

Date: Monday-June 27

Time: 9:30 A.M.

Room: HR F

Ways and Means

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Agenda			Live Audio		Archived Audio
Live Video			Publications		

Work Session

SB 101 B Relating to health care - Adoption of conflict amendments

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Note:

I see no conflict amendments online for this bill. It just passed the senate on Thursday and was read for the House for the first time on the same day and referred to Ways and Means.

From Bill:

Authorizes payment for dental services under Family Health Insurance Assistance Program and under private health option of Health Care for All Oregon Children program. Specifies requirements for dental plan to qualify for premium assistance under Family Health Insurance Assistance Program.

Requires Oregon Health Authority to obtain authority to implement, on September 1, 2011, new Medicaid fee schedule.

Requires negotiating of new contract between hospitals and fully capitated health plans in anticipation of new schedule. Sets rates of reimbursement for hospitals and fully capitated health plans that do not have contract. Eliminates sunset on provision regulating setting of such rates.

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SB 254 B Relating to college credits - Adoption of conflict amendments

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Note:

Passed senate with unanimous vote with 2 absent

Directs Department of Education to administer grant program to provide grants related to accelerated college credit programs.

From Bill summary:

Establishes grant program relating to accelerated college credit programs for college credit to be administered by the Department of Education (DOE). Directs Joint Boards of Education to develop statewide standards for dual credit programs and state secondary and tertiary schools to implement the standards and report on students enrolled in dual credit programs. Establishes the Accelerated College Credit Account (ACCA). Appropriates moneys from the General Fund to the ACCA. Continuously appropriates moneys in the ACCA to the Department of Education. Declares emergency, effective July 1, 2011.

From Fiscal Impact statement:

The measure directs the Department of Education to administer a grant program to provide grants related to accelerated college credit programs. The grants may be awarded to provide education or training to teachers who provide instruction in accelerated college credit programs or to assist students for non-examination expenses related to accelerated college credit programs and for providing classroom supplies for accelerated college credit programs. The amount of the grant may not exceed one-third of the total cost of education or training. The Department may accept contributions from the federal government or other public or private sources and enter into agreements with school districts, community college districts and state institutions of higher education related to funding. The measure establishes the Accelerated College Credit Account separate and distinct from the General Fund for the administration of the grant program and moneys in the account are continuously appropriated to the Department. The measure appropriates \$250,000 of General Fund to the Accelerated College Credit Account.

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SB 342 B Relating to the use of Parks and Natural Resources Fund moneys - Adoption of conflict amendments

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Note:

Passed Senate with unanimous vote with 2 absent.

Revises statutory provisions relating to lottery moneys constitutionally directed toward acquisition, management and protection of parks and recreation areas and toward financing restoration and protection of native fish and wildlife, watersheds and water quality.

From Bill summary:

Establishes Parks Subaccount. Requires Director of Parks and Recreation Department to report to Joint Ways and Means Committee on measurable biennial and cumulative results of activities and programs financed by Parks Subaccount. Establishes Natural Resources Subaccount and purposes for which funds may be used. Directs 65 percent of money in Natural Resources Subaccount to be deposited in Watershed Conservation Grant Fund (Grant Fund) and 35 percent in Watershed Conservation Operating Fund (Operating Fund), except under specific circumstances. Establishes purpose of Grant Fund, including implementation of the Oregon Plan, and funding watershed health and native fish recovery costs. Directs each state agency receiving money from Natural Resources Subaccount to report to Legislative Assembly on use of funds, including measurable biennial and cumulative results of activities and programs financed by Natural Resources Subaccount. Declares emergency; effective upon passage.

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HB 5056 Court fee allocation

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Note:

Bill was introduced to Ways and Means almost 5 months ago. The whole bill is filled with blank lines to insert dollar amount and groups to receive money.

From Bill: Appropriates moneys from General Fund to _____ for biennial expenses.

Limits biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by _____.

Limits biennial expenditures of _____ from federal funds.

Declares emergency, effective July 1, 2011

SECTION 1. { + There is appropriated to _____, for the biennium beginning July 1, 2011, out of the General Fund, the amount of \$_____ for _____. + }

SECTION 2. { + Notwithstanding any other law limiting expenditures, the amount of \$_____ is established for the biennium beginning July 1, 2011, as the maximum limit for payment of expenses for _____ from fees,

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SB 5516 Judicial Department

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Note:

Appropriates moneys from General Fund to Judicial Department for biennial expenses.

From Bill:

Limits biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by department. Limits biennial expenditures by department from federal funds. Declares emergency, effective July 1, 2011.

SB 5540 Public Defense Services Commission

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Note: Appropriates moneys from General Fund to Public Defense Services Commission for certain biennial expenses.

HB 2653 A Relating to justice courts

Relating to justice courts

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Note:

Allows justice courts to assign certain judgments to the Department of Revenue for subsequent collection. Requires these courts to submit an annual report to the Legislative Fiscal Office regarding the status of the court's liquidated and delinquent accounts; identifies information to be included in the report. Requires the Legislative Fiscal Office to produce an annual report based the reports it receives from justice courts.

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HB 2710 A Relating to courts

To date this bill has been passed by judiciary committee in House and was moved to ways and means about 2 months ago where it has been sitting.

From Fiscal Impact Statement:

The measure establishes a civil filing fee structure in statute. All of the fees are permanent and become effective July 1, 2011. The fees are fixed dollar amounts and do not include any add-on charges or surcharges. Fee amounts are uniform across all the state courts.

The fiscal impact of this measure is based on 24-months of revenue. OJD requires 120 days after the bill becomes law to implement the changes. This means that the measure must be enacted into law prior to April 15, 2011, if it is to be implemented on July 1, 2011.

The measure includes language that would provide for a statutory allocation of funds to a list of eligible entities.

The measure is estimated to generate \$86.7 million in total revenue, including a margin of error. Of this amount, at least \$12.1 million would be distributed to the Oregon State Bar for Legal Aid Services; \$17.2 million will be distributed to counties; \$3.7 million to other entities, and \$53.8 million to the General Fund. However, the Oregon Judicial Department (OJD) revenue management assessment of approximately eight percent would apply to all amounts collected. This would equal \$6.9 million and be deducted from the amount going to the General Fund. Therefore, the unallocated balance to be distributed to the General Fund would become \$46.9 million.

State General Fund revenue from civil filing fees in 2009-11, including HB 2287 surcharges, is \$62.1 million, according to an estimate prepared by the Judicial Department. Therefore, this bill as amended, would result in a net decrease in 2011-13 General Fund revenue of \$15.2 million.

From bill summary: Corrects omission of exemption for declaratory judgment cases from multiple party fees and allows refund for cases filed during specified time frame. Reinstates Council on Court Procedures and Oregon Law Commission among entities eligible to receive distributions. Allows for method of calculation based on a percentage of filing fees for legal aid, law libraries, court facilities, and reconciliation/mediation, with legal aid guaranteed 14 percent of total civil filings, and the remaining three entities distributed by each county, to reflect 70 percent of domestic relations filings plus 10 percent of other civil filings, in the respective county. Changes fees as follows: domestic relations \$300; forcible entry or wrongful detainer \$75; garnishment \$35; and circuit court document fee \$10.

Reinstates civil filing fee category for claims involving less than \$10,000 and sets fee at \$140. Sets civil filing fee for claims involving \$10,000 to 50,000 at \$250. Modifies small claims jurisdiction and adjust small claims filing fees to achieve a more graduated structure. Increases amount of costs recoverable in small claims to \$100 for cases resolved short of trial, and to \$115 for cases tried. Raises filing fees in justice courts to \$40 each for plaintiff and defendant in civil actions, \$28 each for small claims, and increases document fee to \$6.

HB 2712 A Relating to offenses

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Note: To date this bill has also been passed by judiciary committee in House and was moved to ways and means about 2 months ago where it has been sitting.

From Revenue impact statement:

House Bill 2712A is one of three measures resulting from the efforts of the Joint Interim Committee on State Justice System Revenues (the Committee), which was established by House Bill 2287 (2009) and which met almost monthly between October 2009 and January 2011. HB 2712A and its companion measures are intended to replace HB 2287, which sunsets June 30, 2011, in order to continue adequately funding Oregon's courts. House Bill 2712A establishes a more uniform structure for application of payments received from defendants in traffic and criminal cases and creates a Criminal Fines Account to centralize funds from which allocations are made for specific purposes.

The measure drastically changes the revenue structure and needs to be thoroughly examined in ways and means committee. This revenue impact statement is issued to facilitate that move.

From Bill summary:

Modifies presumptive fines for violations. Establishes same as minimums and prohibits downward deviation. Modifies maximum fines for violations by individuals and corporations. Provides for notice of presumptive/minimum fines on face of citation. Modifies minimum fines for crimes. Permits courts to waive in whole or part. Sets minimum fines for specific methamphetamine crimes. Sets range of fines, if ordered, for reduced crimes. Requires assessment of minimum fine for crime upon sentence of discharge. Modifies structure for disposition of fines collected for traffic offenses by circuit courts, justice courts, and municipal courts. Replaces Criminal Fine and Assessment Account with Criminal Fine Account (CFA). Creates two subaccounts within the CFA, a Public Safety subaccount for 70 percent of the total collected, and a Miscellaneous Distributions subaccount for the remaining 30 percent. Directs distributions from the Public Safety subaccount to the following entities for specific purposes: Department of Public Safety Standards and Training, Department of Human Services, Oregon Health Authority, and Department of Justice. Directs distributions from the Miscellaneous Distributions subaccount to Law Enforcement Medical Liability Account, State Court Facilities Security Account, State Court Administrator for Court Security Program distributions, Department of Corrections for community corrections grants, Oregon Health Authority for specific grants, Oregon State Police for DUII enforcement, Arrest and Return Account, and Intoxicated Driver Program Fund. Lowers fines for traffic tickets. Directs distribution to each county the equivalent of \$5.00 per criminal action in that county for court facilities. Prohibits allocation for debt service obligations. Expresses legislative intent to make allocations consistent with historical funding. Directs any excess into General Fund.

SB 994 Relating to education

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Note:

From Bill: Resolves conflicts in certain education bills. Creates Task Force on Virtual School Governance. Sunsets task force on date of convening of 2012 legislative session.

This is a large bill. Matt Wingard is not on Ways and Means and should be consulted regarding this bill as he is one of the principal drivers behind much of the education reform. This bill is sponsored by Peter Courtney