justice	x	F
Judicial	x	F
OSP	x	Minimal
Counties	x	NF
FY1 to DHS/OHA	x	

SECTION 1: Adds this act to ORS Chapter 125

SECTION 2: Defines: (1) client, (2) deputy public guardian and conservator, (3) public guardian and conservator services

SECTION 3: Establishes the State Office of the Public Guardian and Conservator as a **new state agency**.
Administrative head (Public Guardian and Conservator):

- Appointed by Governor.
- Must meet the qualifications required by the office for **certification** to provide public guardian and conservator services.
- Salary determined by the Governor and **reimbursed for all reasonable travel and other expenses** incurred in the performance of official duties.
- **May hire staff, and may hire or contract with attorneys, professional fiduciaries.**
- **May solicit and accept gifts, grants and donations from public and private sources**
- Adopt rules for the administration of the office

Type of agency: Agency will be a full state agency, not semi-independent.

Impact to LFO/CFO.

Per DAS estimate: Service Charges and Assessments including Facilities Rent ≈ \$143,065 (small agency with < 6 FTEs) to \$456,816 (with 18 FTEs).

Staffing and Oversight: What level of legal, medical, real estate, accounting or other financial expertise will be required for staff? How much staff time will be utilized for consultation, information and referral (I&R), client management, community education, or administrative duties? Section 4 stipulates some of the services that must be provided. In addition to guardian and conservator skill sets, staff will need: training/education, volunteer recruitment/training/management, contract management, fundraising skills.

House Bill 2597

House Bill 2597

Sponsored by Representatives OLSON, LININGER, Senator BURDICK; Representatives BARKER, ESQUIVEL, RAYFIELD, WILSON (Pre-session filed.)

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.

Renames offense of operating motor vehicle while using mobile communication device as offense of operating motor vehicle while using mobile electronic device. Defines "mobile electronic device." Provides for suspension of execution of fine for first offense if person completes distracted driving avoidance course.

Increases penalty for offense. Further increases penalty if offense contributes to accident or is second or subsequent offense. Punishes by maximum fine of \$2,000.

A BILL FOR AN ACT

1
2 Relating to the offense of operating a motor vehicle while using a mobile electronic device; creating
3 new provisions; and amending **ORS 811.507**.

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

5 **SECTION 1.** ORS 811.507 is amended to read:

6 811.507. (1) As used in this section:

7 (a) "Hands-free accessory" means an attachment or built-in feature for or an addition to a mo-
8 bile [communication] electronic device, whether or not permanently installed in a motor vehicle,
9 that when used allows a person to [maintain] **keep** both hands on the steering wheel.

10 [(b) "Mobile communication device" means a text messaging device or a wireless, two-way commu-
11 nication device designed to receive and transmit voice or text communication.]

12 (b)(A) "Mobile electronic device" means an electronic device that is not permanently in-
13 stalled in a motor vehicle.

14 (B) "Mobile electronic device" includes but is not limited to a device capable of text
15 messaging, voice communication, entertainment, navigation, accessing the Internet or
16 producing electronic mail.

17 (c) "Using a mobile electronic device" includes but is not limited to using a mobile elec-
18 tronic device for text messaging, voice communication, entertainment, navigation, accessing
19 the Internet or producing electronic mail.

20 (2) A person commits the offense of operating a motor vehicle while using a mobile [communi-
21 cation] electronic device if the person, while operating a motor vehicle on a highway,]:

22 (a) Holds a mobile electronic device in the person's hand; or

23 (b) Uses a mobile [communication] electronic device for any purpose.

24 (3) This section does not apply to a person who: [activates or deactivates a mobile communication
25 device or a function of the device or who]

26 (a) Uses the mobile electronic device [for voice communication] to communicate if the person:

27 [(a)] (A) Is summoning medical or other emergency help if no other person in the vehicle is ca-
28 pable of summoning help; or

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.



House Bill 2597



1 [(b) Is using a mobile communication device for the purpose of farming or agricultural
2 operations;]
3 [(c) (B) Is operating an ambulance or emergency vehicle while acting in the scope of the
4 person's employment; or
5 [(d) (b) Is 18 years of age or older and is using a hands-free accessory;.]
6 [(e) Is operating a motor vehicle while providing public safety services or emergency services;]
7 [(f) Is operating a motor vehicle while acting in the scope of the person's employment as a public
8 safety officer, as defined in ORS 348.270;]
9 [(g) Is operating a tow vehicle or roadside assistance vehicle while acting in the scope of the
10 person's employment;]
11 [(h) Holds a valid amateur radio operator license issued or any other license issued by the Federal
12 Communications Commission and is operating an amateur radio;]
13 [(i) Is operating a two-way radio device that transmits radio communication transmitted by a sta-
14 tion operating on an authorized frequency within the citizens' or family radio service bands in ac-
15 cordance with rules of the Federal Communications Commission;]
16 [(j) Is operating a vehicle owned or contracted by a utility for the purpose of installing, repairing,
17 maintaining, operating or upgrading utility service, including but not limited to natural gas, electricity,
18 water or telecommunications, while acting in the scope of the person's employment; or]
19 [(k) Is using a function of the mobile communication device that allows for only one-way voice
20 communication while the person is:]
21 [(A) Operating a motor vehicle in the scope of the person's employment;]
22 [(B) Providing transit services; or]
23 [(C) Participating in public safety or emergency service activities.]
24 (4) The offense described in this section, operating a motor vehicle while using a mobile [com-
25 munication] electronic device, is:
26 (a) For a person's first offense, a Class [C] B traffic violation unless commission of the
27 offense contributes to an accident.
28 (b) For a person's second or subsequent offense within a 10-year period, a Class A traffic
29 violation.
30 (c) If commission of the offense contributes to an accident, a Class A traffic violation.
31 (5)(a) For a first offense of operating a motor vehicle while using a mobile electronic
32 device, the court may conditionally suspend the execution of the fine to be imposed under
33 subsection (4)(a) of this section if the defendant appears personally and agrees to complete
34 at the defendant's own expense, within 120 days of the date of sentencing, a distracted driv-
35 ing avoidance course approved by the Department of Transportation under section 3 of this
36 2017 Act.
37 (b) If the court conditionally suspends execution of all or part of the fine under para-
38 graph (a) of this subsection, the court shall set a hearing date not less than 120 days from
39 the date of sentencing. At the hearing the court may:
40 (A) If the person has successfully completed the requirements described in paragraph (a)
41 of this subsection, suspend execution of the fine imposed under subsection (4)(a) of this
42 section; or
43 (B) If the person has not successfully completed the requirements described in paragraph
44 (a) of this subsection, grant the person an extension based on good cause shown.
45 [(5) (6) The Department of Transportation shall place signs on state highways to notify drivers

House Bill 2597



1 that violation of this section is subject to a maximum fine of [~~\$500~~] \$2,000.

2 SECTION 2. Sections 3 and 4 of this 2017 Act are added to and made a part of the Oregon
3 Vehicle Code.

4 SECTION 3. (1) The Department of Transportation by rule shall establish standards for
5 distracted driving avoidance courses provided to persons who violate ORS 811.507. The stan-
6 dards must describe the contents and quality of a curriculum for the course, specify re-
7 quirements for obtaining a certificate or other evidence of having completed the course and
8 otherwise determine the level and depth of knowledge a person must have obtained from the
9 course.

10 (2) The department shall maintain a list of providers approved to lead the course de-
11 scribed in this section and update the list monthly. The department shall prescribe proce-
12 dures for providing the provider list to the local courts.

13 SECTION 4. (1) Notwithstanding ORS 811.507 (5), at any time after the conviction im-
14 posed under ORS 811.507, a defendant who has fully complied with and performed the condi-
15 tions established by the court under ORS 811.507 may apply by motion to the court that
16 sentenced the defendant for an order suspending all or part of a fine to be imposed under
17 ORS 811.507 (4)(a).

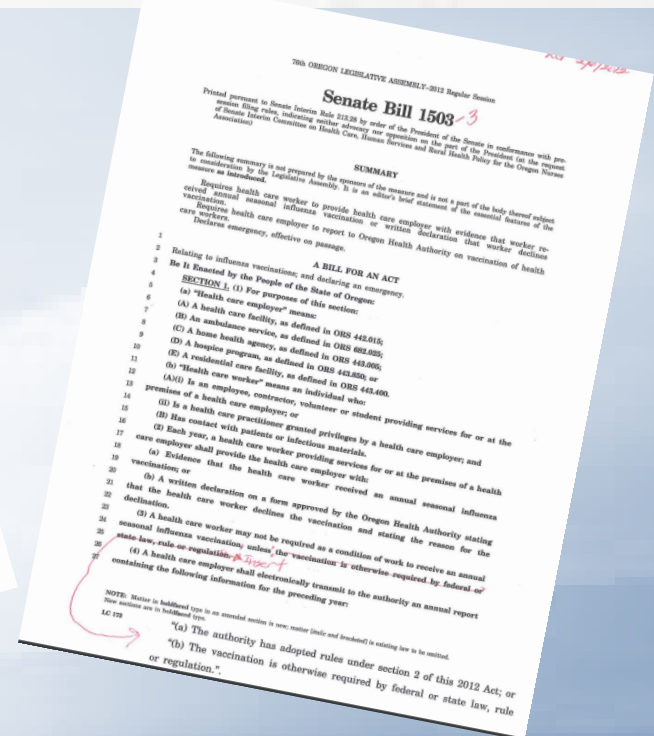
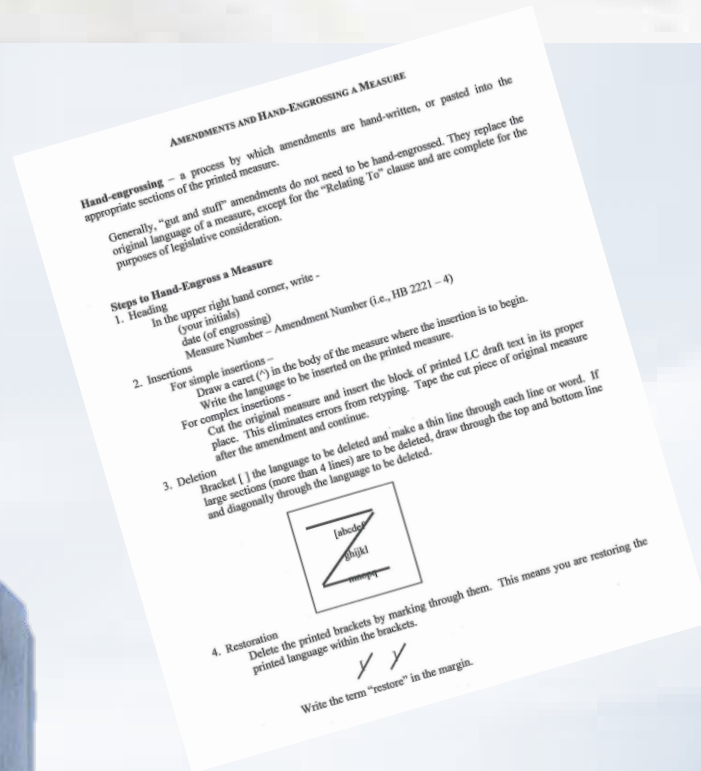
18 (2) If the court finds that the defendant fully complied with and performed the court's
19 conditions, the court may on its own motion enter an order suspending, without a hearing,
20 all or part of a fine to be imposed under ORS 811.507 (4)(a).

21 SECTION 5. The amendments to ORS 811.507 by section 1 of this 2017 Act apply to con-
22 duct that occurs on or after the effective date of this 2017 Act.

23

How to Handle Amendments

- Hand engross bills to ensure accuracy.
- Produce a FIS on the measure incorporating the amendment.
- Clearly label FIS; for example -4 amendment.



House Bill 3242 (2015)

House Bill 3243

Sponsored by COMMITTEE ON BUSINESS AND LABOR

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.

Permits funeral establishment to take custody of unclaimed body of indigent person. Directs State Mortuary and Cemetery Board to reimburse funeral establishment for costs related to disposal of unclaimed body of indigent person. Requires educational institution that uses unclaimed body of deceased person to pay costs related to use of unclaimed body. Directs board to collect fee upon report of death. Specifies use of fee. Directs board to adopt rules.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to deceased persons; creating new provisions; amending ORS 97.170, 97.180, 97.200 and
3 413.825; and declaring an emergency.

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

5 **SECTION 1.** ORS 97.170 is amended to read:

6 97.170. (1) As used in this section, "indigent person" means a deceased person who does not have
7 a death or final expense benefit or insurance policy that pays for disposition of the deceased
8 person's body or other means to pay for disposition of the deceased person's body and:

9 (a) Who does not have a [has no] relative or other person with the legal right to direct and
10 the means to pay for disposition of the deceased person's body; or

11 (b) Whose relative, or other person, with the legal right to direct the disposition of the
12 deceased person's body refuses to pay for or direct the disposition of the deceased person's
13 body.

14 (2)(a) The **Oregon Health and Science University** shall appoint a Demonstrator of Anatomy from
15 the staff of the university.

16 (b) The Demonstrator of Anatomy shall maintain a list of institutions that may accept or process
17 bodies for education or research purposes.

18 [(3) A medical examiner as defined in ORS 146.003 or a health care facility as defined in ORS
19 442.015 that has charge of an unclaimed body of a deceased person shall promptly attempt to locate
20 and notify the relatives of the deceased person or other persons who have an interest in the deceased
21 person and shall arrange with any person who will pay the expenses to make disposition of the body.
22 If the medical examiner or health care facility cannot locate a person who will pay the expenses of
23 disposition of the body, the medical examiner or health care facility may transfer the body to a licensed
24 funeral service practitioner.]

25 [(4)(a)] (3)(a) A [licensed funeral service practitioner who] **funeral establishment licensed under**
26 **ORS 692.146** that takes custody of the unclaimed body of a deceased person shall [promptly verify
27 that a medical examiner or health care facility attempted to locate relatives and interested persons as
28 provided in subsection (3) of this section.]

29 [(b) If a medical examiner or health care facility has not attempted to locate relatives and interested

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.



House Bill 3242 (2015)



1 *persons as provided in subsection (3) of this section, the funeral service practitioner shall*, within five
2 days after taking custody of the body[.];

3 (A) Verify any information provided by the medical examiner, a health care facility or law
4 enforcement regarding the location of persons listed in ORS 97.130;

5 (B) Attempt to locate and notify *[relatives and interested persons and shall]* the persons listed
6 in ORS 97.130; and

7 (C) Arrange with any person listed in ORS 97.130 who will pay the expenses to make disposi-
8 tion of the body.

9 *[(c)] (b)* If no one claims the body within *[five]* 10 days after the funeral *[service practitioner]*
10 establishment takes custody of the body, or if the persons notified acquiesce, the funeral *[service*
11 *practitioner]* establishment may transfer the body to an institution approved by the Demonstrator
12 of Anatomy under subsection (2) of this section that desires the body for education or research
13 purposes. *[The funeral service practitioner shall arrange with an institution that desires the body to*
14 *pay for care, preparation and transportation of the body to the institution.]*

15 *[(d)] (c)* If no *[relative, interested]* person listed in ORS 97.130 or institution claims the body as
16 provided in paragraphs *[(b) and (c)] (a) and (b)* of this subsection, the funeral *[service practitioner]*
17 establishment may cremate or bury the body without the consent of persons listed in ORS 97.130
18 and is indemnified from any liability arising from having made such disposition. The method of dis-
19 position must be in the least costly and most environmentally sound manner that complies with law,
20 and that does not conflict with known wishes of the deceased. If the deceased person is an indigent
21 person, the *[Department of Human Services] State Mortuary and Cemetery Board* shall reimburse
22 the funeral *[service practitioner]* establishment for the costs of disposition under subsection *[(6)] (5)*
23 of this section.

24 *[(5)] (4) [When]* If the deceased person is a child over whom the Department of Human Services
25 held guardianship at the time of death, the department shall promptly attempt to locate and notify
26 the relatives of the deceased child or any other person who has an interest in the deceased child
27 and shall arrange with any person who will pay the expenses to make disposition of the body. If no
28 relatives or interested persons claim the body, the department may transfer the body to an institu-
29 tion that is on the list maintained by the Demonstrator of Anatomy under subsection (2) of this
30 section that desires the body for education or research purposes, or may authorize burial or
31 cremation of the body. The department shall pay expenses related to burial or cremation authorized
32 by the department under this subsection.

33 *[(6)] (5)* Upon receipt of *[an itemized statement of expenses and proof]* a **qualifying statement**
34 as required by the *[department]* board by rule that the deceased person is an indigent person, the
35 *[department]* board shall reimburse a funeral *[service practitioner]* establishment the reasonable
36 costs for disposition of the body of any unclaimed deceased indigent person. The method of disposi-
37 tion must be in the least costly and most environmentally sound manner that complies with law. The
38 *[department may]* board shall adopt rules establishing the **requirements and process for re-**
39 **imbursement and setting the [maximum]** amount that may be reimbursed to a funeral *[service prac-*
40 *titioner]* establishment under this subsection.

41 **SECTION 2.** ORS 97.180 is amended to read:

42 *97.180. [Upon receipt of any body by a school or college pursuant to ORS 97.170, it shall be*
43 *properly embalmed for anatomical purposes, but shall be retained 30 days before being used or dis-*
44 *membered. If it is claimed by any relative or friend within that period, it shall be delivered to the*
45 *claimant.] An institution that receives a body pursuant to ORS 97.170 and that intends to use*

House Bill 3242 (2015)



1 the body for ongoing research may properly embalm the body upon receipt for anatomical
 2 purposes, but may not use or dismember the body for at least 30 days after receipt. If a
 3 relative or friend of the deceased person claims the body within the 30 days specified in this
 4 section, the institution with custody of the body shall release the body to the relative or
 5 friend.

6 **SECTION 3.** ORS 97.200 is amended to read:

7 97.200. *[The remains of any corpse used for the purposes authorized by ORS 97.170 shall, upon*
 8 *completion of such use, be decently buried or cremated and the ashes, in case of cremation, shall be*
 9 *delivered to any relative who claims them, after establishing relationship. All expenses incident to*
 10 *burial and cremation and the delivery of ashes to any relative shall be borne by the educational insti-*
 11 *tution which used the body for educational purposes.] An institution that uses a body pursuant*
 12 *to ORS 97.170 shall bury respectfully or cremate the remains upon completion of use. If the*
 13 *institution cremates the remains, the institution shall deliver the ashes to a relative of the*
 14 *deceased person if a relative is known to the institution. If no relative is known to the in-*
 15 *stitution, the institution shall hold the ashes for three years after cremation and may then*
 16 *dispose of the ashes in a respectful manner. The institution shall pay burial, cremation,*
 17 *storage and delivery expenses for a body the institution used pursuant to ORS 97.170.*

18 **SECTION 4.** ORS 413.825 is amended to read:

19 413.825. (1) The ~~[Oregon Health Authority]~~ **State Mortuary and Cemetery Board** shall impose
 20 and collect a **filing fee [of \$20] for** each report of death **and shall deposit the total amount of the**
 21 **fee collected to the credit of the State Mortuary and Cemetery Board Account established**
 22 **under ORS 692.375. Of the fee, [\$6 shall be deposited to the credit of the Public Health Account and**
 23 **used to carry out the purposes of ORS 97.170 (6) and \$14 shall be deposited to the credit of the State**
 24 **Mortuary and Cemetery Board Account and used] at least \$7 must be used by the board to carry**
 25 **out the purposes of ORS 97.170(5). The board shall use the remainder of the fee in the same**
 26 **manner as other funds credited to the account under ORS 692.375.**

27 **(2)(a) The board shall adopt rules establishing the fee described in subsection (1) of this**
 28 **section.**

29 **(b) When establishing the fee, the board shall consider historical data related to expen-**
 30 **ditures made for the purposes of carrying out [The expenditures under] ORS 97.170 [(6)] (5) and**
 31 **692.375 [may not exceed the funds collected under subsection (1) of this section, and in no event may**
 32 **expenditure on the administration of the funds exceed five percent of the moneys collected].**

33 **SECTION 5.** (1) The amendments to ORS 97.170, 97.180, 97.200 and 413.825 by sections 1
 34 to 4 of this 2015 Act become operative on January 1, 2016.

35 (2) The State Mortuary and Cemetery Board may take action before the operative date
 36 specified in subsection (1) of this section that is necessary to enable the board to exercise,
 37 on or after the operative date specified in subsection (1) of this section, all of the duties,
 38 functions and powers conferred on the board by the amendments to ORS 97.170, 97.180, 97.200
 39 and 413.825 by sections 1 to 4 of this 2015 Act.

40 **SECTION 6.** This 2015 Act being necessary for the immediate preservation of the public
 41 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
 42 on its passage.

43

House Bill 3242 (2015) with the -2 amendment

HB 3243-2
(LC 3477)
4/9/15 (SCT/ps)

PROPOSED AMENDMENTS TO HOUSE BILL 3243

1 On page 1 of the printed bill, line 2, after “97.180,” delete the rest of the
2 line and line 3 and insert “97.190, 97.200, 97.990, 413.825 and 692.040; and de-
3 claring and emergency.”

4 Delete lines 5 through 29 and delete pages 2 and 3 and insert:

5 “**SECTION 1.** ORS 97.170 is amended to read:

6 “97.170. (1) As used in this section, ‘indigent person’ means a deceased
7 person who does not have a death or final expense benefit or insurance pol-
8 icy that pays for disposition of the deceased person’s body or other means
9 to pay for disposition of the deceased person’s body and:

10 “(a) Who does not have a [*has no*] relative or other person with the le-
11 gal right to direct and the means to pay for disposition of the deceased
12 person’s body;

13 “(b) Whose relative, or other person, with the legal right to direct
14 the disposition of the deceased person’s body refuses to pay for the
15 disposition of the deceased person’s body; or

16 “(c) For whom no person other than a person described in para-
17 graph (a) or (b) of this subsection wishes to direct and pay for the
18 disposition of the deceased person’s body.

19 “[*(2)(a) The Oregon Health and Science University shall appoint a Dem-*
20 *onstrator of Anatomy from the staff of the university.*]

21 “[*(b)*] (2) The [*Demonstrator of Anatomy*] **State Mortuary and Cemetery**
22 **Board** shall maintain a list of institutions that may accept or process bodies



House Bill 3242 (2015) with the -2 amendment



1 for education or research purposes.

2 “[(3) A medical examiner as defined in ORS 146.003 or a health care fa-
3 cility as defined in ORS 442.015 that has charge of an unclaimed body of a
4 deceased person shall promptly attempt to locate and notify the relatives of the
5 deceased person or other persons who have an interest in the deceased person
6 and shall arrange with any person who will pay the expenses to make dispo-
7 sition of the body. If the medical examiner or health care facility cannot locate
8 a person who will pay the expenses of disposition of the body, the medical ex-
9 aminer or health care facility may transfer the body to a licensed funeral ser-
10 vice practitioner.]

11 “[(4)(a)] (3)(a) A [licensed funeral service practitioner who] **funeral es-**
12 **tablishment licensed under ORS 692.146** that takes custody of the un-
13 claimed body of a deceased person shall [promptly verify that a medical
14 examiner or health care facility attempted to locate relatives and interested
15 persons as provided in subsection (3) of this section.]

16 “[(b) If a medical examiner or health care facility has not attempted to lo-
17 cate relatives and interested persons as provided in subsection (3) of this sec-
18 tion, the funeral service practitioner shall], within five days after taking
19 custody of the body[.];

20 “(A) **Obtain all known contact** information from the medical ex-
21 aminer, a health care facility or law enforcement regarding persons
22 listed in ORS 97.130;

23 “(B) Attempt to locate and notify [relatives and interested persons and
24 shall] the persons listed in ORS 97.130;

25 “(C) Arrange with any person listed in ORS 97.130 who will pay the
26 expenses to make disposition of the body;

27 “(D) **Determine whether the Department of State Lands or other**
28 **person is appointed as the personal representative of the deceased**
29 **person pursuant to ORS 113.085; and**

30 “(E) **Contact the Department of Veterans’ Affairs to determine**

House Bill 3242 (2015) with the -2 amendment



1 **whether the decedent is eligible for any state or federal benefits.**

2 “[(c)] (b) If no one claims the body within [five] 10 days after the funeral
3 [service practitioner] establishment takes custody of the body, or if the
4 persons notified acquiesce, the funeral [service practitioner] establishment
5 may transfer the body to an institution [approved by the Demonstrator of
6 Anatomy under] on the list of institutions described in subsection (2) of
7 this section that desires the body for education or research purposes. [The
8 funeral service practitioner shall arrange with an institution that desires the
9 body to pay for care, preparation and transportation of the body to the insti-
10 tution.]

11 “[(d)] (c) If no [relative, interested] person or institution claims the body
12 as provided in paragraphs [(b) and (c)] (a) and (b) of this subsection, the
13 funeral [service practitioner] establishment may cremate or bury the body
14 without the consent of persons listed in ORS 97.130 and is indemnified from
15 any liability arising from having made such disposition. The method of dis-
16 position must be in the least costly and most environmentally sound manner
17 that complies with law, and that does not conflict with known wishes of the
18 deceased. If the deceased person is an indigent person, the [Department of
19 Human Services] board shall reimburse the funeral [service practitioner] es-
20 tablishment for the costs of disposition under subsection [(6)] (5) of this
21 section.

22 “[(5)] (4) [When] If the deceased person is a child over whom the De-
23 partment of Human Services held guardianship at the time of death, the
24 department shall promptly attempt to locate and notify the relatives of the
25 deceased child or any other person who has an interest in the deceased child
26 and shall arrange with any person who will pay the expenses to make dis-
27 position of the body. If no relatives or interested persons claim the body,
28 the department may transfer the body to an institution that is on the list
29 maintained by the [Demonstrator of Anatomy] board under subsection (2) of
30 this section that desires the body for education or research purposes, or may

House Bill 3242 (2015) with the -2 amendment



1 authorize burial or cremation of the body. The department shall pay expenses
2 related to burial or cremation authorized by the department under this sub-
3 section.

4 “[~~(6)~~ (5) Upon receipt of *[an itemized statement of expenses and proof]* a
5 **qualifying statement** as required by the *[department]* **board** by rule that
6 the deceased person is an indigent person, the *[department]* **board** shall re-
7 imburse a funeral *[service practitioner]* **establishment** the reasonable costs
8 for disposition of the body of any unclaimed deceased indigent person. The
9 method of disposition must be in the least costly and most environmentally
10 sound manner that complies with law. The *[department may]* **board shall**
11 adopt rules establishing the **requirements and** process for reimbursement
12 and setting the *[maximum]* amount that may be reimbursed to a funeral
13 *[service practitioner]* **establishment** under this subsection.

14 **“SECTION 2.** ORS 97.180 is amended to read:

15 **“97.180.** *[Upon receipt of any body by a school or college pursuant to ORS*
16 *97.170, it shall be properly embalmed for anatomical purposes, but shall be*
17 *retained 30 days before being used or dismembered. If it is claimed by any*
18 *relative or friend within that period, it shall be delivered to the claimant.]*
19 **An institution that receives a body pursuant to ORS 97.170 and that**
20 **intends to use the body for ongoing research may properly preserve**
21 **the body upon receipt for anatomical purposes, but may not use or**
22 **dismember the body for at least 30 days after receipt. If a relative or**
23 **friend of the deceased person claims the body within the 30 days**
24 **specified in this section, the institution with custody of the body shall**
25 **release the body to a funeral establishment licensed under ORS 692.146**
26 **on behalf of the relative or friend.**

27 **“SECTION 3.** ORS 97.190 is amended to read:

28 **“97.190.** **Unless required by a medical examiner to determine the cause of**
29 **death or specifically authorized and ordered by the superintendent of the**
30 **hospital or institution in which any person coming under the provisions of**

House Bill 3242 (2015) with the -2 amendment



1 ORS 97.170 may die, no such body as is mentioned in ORS 97.170 is subject
2 to post-mortem examination, except by consent of the [Demonstrator of
3 Anatomy] State Mortuary and Cemetery Board.

4 **“SECTION 4.** ORS 97.200 is amended to read:

5 “97.200. (1) *[The remains of any corpse used for the purposes authorized*
6 *by ORS 97.170 shall, upon completion of such use, be decently buried or*
7 *cremated and the ashes, in case of cremation, shall be delivered to any relative*
8 *who claims them, after establishing relationship. All expenses incident to*
9 *burial and cremation and the delivery of ashes to any relative shall be borne*
10 *by the educational institution which used the body for educational purposes.]*

11 **An institution that uses a body for ongoing research pursuant to ORS**
12 **97.170 shall bury respectfully or cremate the remains upon completion**
13 **of use. If the institution cremates the remains, the institution shall**
14 **deliver the ashes to a relative of the deceased person if a relative is**
15 **known to the institution. If no relative is known to the institution,**
16 **the institution shall hold the ashes for three years after cremation and**
17 **may then dispose of the ashes in a respectful manner. The institution**
18 **shall pay burial, cremation, storage and delivery expenses for a body**
19 **the institution used pursuant to ORS 97.170.**

20 **“(2) Notwithstanding subsection (1) of this section, an institution**
21 **that uses a body pursuant to ORS 97.170 only for instruction on pres-**
22 **ervation of a body shall, upon completion of use, return the body to**
23 **the funeral establishment from where the institution received the**
24 **body.**

25 **“SECTION 5.** ORS 97.990 is amended to read:

26 **“97.990. (1) Violation of ORS 97.160 is a Class A misdemeanor.**

27 **“(2) Every officer, agent or employee of this state or of any county, city**
28 **or any other municipal subdivision thereof who willfully neglects to notify**
29 **the [Demonstrator of Anatomy] State Mortuary and Cemetery Board of the**
30 **existence of a body as required by ORS 97.170 to 97.210 or who refuses to**



House Bill 3242 (2015) with the -2 amendment



1 deliver possession of such body according to the provisions of ORS 97.170 to
2 97.210 or who mutilates or permits any such body to be mutilated so that it
3 is not valuable for anatomical purposes or who refuses or neglects to perform
4 any of the duties enjoined upon the officer, agent or employee by ORS 97.170
5 to 97.210, commits a Class A misdemeanor.

6 “(3) Violation of ORS 97.520, 97.530 or 97.540 is a Class A misdemeanor.

7 “(4) Any person, association or corporation who operates a cemetery,
8 mausoleum or columbarium contrary to the provisions of ORS 97.020 to
9 97.040, 97.110 to 97.130, 97.145, 97.150, 97.220, 97.310 to 97.360 (1), 97.440, 97.510
10 to 97.560, 97.710, 97.720, 97.810, 97.820, 97.830 and 97.840 to 97.860 commits a
11 Class B misdemeanor.

12 “(5)(a) Violation of ORS 97.745 is a Class C felony.

13 “(b) In addition to any other sentence provided by law for criminal vio-
14 lations of ORS 97.745, the judge shall impose a penalty not to exceed \$10,000
15 on any person convicted of a criminal violation of ORS 97.745.

16 “(6) In addition to the penalty of subsection (5) of this section, any native
17 Indian artifacts or human remains taken by, or in possession of, any person
18 sentenced under subsection (5) of this section and all equipment used in the
19 violation may be ordered forfeited by the court in which conviction occurs,
20 and may be disposed of as the court directs.

21 “SECTION 6. ORS 413.825 is amended to read:

22 “413.825. (1) The [Oregon Health Authority] State Mortuary and Ceme-
23 tery Board shall impose and collect a filing fee of \$20 for each report of
24 death and shall deposit the total amount of the fee collected to the
25 credit of the State Mortuary and Cemetery Board Account established
26 under ORS 692.375. Of the fee, [6 shall be deposited to the credit of the
27 Public Health Account and used to carry out the purposes of ORS 97.170 (6)
28 and \$14 shall be deposited to the credit of the State Mortuary and Cemetery
29 Board Account and used] at least \$6 must be used by the board to carry
30 out the purposes of ORS 97.170 (5). The board shall use the remainder

House Bill 3242 (2015) with the -2 amendment



1 of the fee in the same manner as other funds credited to the account under
2 ORS 692.375.

3 “(2) The board shall adopt rules regarding the use of the fee de-
4 scribed in subsection (1) of this section and shall consider historical
5 data related to expenditures made for the purposes of carrying out
6 [The expenditures under] ORS 97.170 [(6)] (5) and 692.375 [may not exceed the
7 funds collected under subsection (1) of this section, and in no event may ex-
8 penditure on the administration of the funds exceed five percent of the moneys
9 collected].

10 **“SECTION 7. ORS 692.040 is amended to read:**

11 **“692.040. This chapter does not apply to any of the following:**

12 **“(1) A public institution, medical college, county medical society, ana-**
13 **tomical association, college of embalming or institution approved by the**
14 **[Demonstrator of Anatomy] State Mortuary and Cemetery Board to accept**
15 **bodies for education or research purposes under ORS 97.170.**

16 **“(2) The customs or rites of any religious sect except as to the burial or**
17 **other disposition of their dead.**

18 **“(3) A person who picks up dead human bodies under the direction of a**
19 **licensed funeral service practitioner for delivery to a licensed funeral service**
20 **practitioner, a licensed funeral establishment, an authorized cemetery, an**
21 **authorized crematorium or another authorized facility for final disposition**
22 **of human remains pursuant to an agreement with the funeral service prac-**
23 **titioner, if the person is not otherwise engaged in any of the activities of a**
24 **funeral service practitioner, an embalmer, a funeral establishment, a death**
25 **care consultant, a cemetery or a crematorium as described in ORS 692.025**
26 **or another authorized facility for final disposition of human remains as de-**
27 **scribed in ORS 692.275.**

28 **“(4) A person who picks up dead human bodies under the direction of a**
29 **licensed funeral service practitioner employed by a funeral establishment**
30 **registered under ORS 692.270 for transportation out of the state or for de-**

House Bill 3242 (2015) with the -2 amendment



1 livery out of the state to a funeral service practitioner, funeral establish-
2 ment, cemetery or crematorium pursuant to an agreement with the funeral
3 service practitioner, if the person is not otherwise engaged in any of the
4 activities of a funeral service practitioner, an embalmer, a funeral estab-
5 lishment, a death care consultant, a cemetery or a crematorium as described
6 in ORS 692.025 or another authorized facility for final disposition of human
7 remains as described in ORS 692.275.

8 **“SECTION 8. (1) The amendments to ORS 97.170, 97.180, 97.190,**
9 **97.200, 97.990, 413.825 and 692.040 by sections 1 to 7 of this 2015 Act be-**
10 **come operative on January 1, 2016.**

11 **“(2) The State Mortuary and Cemetery Board may take action be-**
12 **fore the operative date specified in subsection (1) of this section that**
13 **is necessary to enable the board to exercise, on or after the operative**
14 **date specified in subsection (1) of this section, all of the duties, func-**
15 **tions and powers conferred on the board by the amendments to ORS**
16 **97.170, 97.180, 97.190, 97.200, 97.990, 413.825 and 692.040 by sections 1 to**
17 **7 of this 2015 Act.**

18 **“SECTION 9. This 2015 Act being necessary for the immediate**
19 **preservation of the public peace, health and safety, an emergency is**
20 **declared to exist, and this 2015 Act takes effect on its passage.”.**

21

House Bill 3242 A



*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Tim Walker
Reviewed by: John Terpening
Date: 04/20/2015

Measure Description:

Permits funeral establishment to take custody of unclaimed body of indigent person.

Government Unit(s) Affected:

Mortuary and Cemetery Board

Summary of Expenditure Impact:

	2015-17 Biennium	2017-19 Biennium
Other Funds	378,000	378,000
Total Funds	\$378,000	\$378,000

Summary of Revenue Impact

	2015-17 Biennium	2017-19 Biennium
Other Funds	378,000	378,000
Total Funds	\$378,000	\$378,000

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis: This bill shifts the indigent disposition program from Oregon Health Authority (OHA) to the Oregon Mortuary and Cemetery Board (OCMB). The Board, through an interagency agreement, is set to begin managing these funds for OHA in the 2015-17 biennium. All revenue and claims received are passed through via the fund. The monies in the fund are created through the filing fee paid by funeral service practitioners for each initial filing of a death record in Oregon.

House Bill 3242 (2015) with the –A5 amendment



HB 3243-A5
(LC 3477)
5/26/15 (SCT/ps)

PROPOSED AMENDMENTS TO A-ENGROSSED HOUSE BILL 3243

1 On page 1 of the printed A-engrossed bill, delete lines 11 and 12 and in-
2 sert:

3 “(b) Whose relative, or other person, with the legal right to direct the
4 disposition of the deceased person’s body does not pay or arrange to pay for,
5 or refuses to direct, the disposition of the deceased person’s body within 10
6 days of being notified of the death; or”.

7 On page 2, after line 7, insert:

8 “(A) Submit a report of death under ORS 432.133;”.

9 In line 8, delete “(A)” and insert “(B)” and delete “known” and delete
10 “from” and insert “known to”.

11 In line 10, delete “(B)” and insert “(C)”.

12 In line 12, delete “(C)” and insert “(D)”.

13 After line 13, insert:

14 “(E) If no person listed in ORS 97.130 can be located to pay the expenses
15 to make disposition of the body, arrange with a person or institution not
16 listed in ORS 97.130 that will pay the expenses to make disposition of the
17 body;”.

18 In line 14, delete “(D)” and insert “(F)”.

19 In line 16, delete “(E)” and insert “(G)”.

20 In line 19, after “acquiesce,” insert “or if the decedent is not eligible for
21 any benefits described in paragraph (a)(G) of this subsection.”.

22 On page 4, line 28, after the period insert “Expenditures relating to the

1 administration of the fee may not exceed five percent of the moneys col-
2 lected.”.

3

House Bill 3242 (2015) with the –B6 amendment

HB 3243-B6
(LC 3477)
6/15/15 (SCT/ps)

PROPOSED AMENDMENTS TO B-ENGROSSED HOUSE BILL 3243

On page 5 of the printed B-engrossed bill, after line 14, insert:

“SECTION 8. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1, chapter 192, Oregon Laws 2015, as modified by legislative or Emergency Board action, for the biennium beginning July 1, 2015, as the maximum limit 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 State Mortuary and Cemetery Board, is increased by \$378,000 for the purposes of administering the amendments to ORS 97.170, 97.180, 97.190, 97.200, 97.990, 413.825 and 692.040 by sections 1 to 7 of this 2015 Act.

“SECTION 9. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter __, Oregon Laws 2015 (Enrolled Senate Bill 5526), for the biennium beginning July 1, 2015, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, tobacco tax receipts, provider taxes, Medicare receipts and federal funds for indirect cost recovery, Supplemental Security Income recoveries, Women, Infants and Children Program food rebates, the Coordinated School Health Program, the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant Program, homeland security and emergency preparedness and response services, but excluding lottery

1 funds and federal funds not described in section 2, chapter __, Oregon
2 Laws 2015 (Enrolled Senate Bill 5526), collected or received by the
3 Oregon Health Authority, is decreased by \$378,000.”

4 In line 15, delete “8” and insert “10”.

5 In line 22, delete “9” and insert “11”.

6 _____

House Bill 3242 (2015) Budget Report



Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session

MEASURE: HB 3243 C

CARRIER: Sen. Bates

BUDGET REPORT AND MEASURE SUMMARY

Joint Committee On Ways and Means

Action: Do Pass With Amendments To The B-Eng Bill. (Printed C-Eng.)

Action Date: 06/19/15

Vote:

Senate

Yeas:

11 - Burdick, Devlin, Girod, Hansell, Johnson, Monroe, Roblan, Shields, Steiner Hayward, Thomsen, Whitsett

Nays:

1 - Winters

House

Yeas:

12 - Buckley, Gomberg, Huffman, Komp, McLane, Nathanson, Rayfield, Read, Smith, Whisnant, Whitsett, Williamson

Prepared By: Art Ayre, Department of Administrative Services

Reviewed By: John Terpening, Legislative Fiscal Office

Agencies: Oregon Health Authority, Mortuary and Cemetery Board

Biennium: 2015-17

House Bill 3242 (2015) Budget Report



Budget Summary*

	2013-15 Legislatively Approved Budget	2015-17 Current Service Level	2015-17 Committee Recommendation	Committee Change from 2013-15 Leg. Approved	
				\$ Change	% Change
<u>Oregon Health Authority</u>					
Other Funds Limited	\$ -	\$ -	\$ (378,000)	\$ (378,000)	100.0%
<u>Oregon Mortuary and Cemetery Board</u>					
Other Funds Limited	\$ -	\$ -	\$ 378,000	\$ 378,000	100.0%
Total	\$ -	\$ -	\$ -	\$ -	

Position Summary

Authorized Positions	0	0	0	0
Full-time Equivalent (FTE) positions	0.00	0.00	0.00	0.00

Revenue Summary

House Bill 3243 shifts \$378,000 Other Funds fee revenue from the Oregon Health Authority to the Oregon Mortuary and Cemetery Board. The monies in the fund are created through the filing fee paid by funeral service practitioners for each initial filing of a death record in Oregon. The filing fee is \$20, \$14 of which funds the OMCB and \$6 that goes to the indigent disposition fund which reimburses funeral practitioners for the disposition of indigent remains.

Summary of Human Services Subcommittee Action

House Bill 3243 shifts the indigent disposition fund program from the Oregon Health Authority (OHA) to the Oregon Mortuary and Cemetery Board (OMCB). OMCB, through an interagency agreement, is already set to begin managing these funds for OHA in the 2015-17 biennium. OMCB's budget bill (House Bill 5023) included an FTE increase and reclassification of a permanent position to administer the fund. House Bill 3243 officially transfers the program and provides OMCB with additional Other Funds limitation to distribute the funds previously collected and distributed through OHA. It also makes a corresponding decrease in Other Funds limitation for OHA.

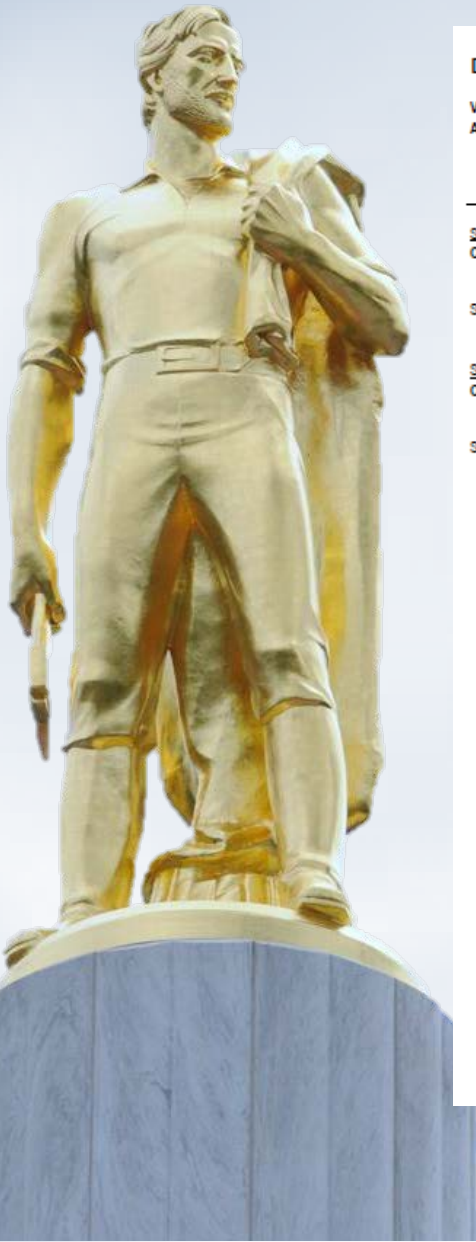
Oregon Health Authority

The Subcommittee approved a reduction of \$378,000 Other Funds expenditure limitation in the Public Health program.

Oregon Mortuary and Cemetery Board

The Subcommittee approved an increase of \$378,000 Other Funds expenditure limitation for the indigent disposition program within the Oregon Mortuary and Cemetery Board.

House Bill 3242 (2015) Budget Report



DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

HB 3243-C

Various Agencies
Art Ayre - 503-378-3108

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
SUBCOMMITTEE ADJUSTMENTS									
Oregon Health Authority - Public Health Services and Supplies	\$ -	\$ -	(378,000)	\$ -	\$ -	\$ -	(378,000)		
SUBCOMMITTEE RECOMMENDATION	\$ -	\$ -	(378,000)	\$ -	\$ -	\$ -	(378,000)	0	0.00
SUBCOMMITTEE ADJUSTMENTS									
Oregon Mortuary and Cemetery Board Services and Supplies	\$ -	\$ -	378,000	\$ -	\$ -	\$ -	378,000		
SUBCOMMITTEE RECOMMENDATION	\$ -	\$ -	378,000	\$ -	\$ -	\$ -	378,000	0	0.00

The Fiscal Impact of Task Forces and Interim Committees



- ❑ Number and location of members
- ❑ Number and location of meetings
- ❑ Staffing
- ❑ Meeting expenses
- ❑ Research/Reporting requirements
- ❑ Start and end date of task force or interim committee
 - ORS 171.072 allows legislators to receive compensation mileage and costs for interim committees and task forces. determine when mileage and costs are allowed.
 - ORS 292.495 - states that any member of state board or commission may receive \$30 per diem and actual expenses.



House Bill 2452

Sponsored by Representative PARRISH; Representatives HAYDEN, STARK, Senator ROBLAN (Pre-session filed.)

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.

Establishes Task Force on Public Boarding Schools. Requires task force to submit report to Legislative Assembly no later than September 15, 2018.

Sunset on December 31, 2018.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1 Relating to public boarding schools; and declaring an emergency.

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

3 **SECTION 1.** (1) The Task Force on Public Boarding Schools is established to determine
4 whether to establish a public boarding school in this state.

5 (2) The task force consists of **13 members** appointed as follows:

6 (a) The President of the **Senate** shall appoint one member from among members of the
7 Senate.

8 (b) The Speaker of the **House of Representatives** shall appoint one member from among
9 members of the House of Representatives.

10 (c) The Governor shall appoint 11 members as follows:

11 (A) One member who provides child welfare services through the **Department of Human**
12 **Services;**

13 (B) One member who represents the **Department of Education;**

14 (C) One member who is a school nurse, based on recommendations submitted by a local
15 association that represents school nurses;

16 (D) Two members who are licensed teachers;

17 (E) One member who is a school administrator, based on recommendations submitted by
18 a local organization that represents school administrators;

19 (F) One member who is a member of a school district board, based on recommendations
20 submitted by a local organization that represents school district boards;

21 (G) One member who is an advocate for foster care students;

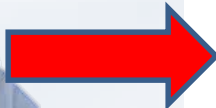
22 (H) One member who is an advocate for homeless persons; and

23 (I) Two at-large members.

24 (3) **The task force shall work with a national nonprofit organization that develops part-**
25 **nerships with urban communities to provide innovative educational opportunities. The or-**
26 **ganization shall conduct a study on the feasibility of establishing a public boarding school in**
27 **this state. Based on the study conducted by the organization, the task force shall make**
28 **recommendations for legislation related to a public boarding school.**

29 (4) A majority of the members of the task force constitutes a quorum for the transaction

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.



House Bill 2452

HB 2452



1 of business.

2 (5) Official action by the task force requires the approval of a majority of the members
3 of the task force.

4 (6) The task force shall elect one of its members to serve as chairperson.

5 (7) If there is a vacancy for any cause, the appointing authority shall make an appoint-
6 ment to become immediately effective.

7 (8) The task force shall meet at times and places specified by the call of the chairperson
8 or of a majority of the members of the task force.

9 (9) The task force may adopt rules necessary for the operation of the task force.

10 (10) The task force shall submit a report in the manner provided by ORS 192.245, and
11 may include recommendations for legislation, to an interim committee of the Legislative
12 Assembly related to education no later than September 15, 2018.

13 (11) The Department of Education shall provide staff support to the task force.

14 (12) Notwithstanding ORS 171.072, members of the task force who are members of the
15 Legislative Assembly are not entitled to mileage expenses or a per diem and serve as volun-
16 teers on the task force. Other members of the task force are not entitled to compensation
17 or reimbursement for expenses and serve as volunteers on the task force.

18 (13) All agencies of state government, as defined in ORS 174.111, are directed to assist
19 the task force in the performance of the task force's duties and, to the extent permitted by
20 laws relating to confidentiality, to furnish information and advise the members of the task
21 force consider necessary to perform their duties.

22 (14) The task force may accept donations of moneys and nonmonetary assistance from
23 any public or private source. The task force may agree to conditions on the receipt of the
24 moneys or assistance to the extent consistent with the purposes of the task force.

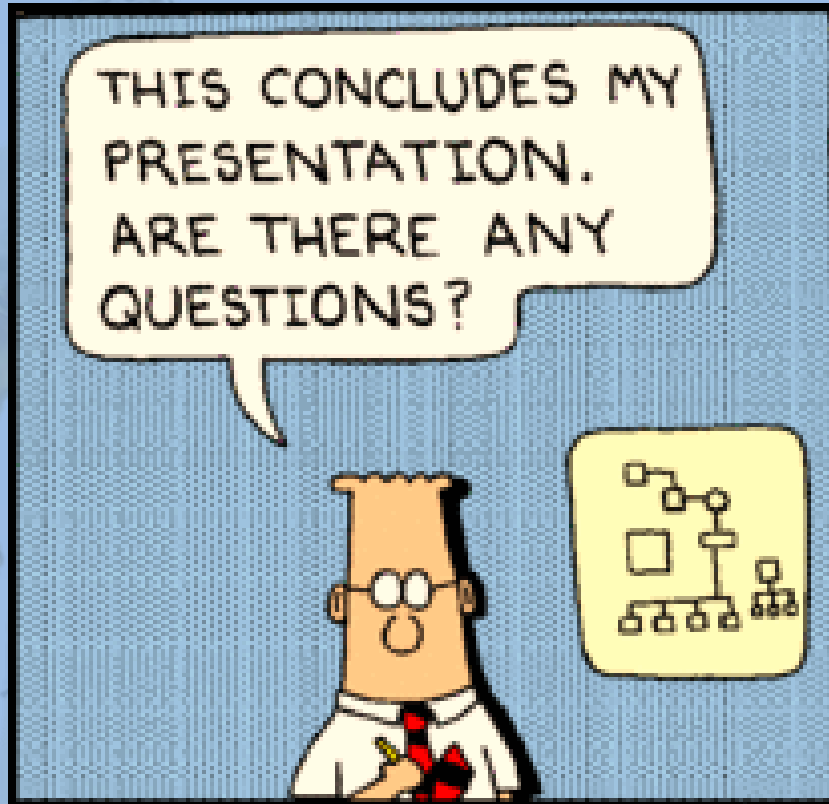
25 SECTION 2. Section 1 of this 2017 Act is repealed on December 31, 2018.

26 SECTION 3. In addition to and not in lieu of any other appropriation, there is appropri-
27 ated to the Department of Education, for the biennium beginning July 1, 2017, out of the
28 General Fund, the amount of \$100,000, which may be expended for the Task Force on Public
29 Boarding Schools established by section 1 of this 2017 Act.

30 SECTION 4. This 2017 Act being necessary for the immediate preservation of the public
31 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect
32 on its passage.

33

Questions and Comments



scottadams@aol.com

www.dilbert.com



© 1999 United Feature Syndicate, Inc.

3/5/99

