

Minutes Accounts Receivable Core Committee (ARCC)



Meeting Date: April 23, 2019 2:00pm-3:00pm

Location: Executive Building, Conference Room A

Attendees: Andria Abrahamson (Forestry), Sheila Banke (DOJ), Travis Clark (DHS/OHA), Kim Courtright (ODA), Todd Evans (DOR-OAA), Gerold Floyd (DAS-SWARM), Kim Hall (WRD), Sharon Hood, (DAS), Craig Kiernan (OHCS), Rebecca Level (ODE), Lindsey McFadden (DAS), Katya Medvedeva (DAS), Monique Murphy (HECC), Sue Nunley (DOJ), Dora Olivan (DCBS), Michael Peppler (ODOE), Matt Powell (DPSST), Michelle Short (ODOT), Cindy Stockstill (OPRD), Katie Titus, (OSP)

Attendees by phone: Jill Blackford (DOC), Carol Brandt (OMB), Rosa Carbaugh (Aviation), Susan Cha (OCB), Connie Dominguez (ODF), Marie Elkins (PERS), Kristen Forest (Aviation), Jeff Hanson (HRLB), Caty Karayel (REA), Pam Lara (DSL), Allan Rempel (OCB), Jill Reece (OYA), Ellie Shoholm (OED), Star Thomson (DSL)

ITEM	ACTION, DISCUSSION
Welcome and introductions	
SWARM announcements	<ul style="list-style-type: none"> • The vacant SWARM coordinator position closed on 4/24, we are looking forward to having the position filled soon. • ARPM reports were due 4/30 • SWARM asks all agencies to confirm their A/R contacts that are currently listed at: https://www.oregon.gov/das/Financial/Acctng/Documents/A_R%20Contacts.pdf If there are any changes, please send an email to SWARM@oregon.gov. • If anyone would like to receive future A/R announcements, please sign up for the Accounts Receivable news list at: https://www.oregon.gov/das/Financial/Acctng/Pages/NewsGroups.aspx
Legislative update	<p>Gerold shared the current status (committee assignments, hearing dates, etc.) of bills that SWARM is observing during the legislative session (see attached list).</p> <p>If your agency has any other bills that could impact A/R, even if only for your agency please email SWARM@oregon.gov with the bill number so we can monitor as well.</p>
Unassigned, non-exempt accounts with no payments for more than 90 days.	<p>With only a couple of months left before the end of the fiscal year, SWARM wants to remind agencies to review all of their accounts to ensure that any accounts not assigned to DOR are because of an exemption and that the exemption is still valid. Any accounts where an exemption has expired is subject to assignment. It is the hope of SWARM that in FY 2019 LFO reporting that agencies will have zero accounts that are unassigned/non-exempt and have had no payment for more than 90 days.</p>

DOR-OAA update	<p><u>BANKRUPTCY:</u> 12 agencies have been chosen to be included in the pilot group. I have talked with each of these agencies in early March to notify them, I will be reaching out to each of these agencies in early May to go over processes.</p> <p><u>DOCKETING WARRANTS:</u> OAA is very close to having a process in place to be able to place liens on properties in Oregon, when we are ready, OAA will be contacting each agency to confirm the desire for their agencies debts to have a lien place, and the criteria will be discussed with each agency prior to liens being placed. OAA is working on an automated process to find debtors that own property and meet the other criteria (Debt meets OAM requirements and dollar amount of debt).</p> <p><u>FIDM – Financial Institution Data Match</u> Process is up and running 72 of the 105 financial institutions are sharing files with DOR. This has led to a 400% increase in garnishments issued by OAA. There has been a lot of success stories and this information is helping with accuracy of bank garnishments, and helps in the process while negotiating payment plans with debtors.</p>
Post enforcement actions	<p>Gerold asked if agencies currently have a practice of releasing garnishments or liens if the debtor requests a payment plan, or refunding money received from a garnishment at the debtor’s request. Those in attendance did not indicate this was something their agency did as a regular practice. Gerold stated that as a best practice, agencies should not release funds received from a garnishment except when a challenge to the garnishment is filed in accordance with ORS 18 and the funds are proven to be not subject to garnishment. It is also best practice to not release any garnishments or liens already in place even if the debtor requests a payment plan. Once the debt has been paid, the agency is responsible to file the release of lien and/or garnishment.</p>
Credit card chargebacks- how does your agency handle?	<p>This item was tabled until the May meeting.</p>
Roundtable	<p>No roundtable items were raised.</p>

Next meeting:

May 21, 2019

2:00pm – 3:00pm

Executive Building, Room B

Upcoming events are listed on the SWARM website:

<http://www.oregon.gov/das/Financial/Acctng/Pages/AR.aspx>

2019 Legislative Session
Bills with A/R impacts

Bill#	Summary	Status as of 4/23	Hearing or Work Session Date	Notes
SB 72	Clarifies definition of "state agency" in sections of ORS 293.	-2 passed Senate 3/14, (House) Rules 3/20		-2 Amendment clarifies 293.226 does not include Judicial, Sec. of State or Treasurer. Passed Senate 22-8.
SB 79	Provides that Department of Revenue may assist public bodies, public universities and Oregon Health and Science University in collecting delinquent accounts.	-2 passed Senate 3/7, referred to (House) Revenue 4/18		-2 amendment revises bill to all collection for State Bar on client security fund and modifies authority to provide service to local governments only through offset of refunds or sums due from the department or any other state agency.
SB 454	Transfers administration of Uniform Disposition of Unclaimed Property Act, unclaimed estates and escheating funds from Department of State Lands to State Treasurer.	(Senate) Business and Gen Govt. approved 2/21, referred to Ways and Means 2/27		-2 Amendment cleans up language on transfers of funds. Oregon is only one of two states not managed by Treasurer.
SB 519	Increases minimum wage exemption for purposes of garnishment and execution.	(Senate) Workforce approved 3/7, passed Senate 3/19 (30-0). (House) Business and Labor 3/25	4/24	-1 amendment removes emergency clause and changes the minimum exemption amounts from a 25% increase to a 16% increase. This law was last updated in 2011, the average rate of inflation is 2% annually, so this change brings the minimum exemption up based on inflation.
SB 523	Authorizes Department of Revenue to make publicly available by posting online information about delinquent tax debtors.	-1 passed Senate 3/26 (28-2), (House) Revenue 3/28		-1 amendment clarifies that debts over \$50,000 may be published.
SB928	Establishes Oregon Climate Authority	(Senate) Environment and Natural Resources passed 4/15 referred to		

		Ways and Means		
HB 2094	Permits contracting agency to consider at any time before executing public contract with bidder or proposer whether bidder or proposer owes debt to state.	-1 passed House 3/6, (Senate) Business and General Govt. 3/8	4/16 and 4/25 (PH and WS)	-1 Amendment, clarification for liquidated and delinquent debts.
HB2116	Directs Department of Revenue to establish automated method for tax compliance certification not later than January 1, 2020	(House) Revenue	2/21 hearing	
HB 2196	Adds OMD firefighters to list of PERS category firefighters for retirement	(House) Passed 4/17, (Senate) Workforce	4/25	
HB2614	Repeals driving privilege suspension and eliminates imposition of driving privilege restrictions for failure to pay fine.	Passed House on 3/19. Referred to Ways and Means.		
HB3401	Abolishes Orchardgrass Seed Producers Commission	House third reading 4/23		
HB5044	Appropriates money to the Oregon Climate Authority	(House) Ways and Means, Natural Resources sub-committee 1/23		

Bills that did not receive a scheduled work session by 3/29 deadline

SB 6	Increases minimum wage exemption for purposes of garnishment and execution.	(Senate) Workforce 1/5		
SB 267	Transfers duties, functions and powers of State Department of Energy related to issuance of loans for small scale local energy projects to Oregon Business Development Department	(Senate) Environment and Natural Resources 1/15		